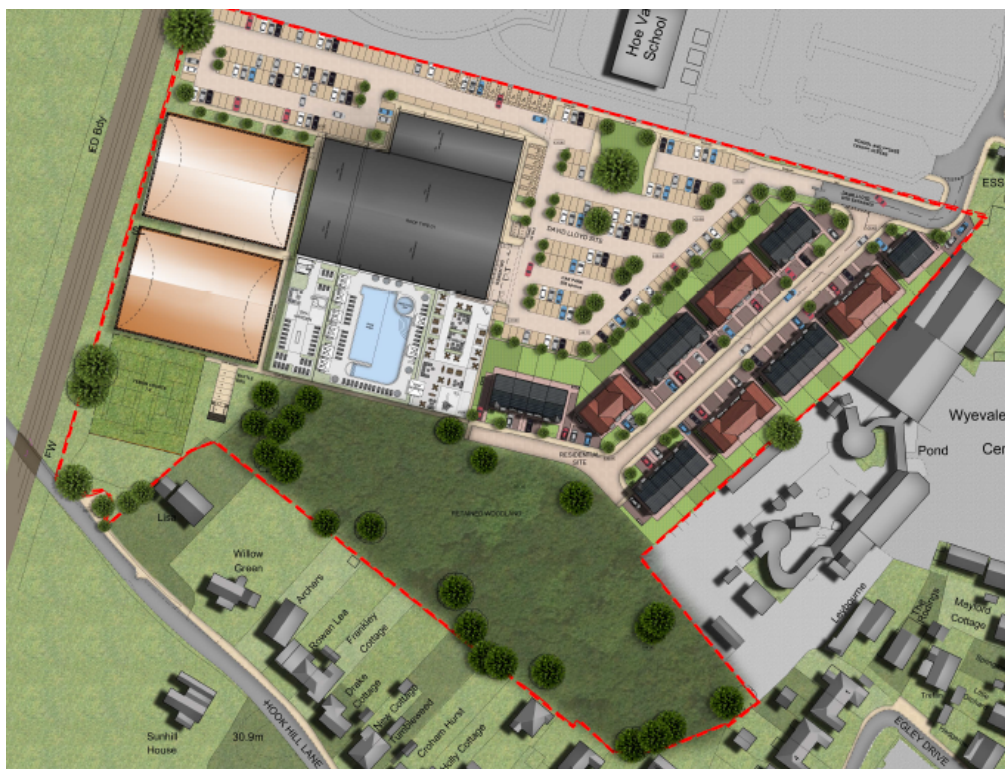


# Land South of Hoe Valley School and East of Railway Tracks, Egley Road, Woking

PLAN/2019/1177

Redevelopment of site following demolition of existing building to provide health club building (Class D2) also incorporating external swimming pool, spa garden, terrace and tennis courts (including tennis court airdomes), provision of 36 dwelling houses (Class C3) up to a maximum of 3 storeys in height, vehicle parking, hard and soft landscaping, ancillary works including ancillary structures and fencing/gates and new vehicular access from existing road serving Hoe Valley School (Environmental Statement submitted).



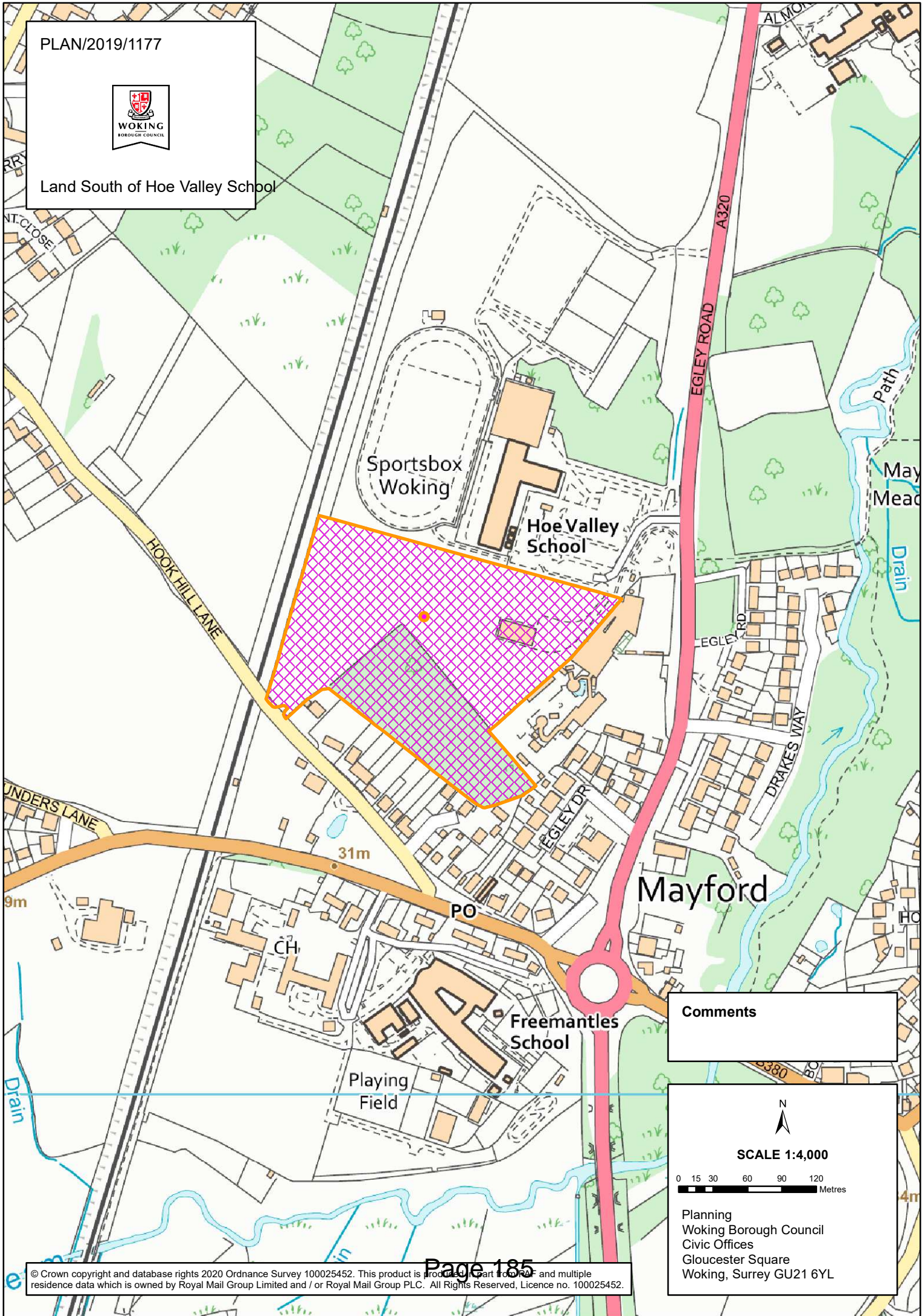




PLAN/2019/1177



Land South of Hoe Valley School



Comments

N  
SCALE 1:4,000  
0 15 30 60 90 120 Metres

Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



6b PLAN/2019/1177

WARD: HE

**LOCATION:** Land south of Hoe Valley School and east of Railway Tracks, Egley Road, Woking, GU22 0NH

**PROPOSAL:** Redevelopment of site following demolition of existing building to provide health club building (Class D2) also incorporating external swimming pool, spa garden, terrace and tennis courts (including tennis court airdomes), provision of 36 dwelling houses (Class C3) up to a maximum of 3 storeys in height, vehicle parking, hard and soft landscaping, ancillary works including ancillary structures and fencing/gates and new vehicular access from existing road serving Hoe Valley School (Environmental Statement submitted).

**APPLICANT:** Woking Football Club and GolDev Woking

**OFFICER:** Benjamin Bailey

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### **REASON FOR REFERRAL TO COMMITTEE**

The proposal is for development which falls outside the Scheme of Delegation.

### **SUMMARY**

Site area: 4.1 hectares

Proposed building footprint (health club): 5,836 sq.m (GEA)

Proposed building footprint (residential): 6,432 sq.m (GEA)

Proposed floorspace (health club): 5,188 sq.m (GIA)

Proposed floorspace (residential): 5,670 sq.m (GIA)

Building height (health club): maximum height of 43.95m AOD (i.e. 12m)

Building height (residential): maximum height of 42.45m AOD (i.e. 12m)

Car Parking: x370 car parking spaces. x280 car parking spaces are proposed for the health club building (Class D2) and x90 car parking spaces are proposed for the dwelling houses.

### **PLANNING STATUS**

- Green Belt
- Escarpment and Rising Ground of Landscape Importance
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

### **RECOMMENDATION**

That the Planning Committee resolves to **Grant** planning permission subject to:

1. The prior resolution of the Council's Executive to give effect to measures within the Executive Undertaking (as set out at the conclusion of this report);
2. Planning permission being granted on application reference PLAN/2019/1176 (Land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, GU22 9PF) either by:
  - (i) the Local Planning Authority, or
  - (ii) the Secretary of State for Housing, Communities and Local Government following 'call-in' under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009;

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3. The referral of this application to the Secretary of State for Housing, Communities and Local Government under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, and failing any direction from the Secretary of State;
4. Completion of an Appropriate Assessment, supported by Natural England; and
5. Planning conditions set out at the end of this report.

The Planning Committee is also requested to authorise the Development Manager (or their authorised deputy) to take all necessary action in connection with points 1-5 above.

*(Officer Note: As the Council is the owner of the land the subject of this application, it cannot enter into a Section 106 legal agreement to secure any planning obligations which may be required to mitigate the effects of the proposed development and which cannot be secured by planning condition. However the Council's Executive is able to resolve to give effect to those measures required. Any such resolution by the Council's Executive would provide certainty that such measures will be given effect to if planning permission is granted and implemented for the proposed development and that the Council will ensure obligations are passed to any successor in title or leaseholder as appropriate to give effect to the mitigation required).*

### **SITE DESCRIPTION**

The site falls within the Green Belt and is bounded to the north by Hoe Valley School / Woking Sportsbox, to the east by a garden centre, to the south by residential dwellings and to the west by railway tracks and open fields. The site currently comprises open field, with a single building located in the north-east of the site, and a large area of trees in the south of the site. The site is located to the west of Egley Road (A320).

### **RELEVANT PLANNING HISTORY**

The site has a relatively extensive planning history, some instances associated with the development of the Hoe Valley School/Woking Sportsbox, which are not relevant to the present proposal. The below are the most recent:

PLAN/2019/0559 - EIA Scoping Opinion for approximately 5,600 sq m of internal gym and sports floorspace (Class D2), up to 60 residential units including affordable housing (Class C3) in the form of detached, semi-detached and terraced townhouses and car parking for approximately 100 cars.

Environmental scoping opinion issued (09.08.2019)

PLAN/2019/0233 - Change of use of barn to gymnastics club (Use Class D2) and addition of four heat exchangers for a temporary period of three years.

Permitted subject to conditions (26.06.2019)

### **Environmental Impact Assessment:**

Owing to the nature of the proposed development, falling within Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as an urban development project, an Environmental Impact Assessment was required. Before determining the application the Local Planning Authority must consider the environmental

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information contained in the Environmental Statement (ES), as well as representations from consultees about the environmental effects of the development.

The ES assesses the likely environmental impacts from the development including its construction and operation. The ES identifies the existing (baseline) environmental conditions, and the likely environmental impacts (including magnitude, duration, and significance) and also identifies measures to mitigate any adverse impacts. A summary of potential positive and negative residual effects remaining after mitigation measures is also given.

The ES itself does not necessarily consider compliance with planning policies and so planning permission does not have to be granted or refused based on its findings, but these are material considerations.

The ES contains analysis of impacts for the following topics:

- Demolition and Construction
- Air Quality
- Ecology

### **CONSULTATIONS**

**County Highway Authority (SCC)** - No objection subject to Executive Undertaking and conditions (conditions 08, 09, 10, 11, 12, 13, 14, 15, 16 and 17 refer).

**SCC County Archaeologist** - No objection subject to condition (condition 50 refers). Due to the large, generally undisturbed nature of the site, combined with the generally unknown archaeological potential, an archaeological trial trench evaluation should be undertaken in the first instance to confirm the nature, date, extent and significance of any archaeological Heritage Assets present; will allow further decisions to be made about what (if any) mitigation measures are necessary. Nothing to suggest remains worthy of preservation in situ will be present.

**SCC Lead Local Flood Authority** - Under local agreements, the statutory consultee role under surface water drainage is dealt with by Woking Borough Council's Flood Risk Engineering Team.

**Natural England** - If the applicant is complying with the requirements of the Local Authority's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA through an agreement securing contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), Natural England has no objection to this application.

**Historic England** - On the basis of the information provided we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

**Environment Agency** - No objections.

**Surrey Wildlife Trust** - Granting planning permission for this development as proposed on the basis of currently available information is contrary to the policy objectives of the NPPF and the statutory obligations of the Natural Environment and Rural Communities (NERC) Act 2006 and a suite of European and national protected species legislation.

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**Thames Water** - Inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. However no objection subject to foul water condition (condition 45 refers).

**Affinity Water** - No comments received.

**Network Rail** - Developer to enter into Asset Protection Agreement with Network Rail.

*(Officer Note: This is a matter outside of planning control between the relevant parties)*

**WBC Contaminated Land Officer** - No objection subject to conditions (conditions 46, 47, 48 and 49 refer).

**WBC Arboricultural Officer** - Objection due to adverse arboricultural impacts.

**WBC Drainage and Flood Risk Engineer** - No objection subject to conditions (conditions 41, 42, 43 and 44 refer).

**WBC Housing Services** - The proposed mix of dwelling sizes will help to meet needs across a broad range of needs identified on the Council's Housing Register, including for larger dwellings, some of which will emanate from the Sheerwater Regeneration programme. It is noted that at least 23 of the dwellings will be provided at Social Rent levels similar to those at the Kingsmoor Park development with the remaining dwellings let at Affordable Rent levels capped at 80% of the equivalent open market rent capped at Local Housing Allowance (LHA) levels. These affordable homes will make a valuable contribution to helping to meet housing needs.

**Wood Environment & Infrastructure Solutions UK Ltd - (Air quality consultant) (acting for WBC EH)** - Chapter 6 of the ES (Environmental Statement) has concluded that there will be no significant impacts to existing or proposed sensitive human receptors during the construction or operational phases of the proposed development. After independent review of Chapter 6 recommends conditions (conditions 07, 22, 23 and 24 refer).

**Wood Environment & Infrastructure Solutions UK Ltd (Noise and vibration consultant) (acting for WBC EH)** - Recommends conditions 26, 27, 28, 29 and 30.

**RPS Consulting UK & Ireland (External lighting consultant) (acting for WBC EH)** – Recommends condition 31.

**WBC Historic Buildings Consultant** - No objection.

**WBC Planning Policy** - Constitutes inappropriate development in the Green Belt and therefore requires very special circumstances to outweigh the harm to the Green Belt, by reason of inappropriateness, and any other harm, caused by the proposed development. The use of a large part of the land for a leisure club will preclude the use of the site for its intended residential use. This undermines draft policy SA1 (and GB7) of the Site Allocations DPD and prejudices the future development of the site for the proposed uses.

**Joint Waste Solutions** - Content with individual sets of bins to each dwelling. Comment on cost of bins.

**Surrey CC Spatial Planning and Minerals and Waste Team** - No comments received.

**South Western Railway** - No comments received.



**UK Power Networks (UKPN)** - No comments received.

**Southern Gas Networks** - No comments received.

**National Grid Asset Protection Team** - No comments received.

**Surrey Fire And Rescue Service** - No comments received.

**National Planning Casework Unit** - No comment to make on the Environmental Statement.

## **REPRESENTATIONS**

A high number of representations have been received, both in objection and support; the majority of representations refer to both this application and PLAN/2019/1176 within the same text. Some comments originate outside of Woking Borough and some originate from abroad. Some comments have duplications (i.e. an individual/group has submitted several separate representations), some comments have unusual names and some comments do not provide originator addresses (which the LPA does not insist upon for any application).

### **Objection:**

x1,347 representations in objection have been received raising, in summary, the following main points:

#### Character

- Contrary to Policies CS6, CS17 & CS21 of the Woking Core Strategy (2012)
- Out of character
- The development is too large for the area
- The development fails to make a positive contribution to the areas character required by Policy CS21
- Rural character of Mayford would be seriously eroded

#### Amenity

- Disregard of protected Green Belt
- Destruction of local amenities for residents and wildlife
- Loss of trees
- Loss of privacy and light
- Increase of noise level
- Ecological impacts
- Building on Green Belt land on Egley Road is unnecessary; there is no reason to move David Lloyd.
- Development in the Green Belt requires the demonstration of Very Special Circumstances which has not been proven

#### Highways/Transport/Parking

- Insufficient parking spaces
- Increase in volumes of traffic

#### Infrastructure/Other matters

- Lack of affordable housing  
(Officer Note: x36 affordable dwellings are proposed)
- Risk of flooding

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- The infrastructure of Woking cannot cope with the over-development
- Building further private leisure facilities where leisure facilities already exist  
*(Officer Note: The health club proposed is a replacement facility)*
- Adverse effect on property values long term  
*(Officer Note: Potential impact on property values does not constitute a material planning consideration)*

### Support:

x3,452 representations in support have been received raising, in summary, the following main points:

#### Character/Heritage

- Club in need of an upgrade  
*(Officer Note: This comment relates to application reference PLAN/2019/1176)*
- Great plan for the future of Woking, very promising and will improve the overall community and local areas, it will thrive with work and entertainment  
*(Officer Note: This comment appears to relate to application reference PLAN/2019/1176)*
- The buildings are attractive and well designed and have been praised by the Local Design Review Panel  
*(Officer Note: This comment appears to relate to application reference PLAN/2019/1176)*

#### Amenity

- Proposed development likely to reduce noise and light pollution due to the relocation of the stadium, and access being shielded by residential blocks. Noise will also be screened and reduced  
*(Officer Note: This comment relates to application reference PLAN/2019/1176)*
- The regeneration will significantly boost the local economy

#### Infrastructure/Other measures

- Provides medical centre  
*(Officer Note: This comment relates to application reference PLAN/2019/1176)*
- Support the loan to be used primarily to finance housing on the Football Club site providing the necessary financial safeguards are put in place  
*(Officer Note: This matter does not constitute a material planning consideration)*

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (NPPF) (2019)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 6 - Building a strong, competitive economy

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Section 13 - Protecting Green Belt land

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

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

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### South East Plan (Saved policy)

NRM6 - Thames Basin Heaths Special Protection Area

### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS6 - Green Belt

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS15 - Sustainable economic development

CS16 - Infrastructure delivery

CS17 - Open space, green infrastructure, sport and recreation

CS18 - Transport and accessibility

CS19 - Social and community infrastructure

CS20 - Heritage and conservation

CS21 - Design

CS22 - Sustainable construction

CS23 - Renewable and low carbon energy generation

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

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

DM1 - Green infrastructure opportunities

DM2 - Trees and landscaping

DM3 - Facilities for outdoor sport and outdoor recreation

DM5 - Environmental pollution

DM6 - Air and water quality

DM7 - Noise and light pollution

DM8 - Land contamination and hazards

DM13 - Buildings in and adjacent to the Green Belt

DM16 - Servicing development

DM20 - Heritage assets and their settings

### Supplementary Planning Documents (SPD's)

Design (2015)

Parking Standards (2018)

Outlook, Amenity, Privacy and Daylight (2008)

Climate Change (2013)

Affordable Housing Delivery (2014)

### Emerging Site Allocations Development Plan Document (Regulation 19 Consultation with Minor Modifications – July 2019)

Policy GB7 - Nursery Land adjacent to Egley Road, Mayford

### Other Material Considerations

Planning Practice Guidance (PPG)

National Design Guide (NDG) (2019)

Woking Borough Council Strategic Flood Risk Assessment (SFRA) (November 2015)

Community Infrastructure Levy (CIL) Charging Schedule (2015)

Thames Basin Heaths Special Protection Area Avoidance Strategy

**General policy framework for the consideration of the application**

1. Where determining applications for planning permission the Local Planning Authority is required to have regard to (a) the Development Plan, so far as is material, (b) any local finance considerations, so far as is material, and (c) to any other material considerations. Local finance considerations means the Community Infrastructure Levy. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.

**The National Planning Policy Framework**

2. The National Planning Policy Framework (NPPF) is a material consideration to be taken into account in decision-making as appropriate.

**The Development Plan**

3. The Development Plan comprises the Woking Core Strategy (2012), the Development Management Policies Development Plan Document (DM Policies DPD) (2016) and Saved Policy NRM6 of the South East Plan 2009 (which is relevant to residential development). The NPPF reinforces the requirement that Local Plans should be reviewed to assess whether they need updating at least once every 5 years from the date of adoption. The Woking Core Strategy was adopted in 2012. The Core Strategy has been reviewed in accordance with the revised NPPF, Planning Policy Guidance and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017. The review concluded that there was no immediate requirement to modify it either in part or as a whole. Consequently, the Woking Core Strategy (2012) continues to be considered up-to-date in providing the necessary strategic policy framework for managing development across the Borough.

**The emerging Site Allocations DPD**

4. The emerging Site Allocations Development Plan Document (DPD) (Regulation 19 Consultation with Minor Modifications), dated July 2019, was subject to examination in public during December 2019. Policy GB7 relates to the application site and seeks to exclude the site from the Green Belt, and allocate it for a mixed use development to include residential, including affordable housing, and recreational/open space between 2022 and 2027, in accordance with Policy SA1. The emerging Site Allocations DPD should be afforded substantive weight for the purposes of managing development across the Borough.

**PLANNING ISSUES**

The key planning matters for consideration in this case are:

- Green Belt;
- Housing mix;
- Affordable housing;
- Design;
- Landscape, townscape and visual impact;
- Trees and landscaping;
- Ecology and biodiversity;
- Thames Basin Heaths Special Protection Area (TBH SPA);

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- Transport, highways and parking;
- Amenities of future residential occupiers;
- Impacts on neighbouring residential amenities;
- External lighting;
- Noise and vibration;
- Air quality;
- Built heritage;
- Archaeology (buried heritage):
- Contamination;
- Flooding and water management;
- Sustainable construction requirements;
- Local finance considerations; and
- Conclusion – Planning balance

### **Green Belt**

5. The site is located in the Green Belt. Whilst the emerging Site Allocations DPD (SA DPD) seeks to remove the site from the Green Belt under Policy GB7, and whilst this draft allocation is an important material consideration, and one which by reason of the DPD's progress should be afforded substantive weight, the site remains within the Green Belt. Paragraph 133 of the NPPF makes clear that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 134 of the NPPF advises that the Green Belt serves five purposes, these are:
  - a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns;
  - e) to assist in urban regeneration, be encouraging the recycling of derelict and other urban land.
6. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (NPPF paragraph 143). When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF paragraph 144). This approach is replicated in Policy CS6 of the Core Strategy and Policy DM13 of the DM Policies DPD.
7. The planning application includes the construction of a number of new buildings. The construction of new buildings is inappropriate development in the Green Belt, unless classed as an exception listed in paragraph 145 of the NPPF. Relevant in this case, the construction of new buildings for (i) indoor sporting/leisure use, and (ii) residential use (where not falling within (c), (d), (e), (f) and (g)) do not appear within the 'excepted' buildings listed in paragraph 145 and therefore are inappropriate development in the Green Belt.
8. The provision of car parking, particularly that area to serve the health club use proposed, would constitute an engineering operation. Under Paragraph 146 of the NPPF engineering operations are not inappropriate Green Belt development providing they preserve its openness and do not conflict with the purpose of included land within it. Whilst the surface of the health club car park would have no significant volume in itself the use of the new surface would be for the parking of in excess of 200 vehicles which, because of their number, solidity

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and height, would fail to preserve openness. Therefore this element of the proposal would also represent inappropriate Green Belt development.

9. The planning application also includes the provision of appropriate facilities for outdoor sport. Under Paragraph 146 of the NPPF these facilities, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, would be appropriate Green Belt development. Nonetheless it should be noted that even if a planning application contains elements that on their own would be appropriate Green Belt development, the Courts have held that the whole of the development is still to be regarded as inappropriate development in the Green Belt. Therefore in this case the proposed development is inappropriate development in the Green Belt, which by definition is harmful. It is therefore necessary to consider whether other harm to the Green Belt would also result from the proposed development.
10. Given the character of the existing site, which is largely undeveloped, and the nature and character of the proposal, it is also considered that the development will result in a permanent loss of openness to the Green Belt.

### Purposes of the Green Belt

11. With regard to the five purposes of the Green Belt, the development involves construction of a new health club, associated car parking, x36 dwellings, and outdoor facilities including tennis courts and a swimming pool.
12. The proposal would result in some urban sprawl as the proposed buildings, and car parking, constitute a form of urban sprawl that this Green Belt purpose is seeking to restrain. Whilst this is the case the first Green Belt purpose is to check the unrestricted sprawl of large built-up areas. The site is separated from the built-up area of Woking in a westerly/north-westerly direction by the railway line, representing a definitive boundary to the site in this direction, beyond which is Green Belt land which rises up the escarpment to the built-up urban area of Woking. To the north is the existing built form of Hoe Valley School/Woking Sportsbox, beyond which an area of open Green Belt land separates those facilities from the built-up area of Woking. To the east/south-east and south/south-west the site is bounded by existing built form associated with Mayford village, which is 'washed over' by the Green Belt although identified as infill settlement. Due to the site being 'enclosed' in this manner development on this site is not considered to result in the unrestricted sprawl of a large built-up area as development on the site would be clearly contained by boundary conditions on all sides. Whilst it is acknowledged that the gap between Mayford village and the Hoe Valley School/Woking Sportsbox site would be diminished, for the preceding reasons, development on this site would not result in neighbouring towns merging into one another. Development on this site would not affect the large gap which currently exists between Woking (to the south of Mayford) and Guildford.
13. As the site is largely undeveloped the proposed development would result in the encroachment of the countryside and would therefore conflict with this purpose of the Green Belt. The proposed development will however preserve the setting and special character of historic towns as neither Woking nor Mayford are considered to be historic towns in this sense.
14. Development of this site is intrinsically linked to that of land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, GU22 9PF (Ref: PLAN/2019/1176) to provide, inter alia, a new football stadium and 1,048 dwellings within a sustainable location within the built-up Urban Area. Rather than compromising urban regeneration elsewhere within the Borough



the proposed development of this site would actively facilitate the significant urban regeneration of land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, GU22 9PF (Ref: PLAN/2019/1176); this is due to this site being the only suitable location identified in the vicinity of Kingfield Road, to which the existing David Lloyd Centre can be relocated. Without the existing David Lloyd Centre being able to relocate to this site the significant urban regeneration of land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, GU22 9PF (Ref: PLAN/2019/1176) would be unable to be realised.

15. It is therefore necessary to consider whether any very special circumstances exist in this case which would clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. In this particular case 'other harm' to the Green Belt has been identified as harm to openness and conflict with one of the Green Belt purposes (i.e. the encroachment of the countryside) but it also includes any 'other harm' which may be considered to result from the proposed development. In this respect all of the material planning considerations are relevant and these are dealt with in the paragraphs following the consideration of the very special circumstances. The conclusion – planning balance is provided at the end of this report where the identified harm will be balanced with the Very Special Circumstances and any other benefits of the proposed development.

#### Very Special Circumstances

16. Very special circumstances to justify the granting of planning permission will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Very special circumstances can constitute one consideration or the combination of a number of considerations.
17. In considering Very Special Circumstances (VSC), the judgement in the case of R (Ile Valley Regional Park Authority) v Broxbourne Borough Council [2015] EWHC 185 (Admin) provides assistance in that:

*“Once the issue is whether or not inappropriate development should be permitted in the Green Belt, all factors which tell in favour of the grant go to making up very special circumstances, which may or may not suffice. It is not necessary to go through the process of considering whether a factor is not a very special circumstance but nonetheless falls to be taken into account in favour of the development as another relevant material consideration. See Secretary of State for Communities and Local Government v Redhill Aerodrome Ltd [2014 EWCA Civ 1386.”*

18. In this case the applicant has submitted a case for VSC and considers that there are 4 as follows:

#### VSC1 - Enabling of new stadium

19. The applicant states that the proposals at this site are directly linked to the provision of a new football stadium at land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, GU22 9PF (Ref: PLAN/2019/1176), because of the need to relocate the existing David Lloyd Health and Sports Club which currently sits on part of the land south of Kingfield Road and east of Westfield Avenue site.
20. The applicant states that the existing David Lloyd Health and Sports Club sits directly adjacent to the existing football ground at Kingfield Road, on land which it is understood once formed part of a wider football site. The applicant states that its location, and land take associated with the health club buildings and associated external areas, including tennis

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courts, means that it is not possible to retain that existing facility or indeed incorporate a similarly sized new facility adjacent to the new stadium site. The applicant states that because of the current lease arrangement that David Lloyd enjoys over their existing site, it is not possible, even if it were desirable, to eject David Lloyd from the land south of Kingfield Road and east of Westfield Avenue site to facilitate redevelopment, and so it is necessary to look to relocate this use elsewhere.

21. The applicant states that the particular business model of David Lloyd is dependent on the provision of a number of tennis courts, which this means that it has not been possible to identify any suitable sites for a replacement facility within the urban area and so it is necessary to provide a new facility on land which lies within the Green Belt. The applicant states that this site has been selected because it is within walking distance of the existing David Lloyd facility, lies along a transport route that many of David Lloyds customers use to access the existing facility (thereby shortening their journey) and because this site is considered to have less of a role in terms of determining the existing character of the Green Belt compared with other sites.
22. The applicant states that the provision of a new football stadium at Kingfield is entirely contingent on the ability to relocate the David Lloyd facility onto Green Belt land and that the applicant considers the new football stadium to represent a significant community benefit which outweighs any likely harm to the Green Belt which would arise due to the development of this site, and this itself represents significant VSC.
23. The application states that the location of this site at Egley Road is sequentially preferable, as it is within the same market catchment for David Lloyd, and that this is a relevant economic and delivery consideration. The applicant also states that Woking Borough is entirely Green Belt outside of the urban areas and that there are, by definition, no sequentially preferable alternative Green Belt sites. The applicant states that in addition, there are no vacant, previously developed alternatives in the urban areas, which meet the scale required (2-3 hectares of land), as confirmed by a review of the Council's Brownfield Land Register.
24. The applicant also states that, in the absence of any suitable alternative sites within the Urban Area, the only alternative to providing Woking Football Club (WFC) with a new stadium would be to relocate that use into the Green Belt, whilst leaving the existing David Lloyd facility in-situ and redeveloping the existing stadium site and that this alternative would result in a requirement for a much larger site in the Green Belt, which would be likely to have a greater impact on the openness and character of the Green Belt compared with the development of this site.
25. The proposals at land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking (Ref: PLAN/2019/1176) have been comprehensively considered in the separate report for that application. It was acknowledged that the new stadium would be key in helping to meet Woking Football Club's longer term goals for financial and sporting success, and promotion to League 2, and also enable the Club to enhance and expand its community work, particularly through Cardinals in the Community, Sports Chaplaincy UK, Junior Cards, the Cards Trust and the Woking FC Academy. The proposals under PLAN/2019/1176 would provide a major regeneration opportunity to enhance economic activity and employment for both the construction and operational phases of that development, being expected to support a total of 330 net additional FTE jobs, a major positive impact for economic activity and employment within the Borough. The housing residents of the development proposed under PLAN/2019/1176 would also provide an estimated total spend of £18.1 million a year, creating an additional 285 FTE jobs, again a major positive impact for economic activity and

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employment within the Borough, with additional football spectator spend generated per year estimated to be £1.6 million.

26. Whilst no evidence has been provided to substantiate the claim that if the development proposed under PLAN/2019/1176 were not granted planning permission, that a new football stadium would need to be developed in the Green Belt, the manner in which this proposal would facilitate the provision of a new, modern, high quality, football stadium (and other ancillary and commercial/retail/community uses) in a sustainable location in the urban area is capable of contributing weight towards a cumulative VSC case.

### VSC2 - Enabling the meeting of housing needs

27. The applicant states that this site will provide x36 family homes alongside the proposed David Lloyd facility, with 100% of these constituting affordable homes. The applicant states that this in itself represents VSC because it is meeting an important defined housing need, although it is recognised that there would be alternative sites in the urban area which may be able to meet this need.
28. The site is owned by Woking Borough Council, and is therefore in public ownership for the purposes of Policy CS12 of the Woking Core Strategy (2012) and SPD Affordable Housing Delivery (2014). Policy CS12 of the Woking Core Strategy (2012) states that all new residential development on, inter alia, land in public ownership will be required to provide 50% of the dwellings as affordable housing, irrespective of the site size or number of dwellings proposed, further stating that where the Council is seeking a 50% affordable housing contribution, generally, the Council's preference will be to provide the 50% affordable housing in-situ as part of the development.
29. Housing Services note that the proposed mix of the dwellings would be 5 x 2/3 bed townhouses, 13 x 3 bed townhouses, 16 x 4 bed townhouses and 2 x 5 bed townhouses and comment that, with regard to the proposed mix in relation to current needs on the Council's Housing Register, there are currently 358 households requiring 2 bedroom properties, 210 households requiring 3 bed dwellings, 59 persons requiring 4 bed dwellings and 9 households requiring 5 bed dwellings, and therefore the proposed mix of dwelling sizes will help to meet needs across a broad range of needs, including for larger dwellings, some of which will emanate from the Sheerwater Regeneration programme.
30. Housing Services comment that, with regard to the proposed rents, it is noted that at least 23 of the dwellings will be provided at Social Rent levels similar to those at the Kingsmoor Park development with the remaining dwellings let at Affordable Rent levels capped at 80% of the equivalent open market rent capped at Local Housing Allowance (LHA) levels and that these affordable homes will make a valuable contribution to helping to meet housing needs as outlined above.
31. The proposal would exceed the requirements of Policy CS12 by providing a wholly affordable residential development, and in this respect the proposal is fully supported by the Council's Housing Services. As a planning consideration the provision of affordable dwellings significantly (+50%) above the requirements of Policy CS12 of the Woking Core Strategy (2012) represents a significant public benefit of the proposed development which weighs heavily in favour of granting planning permission and is capable of contributing to a cumulative VSC case.
32. The applicant also states that the associated planning application at land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, GU22 9PF (Ref: PLAN/2019/1176)

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will provide x1,048 homes which will itself meet a significant proportion of the total housing need identified in the Woking Core Strategy (2012).

33. The applicant states that since it would not be possible to make this provision without the redevelopment of the existing stadium and relocation of David Lloyd, the development of this site will help to facilitate housing development in the urban area at a much greater level that would be able to be provided on this site itself and that this multiplier effect is considered to not only permit the delivery of sustainable forms of development through the creation of a new high quality neighbourhood, but also means that it would not be necessary to provide that same amount of housing on Green Belt sites within the Borough. The applicant states that, coupled with the fact that a new football stadium would not have to be developed in the Green Belt, this strategy represents a significant Green Belt saving compared to not relocating the David Lloyd to this site.
34. The related proposed development at land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, GU22 9PF (Ref: PLAN/2019/1176) would provide 1,048 dwellings within a sustainable location in the built-up urban area, including 468 affordable dwellings. The proposed development of that site would be unable to occur without the relocation of the existing David Lloyd facility, which is proposed on this site within the health club component. Whilst the Borough can currently demonstrate a five-year housing land supply housing targets are not maximums and local authorities are encouraged to exceed them, subject to adequate infrastructure being available and impacts being acceptable or adequately mitigated, in order to provide greater housing choice and availability. Whilst no evidence has been provided to substantiate the claim that the development proposed under PLAN/2019/1176 would reduce the need to release Green Belt sites in the Borough for housing within the plan period (up to 2027) nor that if the development proposed under PLAN/2019/1176 were not granted planning permission (and subsequently implemented), that a new football stadium would need to be developed in the Green Belt, the manner in which this proposal would facilitate the provision of a significant quantum of housing (1,048 dwellings), including a significant quantum of affordable housing (468 dwellings) in a sustainable location in the urban area is capable of contributing weight towards a cumulative VSC case.

### VSC3 - Provision of new sports and community facilities

35. The applicant states that provision of a new David Lloyd facility will enable the upgrading of the existing Health Club, which is a popular and well used community facility. The applicant states that the new facility will also enable the sharing of facilities with the adjacent athletic club, which itself would enhance the community benefit provided by this health club. The applicant accepts that this is considered to be more minor VSC, but contends that it does weigh in the overall balance.
36. Provision of new sports facilities, and also the sharing of facilities with the neighbouring athletic club at Egley Road (no detail is given about arrangements for this) are put forward by the applicant as having community benefit. The health club forming part of the proposed development is a replacement, albeit built to modern specifications and requirements, for the existing David Lloyd centre which would be demolished at land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, in the event planning application reference PLAN/2019/1176 was to be granted and subsequently implemented. The health club proposed under this application would not represent an additional facility and indeed the applicant makes the point that there are no material impacts arising, as a result of an increase in leisure facilities, in this instance due to the proposed health club constituting a replacement. No detail has been provided as part of the application regarding whether sports facilities would be available to the general public at the replacement David Lloyd centre,

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which is understood to be a private club with exclusive use for its members, and is solely intended to replace and relocate the existing David Lloyd facilities. Outside the club's membership, wider community benefit of the re-located leisure club is considered very limited and this is not considered to contribute to the VSC case.

### VSC4 - Current proposals to alter Green Belt Boundary

37. The applicant draws attention to the fact that the Council have decided to include this site as a potential Green Belt release through the emerging Site Allocations DPD, which is at a well progressed stage, with hearing sessions having been held in December 2019. The applicant also draws attention to the fact that the process leading up to that stage included a detailed Green Belt boundary review, which identified that the site does not meet the purposes of the Green Belt due to its location in relation to existing development, including the recently built school to the north (which was granted planning permission after identifying VSC related to meeting the shortfall in education provision). The applicant considers the progression of the emerging Site Allocations DPD to be a strong VSC.
38. Policy CS1 states that the Council will locate most new development on previously developed land in town, district and local centres, which offer the best access to a range of services and facilities. However, it also identifies the Green Belt as a broad location for future growth to meet housing need between 2022 and 2027 and commits the Council to carrying out a Green Belt Boundary Review to identify land to meet the development requirements of the Core Strategy, specific to the need for housing (to deliver 550 homes).
39. Policy CS6 echoes Policy CS1 in outlining that the Green Belt's identification for potential future direction of growth to meet housing need, in particular need for family homes, between 2022 and 2027. Policy CS6 also provides guidance on Mayford Village, designated as an infill only settlement within the Green Belt. However, the proposal is not infill development within the existing village, and therefore the proposal must be considered with regard to Green Belt policy, and the emerging SA DPD.
40. The emerging SA DPD allocates land to deliver the spatial vision, objectives and development requirements of the Core Strategy, and has been informed by the Green Belt Boundary Reviews (GBBR) and other evidence base studies. The Council's priority is to ensure that the timing of development on previously developed land takes precedence over development of land released from the Green Belt. With this in mind, draft Policy SA1 sets an overall policy framework for land released from the Green Belt for development. It allocates the site within Land adjacent to Egley Road, Mayford (Nursery) as Proposal Site GB7 for residential development, including market and Affordable Housing, and a school (the school opened in Sept 2018) and recreational/open space. Emerging Policy SA1 takes forward the approach of the Core Strategy, stating that it is expected that the release of land for residential development will be between 2022 and 2027, and that the exact timing for the release of the land during this period will be informed by a full assessment of overall housing delivery since 2010 against the Core Strategy's housing requirement.
41. Time is currently two years ahead of the 2022-2027 period, and there is demonstrated housing land supply to meet demand until that period. Draft Policy SA1 states that until the land is released for the proposed uses, development will only be acceptable in Principle where:
  - It would not prejudice the future development of the site for the proposed uses;
  - The development is an acceptable development in the Green Belt in accordance with Policy CS6: Green Belt of the Core Strategy.

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42. The development comprises a health club use on the site, together with x36 residential dwellings, all of which are affordable housing and all of which are family sized units. The indicative yield for housing on the site, in emerging Policy GB7's reasoned justification, is 118 dwellings, including affordable housing. It is acknowledged that the use of a large proportion of the land for a health club use limits the site's capacity for residential development (the development proposed represents 30.5% of the indicative yield for housing at the site, although residential yields are only included in the emerging SA DPD as a guide) in the 2022-27 period when release may be acceptable, with regard to emerging policy SA1.
43. Whilst this is the case the related proposed development at land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking (Ref: PLAN/2019/1176) would provide 1,048 dwellings within a sustainable location in the built-up urban area, including 468 affordable dwellings. The proposed development of that site would be unable to occur without the relocation of the existing David Lloyd facility, which is proposed on this site within the health club component. Whilst the Borough can currently demonstrate a five-year housing land supply housing targets are not maximums and local authorities are encouraged to exceed them, subject to adequate infrastructure being available and impacts being acceptable or adequately mitigated, in order to provide greater housing choice and availability. The manner in which this proposal would facilitate the provision of a significant quantum of housing (1,048 dwellings), including a significant quantum of affordable housing (468 dwellings) in a sustainable location in the urban area is a material consideration of very significant weight. Whilst this site would provide less housing than that yield set out as a guide in the emerging SA DPD the overall provision of housing arising from both this proposed development, together with that proposed under application reference PLAN/2019/1176, would be significant and is considered to outweigh the reduced quantum of housing which would be provided on this site. The emerging allocation within the SA DPD, with its proposed removal of this site from the Green Belt, is therefore capable of contributing weight towards a cumulative VSC case.
44. In this particular case it is therefore considered that the following matters do comprise very special circumstances:
- VSC1 - Enabling of new stadium
  - VSC2 - Enabling the meeting of housing needs
  - VSC4 - Current proposals to alter Green Belt Boundary
45. However whether these matters in isolation or combination are considered to outweigh the harm to the Green Belt and any other harm resulting from the proposed development will be assessed as part of the conclusion-planning balance at the end of this report, once all other material planning considerations have been assessed. The consideration of all other material planning considerations will identify whether 'any other harm' would result from the proposed development in addition to that already identified and whether or not there are any other benefits which should also be weighed in the planning balance.

### **Housing mix**

46. The NPPF states that planning decisions should seek to secure high quality design and a high standard of amenity for existing and future users. The government also seeks to ensure delivery of a wide choice of high quality homes.
47. Policy CS11 requires a mix of dwelling types and sizes to be provided. The local needs this should address are set out within the latest Strategic Housing Market Assessment (SHMA – 2015), as shown in the following table:



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Dwelling size	Proposed - affordable dwellings	SHMA need-affordable dwellings
2/3 Bedroom *	5 (14%)	24.4%/22.3%
3 bedroom	13 (36%)	22.3%
4 bedroom	16 (44%)	2.9%
5 bedroom	2 (6%)	2.9%
Total	36 (100%)	

\* 2 / 3 bedroom house (House Type 1) is designed to be flexible with the possibility of either a home office or a third bedroom

48. In terms of housing mix it is important to note that the scheme would deliver 100% (i.e. 36 dwellings) as affordable dwellings on site. Nonetheless it can be seen that the residential component of the development would provide mostly 3 and 4 bedroom dwellings, and that the housing mix would differ from that for affordable dwellings identified within the latest SHMA.

49. Housing Services have been consulted on the application and comment that:

*It is noted that the proposed mix of the dwellings would be 5 x 2/3 bed townhouses, 13 x 3 bed townhouses, 16 x 4 bed town houses and 2 x 5 bed town houses. With regard to the proposed mix in relation to current needs on the Council's Housing Register, it is noted that there are currently 358 households requiring 2 bedroom properties, 210 households requiring 3 bed dwellings, 59 persons requiring 4 bed dwellings and 9 households requiring 5 bed dwellings, and therefore the proposed mix of dwelling sizes will help to meet needs across a broad range of needs, including for larger dwellings, some of which will emanate from the Sheerwater Regeneration programme.*

50. On this basis, with Housing Services having the benefit of the most up to date evidence on this matter, (the latest SHMA dates from 2015) the housing mix is considered acceptable taking into account that 100% of the housing will be affordable.

### **Affordable housing**

51. The applicant has set out that 100% of the residential element of the proposal is to consist of affordable housing. The site is owned by Woking Borough Council, and is therefore in public ownership for the purposes of Policy CS12 of the Woking Core Strategy (2012) and SPD Affordable Housing Delivery (2014).

52. Policy CS12 of the Woking Core Strategy (2012) states that all new residential development on, inter alia, land in public ownership will be required to provide 50% of the dwellings as affordable housing, irrespective of the site size or number of dwellings proposed, further stating that where the Council is seeking a 50% affordable housing contribution, generally, the Council's preference will be to provide the 50% affordable housing in-situ as part of the development.

53. Housing Services note that the proposed mix of the dwellings would be 5 x 2/3 bed townhouses, 13 x 3 bed townhouses, 16 x 4 bed townhouses and 2 x 5 bed townhouses and comment that, with regard to the proposed mix in relation to current needs on the Council's Housing Register, there are currently 358 households requiring 2 bedroom properties, 210 households requiring 3 bed dwellings, 59 persons requiring 4 bed dwellings and 9 households requiring 5 bed dwellings, and therefore the proposed mix of dwelling sizes will

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help to meet needs across a broad range of needs, including for larger dwellings, some of which will emanate from the Sheerwater Regeneration programme.

54. Housing Services comment that, with regard to the proposed rents, it is noted that at least 23 of the dwellings will be provided at Social Rent levels similar to those at the Kingsmoor Park development with the remaining dwellings let at Affordable Rent levels capped at 80% of the equivalent open market rent capped at Local Housing Allowance (LHA) levels and that these affordable homes will make a valuable contribution to helping to meet housing needs as outlined above.
55. The proposal would exceed these requirements by providing a wholly affordable residential development, and in this respect the proposal is fully supported by the Council's Housing Services. As a planning consideration the provision of affordable units significantly (+50%) above the requirements of Policy CS12 of the Woking Core Strategy (2012) represents a significant public benefit of the proposed development which weighs heavily in favour of granting planning permission.
56. Taking into account that the site is within the ownership of Woking Borough Council (which precludes the usual Section 106 legal agreement) the affordable housing nature of the dwellings proposed can be secured through the Executive Undertaking. Overall, the provision of affordable housing significantly above the requirements of Policy CS12 of the Woking Core Strategy (2012) represents a significant public benefit of the proposal which weighs heavily in favour of granting planning permission. This factor will form part of the planning balance at the conclusion of this report.

### Design

57. Paragraph 124 of the NPPF sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development. Paragraph 127 of the NPPF sets out that planning decisions should ensure, inter alia, that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities), establish or maintain a strong sense of place, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks and create places that are safe, inclusive and accessible. The National Design Guide (NDG) is also a material consideration in planning decisions.
58. Policy CS21 of the Core Strategy states that proposals for new development, inter alia, create buildings and places that are attractive with their own distinct identity, respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land, ensure schemes provide appropriate levels of private and public amenity space and incorporate provision for the storage of waste and recyclable materials. SPD Design (2015) provides more detailed guidance as to how Policy CS21 could be applied.
59. The landscape, townscape and visual impact of the proposed development on the surrounding area is considered elsewhere within this report.

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60. The applicant has submitted a Design and Access Statement (DAS) which sets out the design approach for the development and also details other development configurations which were previously considered for the site. The DAS sets out that the site has nothing immediately adjoining its western boundary (open fields – beyond the railway line), that the three storey large footprint Hoe Valley School / Woking Sportsbox building is situated to the north, the large format buildings of a garden centre situated to the east and beyond the woodland area to the south (within the site), are two storey houses. The DAS advises that the vision for the site is to provide a new home for the relocated David Lloyd health club – which will ‘enable’ redevelopment of Kingfield Road and to provide new family housing on a site appropriate for lower scale development whilst retaining the majority of the woodland.
61. The DAS also advises that the site layout locates the health club building close to the northern boundary, where it has less impact on surrounding residential occupiers, and relates this building to that of adjacent Hoe Valley School / Woking Sportsbox to the north. The site layout would also separate the two uses on site entry so that vehicles associated with the health club do not have to pass through the new residential area. The new housing is generally arranged in blocks of four dwellings, is three storeys in height and located to the eastern area of the site.
62. Overall the proposed site layout is considered to respond to the irregular shape of the application site and provide an acceptable layout.
63. The proposed health club building is formed of two undulating roof forms which, the DAS advises, would echo the tree line of the adjacent woodland. These undulating roof forms (of a standing seam metal profile) would break down the scale and mass of the building. The massing would be further broken down by the application of external materials, in which brickwork, complimentary to the adjacent proposed dwellings, would form a robust plinth, with upper floors clad in visually ‘lighter weight’ timber effect and metal panels. The use of timber effect cladding at upper levels would reflect the material pallet of the Hoe Valley School / Woking Sportsbox building to the north. The footprint of the proposed building would have some variation between ground and first floors due to the ‘step in’ of the building at the rear. The use of large glazed openings, to highlight entrances into the building and to maximise natural daylight, would assist in providing visual interest to the elevations. Two permanent tennis domes are proposed between the health club building and the railway line (each covering 3 courts); being formed of a translucent white polyester fabric membrane to allow for good ball visibility. Overall it is acknowledged that the building would be large. As a health club building, it is considered that it would have a strong functional use and thus the scale and appearance of the building is considered to be acceptable.
64. The 36 proposed new dwellings are all three storeys in height, are predominantly set out in terraced groups of 4, albeit also include a single semi-detached pair and two terraced groups of 3. The dwellings form a new residential street, largely orientated north-east to south-west, with this street arrangement providing animation and passive surveillance, locating private gardens at the rear. The residential buildings adopt a combination of local vernacular references to external materials (i.e brickwork/timber effect cladding) complemented by contemporary detailing, with some gabled fronts and varied window sizes, in order to create variation in the street scene. A combination of scale, articulated massing and fully pitched roof forms creates variation and rhythm along the street, resulting in a cohesive character, referencing the context in a contemporary manner. Roofscapes vary in both height and form, and utilise a combination of roof coverings (i.e. grey and red tiles/slates) to add visual interest. The residential element of the development would create, and largely be viewed within, its own context. Whilst the heights of the residential buildings would exceed those of the buildings associated with Woking Garden Centre, the residential buildings would be viewed in context with adjacent Hoe Valley School/Woking Sportsbox, and against the

backdrop of the new health club also proposed as part of this application. The residential buildings would be well set back from Egley Road and thus would not appear dominant.

65. Overall in design terms the proposed development is considered to be acceptable, subject to conditions requiring approval of materials and landscaping (conditions 05 and 06 refer). The proposal would therefore comply with Policy CS21, SPD Design (2015) and relevant provisions relating to design in the NPPF.

**Landscape, townscape and visual impact**

66. Paragraph 127 of the NPPF states that planning decisions should ensure that developments, inter alia, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

67. Paragraph 141 of the NPPF advises that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

68. Policy CS24 of the Core Strategy states, inter alia, that:

- *All development proposals will provide a positive benefit in terms of landscape and townscape character, and local distinctiveness and will have regard to landscape character areas:*
- *To protect local landscape and townscape character, development will be expected to:*
- *Conserve, and where possible enhance existing character, especially key landscapes such as heathlands, escarpments and the canal/river network and settlement characteristics; maintain locally valued features, and enhance or restore deteriorating features.*

69. The reasoned justification text to Policy CS24, in Paragraph 5.251, states that

*“Development will not normally be permitted on the slopes of the escarpments which are shown on the Proposals Map, or which would result in a significant reduction in the amount of tree cover. Development on the top of the escarpments will only be permitted where it would not adversely affect the character of the landscape”*

70. The site is included within the Core Strategy designation of ‘escarpment and rising ground of landscape importance’, falling on the lower slopes of the Hook Heath Escarpment. A Landscape and Visual Impact Appraisal (LVIA) has been undertaken by the applicant. The landscape and townscape character of the site and surrounding ‘study area’ (a 750 metre radius from the site boundary - established in relation to the zone of theoretical visibility) is identified and the impact of the development during the construction phase and operational phase is assessed. Viewpoints within the local area are used to assess the visual effects of the proposed development.

71. It should be noted that there is no public access into or through the site. To the south-west corner of the site (where Hook Hill Lane crosses the railway via a bridge) the landform drops within the first 10 metres from 36 metres Above Ordnance Datum (AOD) to 32 metres AOD.

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The remainder of the site then slopes gradually from this south-west corner to 28 metres AOD in the north-east corner.

72. The LVIA establishes that the extent of existing visibility of the site, being influenced by landform, vegetation and built form, is limited to around 500 metres. Whilst relatively open views will be possible towards the development from immediately adjacent Hoe Valley School / Woking Sportsbox, and Woking Garden Centre, the material palette of the health club building would reflect that of the Hoe Valley School / Woking Sportsbox building, the material palette of the residential component would reflect that of surrounding residential buildings, with both of these components reflecting the general height of Hoe Valley School / Woking Sportsbox.
73. In terms of surrounding residential properties the LVIA establishes that partial and glimpsed views would be possible towards the development, including through the retained area of woodland in the case of properties located to the south and south-east of the site (ie. properties associated with Hook Hill Lane, Chiltern Close and Egley Drive), with views from these directions being reduced in summer, when the trees associated with the retained area of woodland are in leaf. Whilst the development is likely to be visible from properties associated with Egley Road the proposed material palette reflects that of existing built form present within the local area, with the height and massing also comparable to that of existing adjacent Hoe Valley School / Woking Sportsbox. In terms of residential properties further distant (ie. even number properties from No.2 to 20 Hillside, Hook Hill Farm, The Wendy House and Nos.9 and 10 Mount Close) only glimpsed views, at significant distances, are likely to be achievable of the health club building from these properties, including behind (in the case of those properties associated with Hillside) and adjacent to Hoe Valley School / Woking Sportsbox.
74. The LVIA assesses that no major and adverse effects on landscape character and visual amenity are predicted following the implementation and establishment of the development, including of the landscape strategy.
75. The LVIA assesses that the development would indirectly impact upon the townscape character area of 'Mayford' and the landscape character area of 'Hoe Valley', having a low magnitude of change upon these townscape and landscape character areas, where they are located close to the site and from which partial views to no views of the development would be possible. The LVIA assesses that there would be no magnitude of change or effect on the townscape areas of 'Hook Heath' or 'Westfield'. The LVIA assesses that all other townscape and landscape character areas, and visual receptors, are likely to experience negligible or no effects arising from the development, due to existing urban influences in the surrounding landscape and townscape.
76. The LVIA acknowledges that the development would directly affect the landscape character area of 'Hook Heath Escarpment' (within which it is located), although such effect would nonetheless be limited on the overall character of the Hook Heath Escarpment - identified in Core Strategy Policy CS24 - due to the position of the development on the base of the slope, with the proposed built form and associated infrastructure and landscaping representing a companionable addition to the existing adjacent Hoe Valley School / Woking Sportsbox development, particularly once the proposed landscaping on the boundaries and within the development has matured.
77. In terms of some of the key vantages from transport routes around the site the LVIA sets out that the development will be visible from sections of Egley Road although, moving away from the site, intervening vegetation will block the majority of views to it in the middle distance. A glimpsed view is likely to be gained of the health club building from sections of Hook Hill

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Lane during the winter although the built form will be read in conjunction with Hoe Valley School, which would form something of a 'backdrop' in such views, and would be of similar height and mass. A fleeting glimpsed view is likely to be gained to the health club building from a small section of the railway line, with this built form read in conjunction with adjacent Hoe Valley School / Woking Sportsbox, and being of similar height and mass.

78. In terms of vantages from surrounding Public Rights of Way (PROW) the LVIA sets out that at Footpath 30 (SCC Ref) (Green Lane Path - being situated to the west running between Saunders Lane and Sun Hill), a limited glimpsed view is likely to be gained through the treed landscape to the upper floors of the health club building from the southern section of this footpath in winter, although this building will be read in conjunction with the existing built form associated with Mayford, and that of the adjacent Hoe Valley School / Woking Sportsbox. Furthermore the views are likely to be reduced in summer, when the vegetation is in leaf and reduced further still once the landscape strategy has matured. In terms of Footpath 53 (SCC Ref) (being situated to the north-east running between Egley Road and Hoebrook Close) the LVIA sets out that a glimpsed view is likely to be gained towards the northern and eastern facades of both the residential and health club components in the winter from the western entrance of this footpath, with such views likely to be reduced in summer, when the mature trees present in the foreground are in leaf.
79. It is clear that the development would result in a permanent change to the site, and thus in the views towards it, with the site changing from an area of partially open land (albeit containing a single large storage building) to a contained development, including the addition of built form where currently none exists (with the exception of the single large storage building). It is inevitable that when built development is proposed on land which is currently open and largely free from built structure it will significantly change the character and views of that land. However the general scale, form and materials of the development would not appear discordant in the immediate context of the adjacent Hoe Valley School / Woking Sportsbox. In addition the site layout would retain the majority of the existing woodland to the south, assisting in integrating the development into the wider landscape and limiting visual impact to the south. The visual effects of the proposed development would reduce over time with the mitigation.

### **Trees and landscaping**

80. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the benefits of trees and woodland. Policy CS21 of the Core Strategy states that proposals for new development should, inter alia, incorporate landscaping to enhance the setting of the development, including the retention of any trees of amenity value, and other significant landscape features of merit, and provide for suitable boundary treatment/s. Policy CS24 of the Core Strategy states that development will be expected to, inter alia, protect and encourage the planting of new trees where it is relevant to do so. Policy DM2 of the DM Policies DPD provides a number of more detailed criteria necessary to maintain existing trees and landscaping and related features and secure new provision in development schemes.
81. An Arboricultural Impact Assessment (AIA), including a tree survey, has been submitted with the application. The site is covered by an Area Tree Preservation Order (Ref: 626/0154/1973) made in 1973 which would cover all trees present on the site at that time, and which also covers the adjacent Hoe Valley School / Woking Sportsbox site. The tree survey recorded a total of 32 individual trees, 8 groups of trees and 1 woodland (note: many of the individual trees, and groups of trees, are situated within the woodland). The AIA advises that the development will result in the loss of 7 individual trees (T1, T4, T5, T6, T17, T19, T21), 4 groups of trees (G1, G2, G3, G4), and the northern edge of the woodland (W1),



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equalling approximately 25% of its total canopy area. However no individual Category A trees (trees of high quality) will be removed and, of the 7 individual trees to be lost, 4 of these (T5, T6, T17, T19) are Category C (trees of low quality). The AIA also sets out that 4 trees (T2, T3, T10, T11) will require minor pruning works as a result of the development.

82. The AIA advises that construction activity has the potential to indirectly impact the stem, canopy or root protection areas (RPAs) of 13 individual trees proposed to be retained, and that there will be encroachment into the RPAs of 7 individual trees proposed to be retained; as such the drafting of specialist tree protection measures, and specialist measures of construction during the installation of proposed hardstanding, as part of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), will be required. This can be secured through condition 40.
83. In terms of visual amenity and impact upon local character the AIA identifies that the most significant arboricultural impact resulting from the development is the loss of the northern edge of the woodland (W1). However the loss of this section of the woodland will be partially screened from public view by the built form of the residential and health club components, which would be situated between the canopy edge of the woodland and main public line of sight from Egley Road. The AIA identifies that approximately 25% of the overall woodland canopy area will be removed, exposing a significant face of the woodland to altered wind loading, and that, whilst prevailing winds are south-westerly, as such screening this newly exposed woodland edge from the majority of wind loading, exposing the northern edge of the woodland still presents potential for wind throw to new woodland edge planting.
84. The AIA identifies that significant numbers of new edge planting, forming a buffer between the development and new woodland edge, and thus protect the newly exposed edge from wind throw, will be required in order to ensure the remainder of the woodland can be successfully retained, and that this will likely require the removal of an additional buffer to create space for new planting which should be staged into layers (continuous hedgerow layer, secondary layer of evenly spaced heavy/extra heavy standard trees of larger species) and that existing trees on the woodland edge should be selectively reduced in order to achieve a continuous canopy line with the new trees in the secondary layer.
85. The AIA also identifies that the woodland (W1) also contains trees to be removed (individual trees T4 and T21 and groups of trees G2, G3 and G4 - all attributed Category B (moderate quality) and individual trees T5, T6, T17 and T19 and group of trees G1 - all attributed Category C (low quality)) and that, given that these trees and groups of trees, are situated inside, or within close proximity of, the canopy extent of the woodland, the visual impact of their loss is directly tied to that of the loss of the northern woodland edge.
86. The AIA identifies that the visual impact of the loss of T1 (Pedunculate oak - Category B (moderate quality)) is partially mitigated by the retention of trees T2 and T3, which maintain canopy cover in the area, although the loss of T1 nonetheless represents a moderate adverse impact to visual amenity.
87. The Arboricultural Officers raise objection to the proposal on the basis of the loss of trees, including that of part of the woodland. It is acknowledged that the loss of trees on the site will have moderately harmful visual amenity implications however the majority of the woodland on the site would be retained and the layout of the development has been designed to minimise adverse arboricultural implications as far as practicable.
88. At least 50 new trees (not including the new edge planting to the retained woodland) will be planted throughout the residential and health club areas on the site as part of the landscaping scheme, which will also comprise wildflower, lawn, hedge and ornamental

planting. A series of plans showing the proposed landscaping scheme within the site, including the location of new tree planting, have been submitted with the application. Further details of planting species and sizes, and details of tree pits / underground structured cells, can be secured through condition 06 (landscaping).

89. Overall, the development would conflict with Policies CS21 and CS24, and Policy DM2, in terms of the loss of protected trees, including loss of part of the woodland. This harm will need to be added to the Green Belt harms, and any other harm resulting from the proposed development, as part of the conclusion-planning balance at the end of this report, once all other material planning considerations have been assessed. The consideration of all other material planning considerations will identify whether 'any other harm' would result from the proposed development in addition to that already identified and whether or not there are any other benefits which should also be weighed in the planning balance.

### **Ecology and biodiversity**

90. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted and in relation to habitat types of principal importance to assess the impact of development on these as part of the planning application process. This approach is reflected in Policy CS7 of the Core Strategy.
91. The ES contains a Preliminary Ecological Appraisal (PEA), comprising a Phase 1 habitat survey, protected species assessment and ecological evaluation (dated November 2019). The ES also contains ground level tree assessment, bat activity survey, great crested newt survey and reptile survey reports (all dated November 2019).
92. The PEA identifies that the site comprises semi-improved grassland (33%), broadleaved plantation woodland (31%), bare ground (19%), amenity grassland (9%), hardstanding (3%), continuous scrub (3%), a building (1%) and bracken (1%).
93. The PEA identifies that the site is not subject to any statutory or non-statutory nature conservation designations and that there are statutory designated sites within a 2km radius, the closest being Mayford Meadows Local Nature Reserve located approximately 220m to the south-east of the site. The nearest non-statutory designated site is Barnsbury Meadow & Bonsey Lane Woods Site of Nature Conservation Importance (SNCI), located approximately 90m east of the site.
94. Surrey Wildlife Trust (SWT) comment that the development appears to result in a net loss of deciduous woodland on the site, a Habitat of Principle Importance (HPI) for the purpose of conserving biodiversity. The applicant's ecology and biodiversity submissions recognise that the area of woodland on the site is shown as a Habitat of Principal Importance (HPI) on MAGIC's Priority Habitat Inventory (lowland mixed deciduous woodland) and contains species characteristic of this habitat. However, the applicant's submissions state that when the site was surveyed by ecologists and arboriculturalists, it was found that the trees within the woodland were all less than 50 years old and were likely to have been planted, given that they contained a number of non-native species and are located adjacent to a former nursery, with the understorey of the woodland also being species poor. As such the applicant's submissions consider that the woodland forms a plantation woodland, which is not a priority habitat, however, is of local value, and the majority of which is to be retained.

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95. The applicant's submissions state that other habitats present within the site are of site value only, being unlikely to support any rare species, or diverse assemblages or large populations of any noteworthy species. The applicant's submissions also state that, in order to mitigate potential recreational impacts, it is proposed to restrict access into the retained woodland by planting dense scrub, including thorny species such as hawthorn and blackthorn, along the margins of the woodland associated with fencing along the development boundary, with such planting to be detailed within details of biodiversity enhancements and a Landscape and Environmental Management Plan (LEMP); conditions 37 and 38 refer.

### *Bats*

96. The PEA identifies that the existing building on site has negligible potential to support roosting bats; the building is constructed of profile metal sheeting, is of recent construction and in good condition with no potential roosting features identified within the structure of the building.
97. The PEA identifies trees with the potential to support roosting bats on the site. Accordingly a ground level tree assessment (dated November 2019) is contained within the ES, to identify tree features (such as knot and rot holes, frost cracks, hazard beams, fissures in deadwood, lifted bark and callous rolls) with potential to support roosting bats. Where features were observed, evidence of roosting bats, including droppings, feeding remains such as moth wings, scratch marks around suitable crevices and urine and fur oil stains, was searched for. Following the ground-level tree assessment, all trees with moderate or high value to support roosting bats were subject to a climbed endoscopic inspection, to better determine the potential for these trees to support roosting bats. The assessment identifies the following potential to support roosting bats
- High potential – 3 trees (T22, T28 & T30)
  - Moderate potential – 8 trees (T8, T18, T23-T27 & T29)
  - Low potential – 19 trees (T1-T7, T9-T17 & T19-T21)
  - Negligible potential – all other trees
98. The majority of trees, and much of the plantation woodland area, will be retained. The development will not impact on any of the trees identified with high or moderate potential to support roosting bats.
99. The assessment identifies that trees assessed as providing low potential to support roosting bats do not require further survey however, they must be subject to a precautionary method of working whereby works are timed to avoid periods when bats are most likely to be present and/or most vulnerable to disturbance (during hibernation/maternity periods). Trees T3 (Oak), T4 (Oak) and T5 (Conifer), identified as having low potential, would be removed and therefore works on these trees should be timed for during either mid-March-April or September-October and completed under a 'soft fell' precautionary approach, whereby suitably qualified tree surgeons will cut and lower any substantial limbs to the ground to be left overnight to allow bats (if present) to make their way out; condition 35 refers.
100. The PEA identifies that the woodland and semi-improved grassland habitats on site have the potential to support foraging bats, and the adjacent railway line to the west would provide a potential commuting corridor for bats through the landscape and that the site is well connected to suitable foraging and commuting areas for bats within the wider landscape, including areas of grassland, woodland and river corridors such as the Hoe Stream SNCI and Hoe Valley to the south and east.

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101. Accordingly a bat activity survey report (dated November 2019) within the ES identifies that seven walked transects were carried out, together with static detector deployments for five nights for each month April – October. The report identifies that a minimum of eight species of bat were recorded utilising the site for foraging and/or commuting during the bat activity transect and static surveys (although not all bat species were present during each transect or static deployment), that three species (both common and soprano pipistrelle, and *Myotis* species) are highly likely to be roosting in habitat on site, or in suitable habitat within close proximity to the site, that bat foraging and commuting activities were recorded throughout the site, across all types of habitat, but especially along tree lines and edges of woodland and within the woodland, along the railway line and around the scattered trees to the north.
102. To enable the development to protect the existing commuting and foraging habitats on site, where this is possible, the report recommends that a site wide Landscape and Ecological Management Plan (LEMP) should be prepared to cover the long-term maintenance of retained and newly created on-site habitats; condition 38 refers.
103. The application does not propose to provide external lighting to the tennis courts (where not within permanent air domes). Any future provision of external lighting to these tennis courts would require separate planning permission and would need to be brought forward with a full consideration of relevant environmental and neighbouring amenity and ecology matters.
104. An indicative external lighting scheme for the health club component shows that car park lighting would be mounted on 6m high columns and would not give rise to light spill into surrounding retained and proposed semi-natural habitat; condition 31 would secure further details of external lighting. Whilst no indicative (or otherwise) external lighting scheme has been submitted for the residential component lighting to the new road would be the most significant and likely to be of a similar format to the lighting shown to the health club car park within the indicative lighting scheme for that element (i.e. circa 6m high columns), which do not give rise to significant light spill; further details can be secured through condition 31.
105. The applicant's submissions state that it is proposed to install at least five bat boxes (suitable for a variety of species and roost types); condition 37 refers.

### *Great crested newt*

106. The PEA identifies there are no water bodies on site, but suitable terrestrial habitat for great crested newt includes the areas of scrub, woodland and semi-improved grassland on site. The PEA states that whilst there are ponds within Mayford Meadows SNCI, approximately 290m and 320m east of the site, suitable terrestrial habitat exists surrounding these ponds, and the busy A320 road separating the site from these ponds is a barrier to dispersal of newts from these ponds onto the site. The PEA identifies that there is also a pond, known as Mayford Green Pond, approximately 90m south of the site and that Hook Hill Lane is not considered to be a significant barrier to dispersal and the garden habitats of the residential properties to the north of Hook Hill Lane could provide commuting corridors to the habitats on site.
107. A great crested newt survey report is also contained within the ES which identifies that the results of the Habitat Suitability Index Assessment indicate Mayford Green Pond, located approximately 90m south of the site, has average suitability to support great crested newt. The report also identifies that this pond returned a negative result for the eDNA analysis, indicating that great crested newt is likely to be absent from the off-site pond. The report therefore concludes that no further survey or mitigation is required for this species.

*Dormice*

108. The PEA identifies that woodland habitat, comprising a mix of native species and an understorey including hazel, which could support dormice, exists on site. However, the PEA sets out that the woodland has a closed canopy and heavy shading, and the understorey and ground flora is poorly developed, reducing the potential foraging habitat, and the woodland lacks bramble which is known to be an important species for dormice.
109. The PEA also states that the woodland on site is small in size, with limited connectivity to other suitable woodland habitats in the area and that, in general, as dormice live at low population densities, woodlands of less than 20ha, or smaller woodlands with poor connectivity to other nearby sites are unlikely to support a secure population of dormice. The PEA identifies that two dormouse nest tubes were noted within the woodland, remaining from dormouse surveys undertaken in 2015 to inform the development of Hoe Valley School and Woking Sportsbox to the north of the site; no hazel dormice were recorded during these surveys, which were carried out an appropriate time of year, and with sufficient survey effort. The PEA sets out that the two nest tubes were checked for evidence of dormouse, with none being found, and that it is unlikely that dormice will have dispersed into the woodland since these previous surveys were completed.
110. Therefore, based on the lack of records for this species, the small area of sub-optimal habitat present and limited connectivity of suitable offsite habitat in the wider landscape, the PEA concludes that there is negligible potential that dormice are present.

*Reptiles*

111. The PEA identifies that the site contains habitats with the potential to support widespread reptile species (such as slow-worm, common lizard and grass snake) in the form of a mosaic of woodland, semi-improved grassland, amenity grassland, areas of continuous scrub, continuous bracken and scattered trees with many suitable refuges also present on the site including piles of timber and discarded materials around the woodland edges.
112. Accordingly the ES contains a reptile survey report which identifies that such surveys involve the placement and checking of artificial refuges (to increase the chances of observing reptiles, which are usually elusive), that a total of 52 refuges were placed around the site on 23 May 2019, before commencement of seven survey visits.
113. The report identifies that one common lizard was recorded on the site during the visit on 4 September, such that low populations of common lizard were therefore likely present on site, and that no other species of reptile were recorded on the site and were therefore considered to be likely absent.
114. The report sets out an appropriate mitigation strategy to safeguard reptiles including that areas of long grassland, bracken, scrub and woodland edge habitats, should undergo a systematic vegetation clearance between April and October inclusive (when reptiles are active) using only hand tools and that prior to this, a suitably experienced ecologist will carry out a hand search of suitable habitat with any possible refuges for reptiles (e.g. piles of wood and discarded materials) being moved to within any suitable retained boundary habitats on or adjacent to the site and that any reptiles found during the hand search will be moved into the adjacent suitable habitat. The applicant's submissions state that an area of wildflower meadow will be created adjacent to the railway and would provide a foraging resource for reptiles post-development; this can be secured through conditions relating to biodiversity enhancements and the LEMP (conditions 37 and 38 refer). Measures to protect reptiles during the construction phase are also recommended; condition 36 refers.

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### *Breeding birds*

115. The PEA identifies that the woodland, scattered trees, scrub and bracken on site all have potential to support breeding birds although the existing building does not contain suitable features to support nesting birds. The PEA states that vegetation removal should therefore take place September to February inclusive, which is outside of the main bird breeding season. Where removal outside the nesting season is not possible the PEA identifies that a check for nesting birds prior to vegetation clearance must be undertaken by an experienced ecologist and, if any nests are found, the nests must be protected until such time as the young have left the nest; condition 34 refers.
116. The applicant's submissions also state that it is proposed to install at least five bird boxes of various types (within the woodland) and ten boxes for house sparrow (on new buildings); this can be secured through conditions relating to biodiversity enhancements and the LEMP (conditions 37 and 38 refer).

### *Badger / Fox / Rabbit*

117. The PEA identifies that whilst a mammal hole was recorded on site there was a piece of barbed wire crossing this hole which had hair caught in it that was thought to be that of fox, the hole did not have the characteristic shape of a badger sett hole, and is not considered to be used by this species. The PEA further identifies that, whilst the woodland and semi improved grassland habitats on site would provide potential foraging areas for badger, no signs of badger such as latrines, runs or signs of foraging were recorded on site, the data search returned no records of badger within 2km of the site and previous badger surveys carried out on the adjacent site to the north did not record any badger setts or evidence of badger in 2015.
118. The PEA concludes therefore that, given the lack of definitive field evidence for this species and the relatively isolated location of the site, with fences on all boundaries of the site, there is negligible potential that badger may occur at the site. However, precautionary working practices are recommended to protect other mammals such as fox and rabbit that may be present on site; these are that any active holes impacted by the development should be carefully dug out using hand tools, outside of the breeding season (March to July) and the area made inhospitable to encourage animals to relocate off site and that heavy plant machinery should not be tracked over the area where active holes are present until confirmed that any foxes and rabbits have moved off site; condition 36 refers.

### *Hedgehog*

119. The PEA identifies that the scrub and the woodland habitats on site have potential to support hedgehog. Accordingly ground level vegetation clearance of the scrub, or removal of timber piles and heaps of garden waste, should be undertaken outside of the hibernation period (November – March inclusively), during the hedgehog active season, and using hand tools. Any new fencing has the potential to fragment areas of foraging and nesting habitat of value to hedgehogs; new fencing should therefore incorporate gaps or tunnels in the bottom panels/gravel boards to allow easy passage for small mammals whilst containing pets (achieved cutting a hole approximately 10cm x 10cm in certain gravel boards); conditions 36 and 37 refer.

### *Invasive species*

120. The PEA identifies that species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded within the woodland habitat (variegated yellow archangel

and possibly three-cornered garlic). The PEA recommends that measures are undertaken to ensure that there is no risk of spreading these species; condition 36 refers.

121. Overall, in light of all of the information relating to ecology and biodiversity, it is considered that, subject to the mitigation and compensation secured by conditions, the impact of development on ecology is considered to be acceptable. Furthermore biodiversity enhancement would also result from the development from the measures to be undertaken on site. The application is therefore considered to comply with Policy CS7 of the Core Strategy, the policies in the NPPF relating to ecology and biodiversity and the guidance in Circular 06/05.

**Thames Basin Heaths Special Protection Area (TBH SPA):**

122. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Woking Core Strategy (2012) states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")).
123. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary, to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy(CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy (April 2020 update). This would be secured through the Executive Undertaking.
124. Subject to securing the provision of the SAMM tariff (through the Executive Undertaking) and an appropriate CIL contribution, and subject to the completion of an Appropriate Assessment (supported by Natural England), the Local Planning Authority would be able to determine that the development would not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. On that basis (reflected in the recommendation) the development would therefore accord with Policy CS8, the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

**Transport, highways and parking**

125. The NPPF promotes sustainable transport (Section 9), stating that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 108 of the NPPF states that decisions should take account of whether:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

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- b) safe and suitable access to the site can be achieved for all users; and
  - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
126. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
127. Paragraph 111 of the NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. These requirements are reflected within Policy CS18. A Transport Assessment (TA) addresses highways and transport.
128. The highways and transport information has been assessed by the County Highway Authority (CHA) (Surrey County Council).
129. The site will be accessed via the signalised priority junction off Egley Road, which was implemented to provide direct access to Hoe Valley School / Woking Sportsbox. The road from the junction towards the site extends south, and a priority junction will be provided for access to the site. Continuing on this road will provide access to the proposed health club.

### Off-site highways works

130. During consideration of the application the County Highway Authority (Surrey CC) raised concern that the controlled pedestrian crossing on Egley Road, close to Hoe Valley School, is at capacity during the school peak times and that additional pedestrians accessing the proposed development may cause this crossing to operate over capacity. The applicant, in consultation with Surrey CC, has designed a scheme which will improve the pedestrian capacity. This will be achieved by lengthening the island on the northern arm, relocating the crossing location further north, and widening the landing strip between crossings to 5m. The improvements also include widening the footway slightly at the crossing point on the eastern side of the road to increase the pedestrian waiting area, and localised carriageway widening on the north western carriageway to allow vehicles to overtake cyclists safely.
131. Surrey CC is in general agreement with the proposed improvements, and the detail can be developed and secured through condition 15 and the Executive Undertaking. The localised widening of the eastern footway on the northern arm will increase the pedestrian waiting area. The increase in width of landing strip from 4m to 5m will allow for the greater capacity of the pedestrians to cross the carriageway at any one time and the lengthening of the island on the northern arm will allow for more pedestrians to wait to crossing to the west or east. This will mitigate the impact of the development and improve the pedestrian environment and general highway safety for all Hoe Valley School students. In addition, the localised carriageway widening on the north western carriageway will allow vehicles to overtake cyclists more safely than the existing arrangement.

### Alternative modes of transport

132. Pedestrian - There is a network of pedestrian footways located within Mayford and on the periphery of the site. The roads within Mayford include pedestrian footpaths on both sides of the carriageway and there are pedestrian crossing islands at all of the key junctions located within the village. There are a number of public footpaths around the site in a variety of



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directions, and although no public footpaths directly border the site, they can be easily accessed through the use of footways adjacent to the road.

133. The distance people are prepared to walk will vary depending on journey type, journey purpose, and personal preference. Central government indicates 2km as being a reasonable guide for an acceptable distance for journeys on foot. Furthermore, the Institution of Highways and Transportation (IHT) guidelines suggests an acceptable walking distance for pedestrians without mobility impairment of 2 km, this is equivalent to a 25 minute walk. The surrounding area of the site including Worplesdon railway station, recreational parks and local services and facilities, are within reasonable walking distance of the site. There will be pedestrian footways providing safe and convenient routes through the site, including to the health club.
134. The TA forecasts that 7 two-way trips on foot would be generated by the residential component during the relevant busiest peak period (AM), although there may be some trips on foot which are linked as part of a multi modal journey. The TA forecasts that 22 two-way trips on foot would be generated by the health club component during the relevant busiest peak period (PM). All pedestrian routes surrounding the site have capacity to accommodate these forecast demands.
135. Cycling - There is a shared pedestrian and cyclist path on Egley Road which passes the site. This path continues north on Egley Road until it meets with Turnoak Roundabout. Following the shared path along Wych Hill Lane cyclists will be able to join National Cycle Network (NCN) Route 223 which can be used to link to Woking Town Centre. Guildford can be reached to the south on this cycle route.
136. Central government research states that for journeys less than between 5km and 8km cycling has the potential to replace car trips. An 8km cycle is equivalent to a 30-minute journey, although, with the introduction and increased uptake of electric bikes, the distance people are prepared to cycle is increasing and journeys to work by bike often exceed 8km. The entirety of the town of Woking and its local services and facilities are accessible by cycle from the site. In addition the centre of Guildford can also be reached within the 8 km cycling isochrone alongside a total of six different railway stations including Worplesdon, Woking, Brookwood, West Byfleet, London Road (Guildford), and Guildford (mainline).
137. The TA forecasts that 1 trip by bicycle would be generated by the residential component during the relevant busiest peak periods (AM and PM), although there may be some trips by bicycle which are linked as part of a multi modal journey. The TA forecasts that 1 trip by bicycle would be generated by the health club component during the relevant busiest peak period (Saturday 1300-1400hrs). These forecast demands will not have a material impact on the local cycle network.
138. Bus - The closest bus stops are approximately 300m south-east of the site. The northbound stop, located outside the Bird in Hand public house benefits from a bus shelter with seating, timetable information and a bus lay-by. The southbound stop, located adjacent to the Woking Garden Centre, benefits from a bus shelter with seating and timetable information. Both bus stops have a raised curb to allow for easier bus access.

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139. The following table provides a summary of local bus services:

Service	Route	Average Frequency (mins)		
		Weekday	Saturday	Sunday
MAX 35	Guildford – Woking – Camberley	60	60	-
520	Guildford – Woking – Aldershot	1 per day	-	-
33	Guildford – Woking	3 per day	4 per day	-

140. Whilst the services are infrequent the MAX 35 service takes circa 20 minutes to connect with Guildford bus station, linking with a variety of locations within the surrounding area. Woking railway station / Woking Town Centre can also be reached on the MAX 35 service within 10 minutes. Pedestrian footways from the site onto Egley Road will provide access to the bus stops within 300m of the site access.

141. The TA forecasts that 3 two-way trips by bus would be generated by the residential component during the relevant busiest peak period (AM); this forecast demand will not have a material impact on bus capacity, or bus level of service, with the existing level of service able to accommodate this additional demand. The TA forecasts that the level of bus trips associated with the health club component will be minimal and therefore not have a material impact on local services.

142. Rail - Woking railway station provides connections to London, Basingstoke and Portsmouth (among other destinations), and is located within cycling distance approximately 3km to the north of the site; equating to an approximate 12-minute cycle. The following table sets out the current peak hour services and frequencies from Woking railway station:

Destination	Trains per Peak Hour Weekday	Trains per Peak Hour Saturday	Trains per Peak Hour Sunday
London Waterloo	17	14	6
Basingstoke	6	6	5
Portsmouth	5	5	3

143. Worplesdon railway station is located approximately 2,000m to the south; equating to an approximate 23-minute walk. The following table sets out the current peak hour services and frequencies from Worplesdon railway station:

Destination	Trains per Peak Hour Weekday	Trains per Peak Hour Saturday	Trains per Peak Hour Sunday
London Waterloo	3	2	-
Woking	3	2	-
Portsmouth	2	1	-

144. The TA forecasts that 6 two-way trips by rail would be generated by the residential component during the relevant busiest peak period (PM); this forecast demand is not likely to be perceivable, with the existing level of service able to accommodate the additional demand. The TA forecasts that the level of rail trips associated with the health club component will be minimal and therefore not have a material impact on local services.

145. Access to local amenities - The majority of local amenities (ie. retail / healthcare / schools) surrounding the site are located within Woking (to the north) and Westfield (to the east), with some local amenities also located north-west in Hook Heath and in the village of Mayford.

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### Impact upon local highway network

146. The TA sets out that the following Manual Classified Counts (MCC) and Automated Traffic Counts (ATC) surveys were undertaken on the highway network surrounding the site to provide the baseline traffic data for both a weekday and weekend scenario.
147. The TA sets out that the residential component (of x36 dwellings) is expected to generate 15 two-way vehicular movements during the weekday morning peak hour (0800 - 0900hrs), 19 two-way vehicular movements during the weekday afternoon peak hour (1700 - 1800hrs) and 11 two-way vehicular movements between 1300 - 1400hrs on Saturdays.
148. In terms of the health club component, and based on observation of vehicle movements associated with the existing David Lloyd site, the TA sets out that this is expected to generate 143 two-way vehicular movements during the weekday morning peak hour (0800 - 0900hrs), 221 two-way vehicular movements during the weekday afternoon peak hour (1700-1800hrs) and 122 two-way vehicular movements between 1300 - 1400hrs on Saturdays.
149. Combining both the residential and health club components therefore the TA sets out that the proposed development is expected to generate 158 two-way vehicular movements during the weekday morning peak hour (0800 - 0900hrs), 240 two-way vehicular movements during the weekday afternoon peak hour (1700 - 1800hrs) and 133 two-way vehicular movements between 1300 - 1400hrs on Saturdays.
150. The current number of trips entering and leaving the existing access to Egley Road (serving Hoe Valley School and Woking Sportsbox) have been established through traffic surveys undertaken in April and May 2019. Within the modelling undertaken in the TA the traffic flows for Hoe Valley School have been increased by 60% to take account of future additional pupils at Hoe Valley School.
151. The TA assesses the potential impact of the proposed development at the following junctions:
  - Site Access / Egley Road Junction;
  - Claremont Avenue / Kingfield Road Junction;
  - Guildford Road / York Road Junction;
  - Westfield Avenue / Kingfield Road Junction;
  - Mayford Green / Egley Road / Kingfield Road Roundabout;
  - High Street / Kingfield Road / Vicarage Road Roundabout; and
  - A247 / Egley Road / Wych Hill Lane Roundabout.
152. in the following scenarios:
  - Base 2019;
  - Base 2022; and
  - Base 2022 + proposed development.
153. All three scenarios have been assessed in the AM peak hour (0800-0900hrs), the PM peak hour (1700-1800hrs) and the Saturday peak hour (1300-1400hrs). The period 1300-1400 on a Saturday has been determined as the busiest time of the day as this was the peak hour observed during the undertaken traffic surveys.
154. The Base 2019 is informed by the traffic survey data collected on the 4 April and 18 May 2019. The Base 2022 scenario assesses the future growth on the highway network if the

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proposed development did not come forward, being informed by the Base 2019 figures, multiplied by a TEMPro growth factor to replicate natural growth expected in the area. The Base 2022 + proposed development scenario assesses the impact of both the residential and health club components on the local highway network. The trips associated with the existing David Lloyd club on Westfield Avenue have been removed from the highway network, and as a result, in some instances there are less vehicles on the network in the 2022 + proposed development scenario than in the Base 2022 scenario.

155. Site Access / Egley Road Junction – The TA sets out that the proposed development would have an impact at this junction of +7.91% (AM flow), +14.22% (PM flow) and +10.54% (Saturday flow), operating satisfactorily in all three scenarios. Whilst the junction would be busier in the AM peak period than in the PM peak period, the overall performance of the junction during the busiest peak periods would be acceptable, with limited levels of queuing and delay.
156. Claremont Avenue / Kingfield Road Junction – The TA sets out that the proposed development would have an impact at this junction of -5.02% (AM flow), -11.78% (PM flow) and -8.25% (Saturday flow); this is due to the removal of trips associated with the David Lloyd club on Westfield Avenue. The junction would operate satisfactorily in all scenarios with a maximum Ratio of Flow to Capacity (RFC) of 0.88 (below the RFC capacity threshold of 1.00) recorded on the Claremont Avenue arm in the Saturday Peak in the Base 2022 scenario. The removal of the existing David Lloyd trips from the network results in a net benefit for the junction in the 2022 + development scenario.
157. Guildford Road / York Road Junction – The TA sets out that the proposed development would have an impact at this junction of -0.20% (AM flow), -1.40% (PM flow) and -1.10% (Saturday flow), operating satisfactorily in all scenarios with a maximum RFC of 0.68 (below the RFC capacity threshold of 1.00) recorded on Guildford Road (S) in the AM Peak in the Base 2022 + Development scenario.
158. Westfield Avenue / Kingfield Road Junction – The TA sets out that the proposed development would have an impact at this junction of -5.35% (AM flow), -14.19% (PM flow) and -9.56% (Saturday flow), operating satisfactorily in all scenarios with a maximum RFC of 0.70 (below the RFC capacity threshold of 1.00) recorded on Kingfield Road in the AM Peak in the Base 2022 scenario.
159. Mayford Green / Egley Road / Kingfield Road Roundabout – The TA sets out that the proposed development would have an impact at this junction of 1.43% (AM flow), 0.90% (PM flow) and 1.33% (Saturday flow), operating satisfactorily in all three scenarios with a maximum RFC of 0.73 (below the RFC capacity threshold of 1.00) recorded on Egley Road (S) in the AM Peak in both the Base 2022 and Base 2022 + proposed development scenarios.
160. High Street / Kingfield Road / Vicarage Road Roundabout – The TA sets out that the proposed development would have an impact at this junction of -2.43% (AM flow), -0.96% (PM flow) and -3.20% (Saturday flow), operating within capacity for all of the AM, PM and Saturday peak scenarios with a maximum RFC of 0.90 (below the RFC capacity threshold of 1.00) recorded on High Street in the PM peak in both the Base 2022 and Base 2022 + proposed development scenarios.
161. A247 / Egley Road / Wych Hill Lane Roundabout – The TA sets out that the proposed development would have an impact at this junction of 0.36% (AM flow), -1.07% (PM flow) and -0.88% (Saturday flow), operating within capacity for all of the weekday AM, PM and

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Saturday peak scenarios with a maximum RFC of 0.95 (below the RFC capacity threshold of 1.00) recorded on Wych Hill Lane (E) in the AM peak in the Base 2022 scenario.

162. Overall the assessment within the TA demonstrates that the proposed site access junction can accommodate the forecast demand of the proposed development and that no materially adverse or serve impacts would arise to the operation of any of the local critical junctions.

### Parking (residential)

163. Policy CS18 of the Core Strategy sets out that minimum car parking standards will be implemented for residential development (outside of Woking Town Centre). SPD Parking Standards (2018) does not form part of the Development Plan for the Borough although its purpose is to act as guidance on how Policy CS18 could be applied. SPD Parking Standards (2018) sets out the following minimum on-site residential parking standards:

Overall Residential Parking	Dwelling Size	Number of dwellings	2018 Parking Standard	Parking Spaces Required	Parking Spaces Proposed
Houses	2 / 3 bed*	5	2	10	90
	3 bed	13	2	26	
	4 bed	16	3	48	
	5 bed	2	3	6	
<b>Total dwellings proposed 36</b>				<b>90</b>	

*\* Note: 3 bed 2018 parking standard has been applied*

164. As can be seen from the preceding table the residential component would fully comply with SPD Parking Standards (2018) overall. Furthermore all residential parking would be provided on private driveways serving individual dwellings, with each dwelling meeting the required 2018 parking standard. Residential parking is therefore considered acceptable.
165. In terms of Electric Vehicle (EV) charging points for the residential element SPD Climate Change (2013) states that the for single dwellings with private off-street parking 1 passive charging point per dwelling is required; condition 11 refers.

### Parking (non-residential)

166. Policy CS18 of the Core Strategy states that maximum car parking standards will be implemented for all types of non-residential development. However SPD Parking Standards (2018) sets out no maximum parking standard for health clubs / leisure centres, stating rather that such uses require individual assessment / justification.
167. The car park to serve the health club would provide x280 spaces, including x15 accessible spaces (x10 disabled spaces and x5 parent and child spaces). The TA sets out, having regard to a parking accumulation assessment (based on the observed movements into the existing David Lloyd fitness centre on Westfield Avenue – uplifted to take account of floorspace differences), and calculated using the proposed fitness centre trip generation, that x280 parking spaces is appropriate number to serve this use. The TA predicts that use of the health club car park would be at its greatest between 08:00 - 09:00hrs on Saturdays, whereby x245 cars would be parked (88% saturation), and therefore that the provision of x280 spaces would ensure that no overspill of parked cars occurred during any period, that sufficient residual supply would exist to reduce circulation of visitors searching for a parking space, and that enough tolerance would exist in the provision to accommodate any peaks in parking demand.

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168. On this basis the provision of parking to serve the health club use is considered to have been justified, in accordance with Policy CS18 and SPD Parking Standards (2018), and therefore considered acceptable.
169. In terms of Electric Vehicle (EV) charging points for the health club use SPD Climate Change (2013) states that the ratio for development with parking spaces intended for employees and visitors/shoppers/clients (if 20 car parking spaces or more are to be provided) is 5% active charging points and 10% passive charging points, although if the development has Borough-wide or greater importance (e.g. entertainment complex) then a greater level of active charging provision than the minimum will be required. The applicant has agreed that at least 10% of the available parking spaces for the health club use will be provided with active fast charge provision, and a further 10% to be provided with ducting to provide additional fast charge provision, which is considered to be appropriate (condition 10 refers).

### Cycle parking (residential and non-residential)

170. Policy CS18 of the Core Strategy states that:
- a) *“The Council is committed to developing a well-integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities, and minimises impacts on biodiversity. This will be achieved by taking the following steps:*
  - b) *Supporting proposals that deliver improvements and increased accessibility to cycle, pedestrian and public transport networks and interchange facilities...”*
171. Cycle parking standards are set out within SPD Parking Standards (2018), which state the purpose of the guidance as being *“to set appropriate car and cycle parking standards for all forms of development to balance a wide set of aims”*, including to *“influence a shift in behaviour towards sustainable modes of transport”* such as cycling.
172. SPD Parking Standards (2018) sets a minimum cycle parking standard of x2 spaces per dwelling, stating that this applies to *“(family houses, up to 6 residents living as a single household, including households where care is provided)”*, which would be the case for all x36 dwellings. It is proposed to provide x2 cycle parking spaces to each dwelling; this provision can be accommodated within the private garden to each dwelling, with further details secured through condition 13.
173. In terms of the health club component cycle storage facilities will be provided on the site in addition to showers, lockers and changing facilities. Space is shown on the submitted plans to the front of the health club building, within close proximity to the building entrance, for cycle storage. It is stated in the TA that x20 cycle parking spaces should be provided. SPD Parking Standards (2018) advises that the provision of cycle parking should be based on individual assessment / justification for Class D2 (Assembly and Leisure), applicable to the health club proposed in this instance. On this basis condition 12 is recommended to secure further details, and the provision of, covered and secure cycle storage facilities.

### Servicing (residential and non-residential)

174. Policy DM18 of the DM Policies DPD (2016) sets out requirements for servicing commercial development. All refuse / recycling collection and servicing will take place on site. A servicing area for the health club is provided next to the main entrance, accessed from the car park.

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Refuse / recycling collection from the health club would be undertaken on a private commercial basis.

175. Servicing to the dwellings takes place from the new residential street. A turning head is provided within the new residential street to enable larger vehicles (ie. refuse vehicles / fire tenders) to turn and leave the street in a forward gear. The TA includes swept path drawings of a refuse vehicle and fire tender.
176. Private refuse / recycling bin stores (each capable of accommodating x3 240 litre bins) would be provided to serve each dwelling, with bins collected kerbside. In the case of semi-detached and end-terrace dwellings these stores would be located discretely to the side or rear of the dwelling. In the case of the mid-terrace dwellings these stores have been sympathetically incorporated into the design of the front elevations (not projecting beyond the front building line of the end-terrace dwellings) and would be discrete within the overall street scene, albeit largely shielded by frontage parking in any case; condition 33 refers. Condition 17 will ensure that the health club service/delivery area is reserved exclusively for that purpose.

### Travel Plan

177. The TA sets out that a Travel Plan (managed by a Travel Plan Co-ordinator (TPC)) will support the health club component through setting out a number of measures to facilitate and encourage sustainable travel to and from the health club; this will be secured through the Executive Undertaking. The residential component does not meet the threshold for a Travel Plan Statement.

### Demolition and construction impacts

178. The development would be likely to have temporary local disruption to pedestrian, cycle and vehicular traffic owing to demolition and construction traffic. Some impacts from are an inevitable consequence of development. Expected construction traffic volumes would have a negligible impact on the wider road network. Hours of work, including for deliveries, would be limited to reasonable hours, and other environmental controls including access management and wheel washing will further minimise impacts to a satisfactory level. These controls would need to be secured by conditions requiring a Construction Transport Management Plan (CTMP); condition 14 refers.
179. The site is located in an area with a good number of public transport options available for use, including bus and rail services, and is close to Mayford village. Parking would comply with SPD Parking Standards (2018), and a health club travel plan would be secured through Executive Undertaking in order to promote sustainable modes of transport. The County Highway Authority has agreed with the applicant that pedestrian safety improvements will be implemented on Egley Road and these will be secured through condition 15.
180. The assessment shows the local highway network, and public transport network, is capable of accommodating the additional demand generated by the development.

### Amenities of future residential occupiers

181. Paragraph 127 of the NPPF states that planning decisions should ensure that developments, inter alia, create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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182. All proposed new dwellings would be provided across three storeys. The following table shows the relevant gross internal floor areas (GIA), with all dwellings exceeding the relevant minimum GIAs set out within the Technical housing standards – nationally described space standard (March 2015):

House type (all 3 storey)	Number of bedrooms (b)	Number of bed spaces (persons)	GIA in scheme (sq.m)	Technical Housing Standards Minimum (sq.m)
1	2b/3b*	4p/6p	123	90/108
2	3b	6p	145	108
3	4b	8p	162	130
4	5b	8p	162	134

*\*Note: First floor plan provides for home office or bedroom 3 – assessed as 3b6p*

183. In terms of gross internal floorspace all dwellings would provide a high standard of accommodation. In addition all open-plan living / kitchen / dining areas, and the principal bedrooms in house types 1 and 2, would benefit from front and rear dual aspect, enhancing the amenity value of these areas. Where the new dwellings would mutually face (front-to-front elevations) across the new street a minimum distance of 21 metres would be retained, ensuring good levels of outlook having regard to the height (a maximum of 12 metres) and form of the opposing dwellings. Good levels of outlook would be provided to all habitable rooms and the siting and orientation of the dwellings is such that none of the windows serving habitable rooms would face true north; all habitable rooms will enjoy access to periods of morning and/or afternoon sunlight throughout the year. The ‘across the street’ minimum distance of 21 metres would be sufficient to ensure privacy, exceeding the relevant recommended minimum distance (of 15 metres) within SPD Outlook, Amenity, Privacy and Daylight (2008).

184. SPD Outlook, Amenity, Privacy and Daylight (2008) states, in terms of new dwellings, “*that suitable daylight to a dwelling is achieved where an unobstructed vertical angle of 25° can be drawn from a point taken 2 metres above floor level of the fenestrated elevation*”. Such an unobstructed vertical angle can be drawn for all new dwellings (including where new dwellings would mutually face (front-to-front elevations)), ensuring suitable daylight is achieved to all habitable rooms.

185. Policy CS21 of the Woking Core Strategy (2012) requires appropriate levels of private and public amenity space. SPD Outlook, Amenity, Privacy and Daylight (2008), which does not form part of the Development Plan although provides guidance on how Policy CS21 could be applied, states (in paragraph 4.6) that:

*All dwellings designed for family accommodation [i.e. houses with two bedrooms or more and exceeding 65 sq.m. gross floor space] need to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of the family it is intended to support. For example, this will include space for sitting out, children’s play, drying clothes and plant cultivation. Private amenity space is best provided as an enclosed garden to the rear or side of the property where it is clearly separate from more public areas of the site. Such areas should be overlooked by the accommodation and have secure boundaries to allow children to play in safety.*

186. SPD Outlook, Amenity, Privacy and Daylight (2008) also states (in paragraph 4.8) that “*where appropriate, the area of private garden should approximate with gross floorspace of the dwelling (subject to the character of the local context) but it is advised that it should*



*always be as large as the building footprint of the dwelling house, except in the most dense urban locations”.*

187. In terms of private garden areas 23 (i.e. 64%) would exceed the building footprint of the subject dwelling house, with a further 7 (i.e. 19%) as large as the building footprint. Therefore 30 of the 36 (i.e. 83%) private garden areas comply with the SPD guidance. Whilst 6 (17%) private garden areas would not comply with the SPD guidance on the whole these areas would nonetheless provide space for sitting out, children’s play, drying clothes and plant cultivation in the form of an enclosed garden to the rear or side of the dwelling. For these reasons the overall approach to private amenity provision is considered acceptable and would not warrant refusal of the application.
188. The proposed health club building would have a maximum height of approximately 12 metres and provide accommodation across two storeys albeit would have very limited window openings/glazing above ground floor level except within the south elevation. The new health club building would be located between approximately 46 - 76 metres from the (rear garden) boundaries of new dwellings directly opposite (i.e. to the east). Having regard to the height and form of the health club building such separation would ensure no adverse impacts upon the new dwellings in terms of outlook, daylight/sunlight and privacy.
189. Some of the proposed new dwellings would be located adjacent to Woking Garden Centre. Whilst some of the built form of the garden centre is located close to the common boundary where this is the case the buildings within the garden centre are low profile, measuring up to approximately 4 metres in height, with the larger format buildings of the garden centre set away from the common boundary. Buildings within the garden centre would occur beyond the terminus of rear gardens of relevant proposed new dwellings. For these collective reasons the new dwellings located adjacent to Woking Garden Centre would achieve a good standard of amenity to their private amenity areas and to sufficient daylight to rear elevation windows / openings.
190. Overall the proposal would achieve a good standard of amenity for future residential occupiers. The impact of external lighting and noise on future residential occupiers is addressed separately within the relevant sections of this report.

**Impacts on neighbouring residential amenities**

191. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook. Further guidance as to how Policy CS21 could be implemented is provided within SPDs Outlook, Amenity, Privacy and Daylight (2008) and Design (2015).
192. SPD Outlook, Amenity, Privacy and Daylight (2008) contains minimum recommended separation distances for achieving privacy, with the maximum in the case of three storey buildings being 30 metres (i.e. back to back elevation), and the maximum in the case of two storey buildings being 20 metres (i.e. back to back elevation). The potential loss of enjoyment of a view is not a ground on which planning permission can be refused. However, the impact of a development on outlook is a material planning consideration and stems on whether the development would give rise to an undue sense of enclosure or overbearing effect to neighbouring/nearby residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical, with key factors in this assessment being the existing local context and arrangement of buildings and uses.

193. The proposed new dwellings would have a maximum height of approximately 12 metres and provide accommodation across three storeys with windows above ground floor level primarily facing to the front and rear. The health club building would also have a maximum height of approximately 12 metres albeit the roof form would result in lower eaves heights (to the two storey element) of approximately 8 metres (to the south) and 10 metres (to the north) respectively; the health club building would provide accommodation across two storeys albeit would have very limited window openings/glazing above ground floor level except within the south elevation. The permanent tennis court airdomes would measure approximately 9.1 metres in maximum height, with the height reducing to ground level at the edges.
194. With regard to dwellings fronting Hook Hill Lane the health club building would be located in excess of 68 metres, and the tennis court air domes in excess of 25 metres, at the closest, from the rear boundaries of properties fronting Hook Hill Lane (in both cases the closest relevant property being Lisa). The closest of the new dwellings proposed would be located in excess of 65 metres from the rear boundaries of properties fronting Hook Hill Lane. Notwithstanding these separation distances it must also be noted that retained woodland (and replacement planting) would intervene between properties fronting Hook Hill Lane and the built development proposed, including the property of Lisa to some degree.
195. In a westerly / north-westerly direction, on the opposite side of the railway line, there are no properties for in excess of 180 metres. The health club building would be located a minimum of 15 metres from the common boundary with Hoe Valley School, with the tennis court air domes in excess of 35 metres from this common boundary, beyond which is the athletics track.
196. Where adjoining the site boundary new residential properties would be located adjacent to Woking Garden Centre, and as this is a business premises no adverse impact would result. Whilst some of the new dwellings proposed may be apparent from Egley Drive and Chiltern Close the new dwellings would be located in excess of 65 metres, at the closest, from the boundaries of dwellings fronting Egley Drive and Chiltern Close, with Woking Garden Centre and the retained woodland (and replacement planting) also intervening in these directions respectively.
197. For the preceding collective reasons a satisfactory relationship would be achieved to adjoining and nearby properties, and no significant harm would arise by reason of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook. The proposal therefore complies with Policy CS21 of the Woking Core Strategy (2012), SPDs Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the NPPF in these terms. The impact of external lighting and noise on neighbouring residential amenities is addressed separately within the relevant sections of this report.

### **External lighting**

198. Paragraph 108 of the NPPF advises that by encouraging good design, planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Policy CS21 states that proposals for new development should be designed to avoid significant harm to the environment and general amenity, resulting from, inter alia, light. Policy DM7 states that proposals for external lighting as part of a new or existing development which require planning permission will be permitted where the applicant can demonstrate that the lighting scheme is the minimum necessary for security, safety, working or recreational purposes and that it minimises the pollution of glare

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or spillage to prevent adverse impacts on nocturnal animals such as bats and water species. No floodlighting is proposed as part of the application.

199. As part of the proposed development new external artificial lighting will be introduced onto the site, primarily to serve the health club car parking area. It is inevitable that, in comparison to the existing site, nearby residential occupiers will be aware of artificial lighting on the site. An indicative external lighting scheme, for the health club component, has been submitted with the application, identifying that health club car park lighting would be mounted on 6m high columns. The health club car park lighting would be situated well away from existing residential receptors and highly directional towards the ground. In addition the indicative external lighting scheme shows lux levels on the floor, in relation to the health club car parking lighting, to be confined to within the car parking area such that significant harm would not arise to either existing, or introduced, residential receptors. Condition 31 is recommended to secure further details of external lighting and ensure that the final external lighting design is in line with the relevant recommendations of the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light (GN01-20) (or any future version) for all external lighting within the site (i.e. health club car park and residential).
200. Whilst no indicative external lighting scheme has been submitted for the residential component lighting to the new residential road would be the most significant and would likely be of a similar format to the health club car park lighting, for which an indicative scheme has been provided (i.e. circa 6m high columns). Such external lighting would also be situated well away from existing residential receptors, with the retained woodland intervening to the south / south-west, the existing garden centre to the east /south-east, with any other residential receptors located significant distances away to the north, east and west. Details of external lighting for the residential component can also be secured through condition 31.
201. Condition 20 would restrict the hours of use of outdoor health club facilities and condition 19 the hours of use of the indoor health club facilities. Condition 32 would restrict the hours of external lighting.
202. Having regard to the submitted indicative information it is not considered that the proposed external artificial lighting would harm the amenities of either existing, or introduced, residential occupiers subject to final details being secured through condition 31; in this respect the development would accord with Policy CS21 of the Core Strategy, Policy DM7 of the DM Policies DPD and the NPPF.

### **Noise and vibration**

#### Noise

203. Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by, inter alia, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of, inter alia, noise pollution. Paragraph 180 of the NPPF sets out that planning decisions should ensure that new development is appropriate for its location and, in doing so they should, mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
204. Policy CS21 of the Core Strategy states that proposals for new development should be designed to avoid significant harm to the environment and general amenity, resulting from, inter alia, noise. Policy DM3 of the DM Policies DPD states that proposals for the provision of outdoor sport and recreational facilities will be permitted, subject to other Development

Plan policies, provided that they will not generate unacceptable activity or give rise to loss of amenity by virtue of, inter alia, noise or other general disturbance. Policy DM5 of the DM Policies DPD states that in areas of existing noise or other types of pollution, new development sensitive to the effects of that pollution is unlikely to be permitted where the presence of that sensitive development could threaten the ongoing viability of existing uses that are considered desirable for reasons of economic or wider social need, such as safeguarded industrial uses, through the imposition of undue operational constraints.

205. Policy DM7 of the DM Policies DPD provides a framework to help mitigate the impact of, inter alia, new noise-generating development (i.e. leisure and sports uses, particularly those that take place outdoors), and to ensure that, inter alia, noise-sensitive uses (i.e. housing and schools) are located and designed in such a way that they are protected from excessive noise pollution, setting out that the Council will require noise generating forms of development, or proposals that would affect noise-sensitive uses, to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed to ensure that all noise is reduced to an acceptable level.
206. Environmental noise surveys (unattended and attended) have been completed at the site by the applicant, to establish the existing background and ambient sound levels as well as vibration from the adjacent railway track, and noise measurements (unattended and attended) taken at an operational David Lloyd Club (Westfield Avenue, Woking).
207. The applicant's assessment sets out that dominant noise sources observed at the application site consisted of trains and road traffic and that dominant noise sources observed at an operational David Lloyd Club (Westfield Avenue, Woking) consisted of building services plant noise associated with the club, with less significant noise sources including club members using the tennis courts. The applicant's assessment considers noise from building services plant, use of the health club car park and use of the outdoor tennis courts, with the amenity of future residents also assessed.
208. The residential element of the development itself is not considered to generate significant noise levels. However in relation to noise the key considerations are as follows:
- noise from demolition/construction activities;
  - is the site suitable for residential development?
  - the potential effects of noise from the new health club and particularly the use of outdoor tennis courts;
  - fixed building plant.

*Demolition/construction activities*

209. Elevated noise levels are inherent during all types of demolition and construction operations and can never be completely eliminated. Noise and vibration during demolition and construction can be mitigated, as far as is practicable, through a Noise and Vibration Management Plan (NVMP); condition 26 refers.

*Proposed residential*

210. The residential amenity of future (i.e. introduced) residents has been assessed. The applicant's assessment sets out that existing environmental noise sources in the vicinity of the residential development comprise railway noise, road traffic noise from Egley Road, commercial noise from Anglian Improvements and Woking Garden Centre and operational noise from the use of MUGA's, 5-a-side football pitches and the athletics track to the north, and operational noise from the health club element of the proposed development itself

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(including building services plant, outdoor tennis courts and the car park associated with such).

211. The residential amenity of future residents has been assessed with regard to the British Standard (BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings) noise limits for internal and external amenity areas. The applicant's assessment sets out that appropriate glazing units (i.e. 6.8mm glass/16mm cavity/6mm glass) and acoustically attenuated passive ventilation will be able to achieve internal noise levels within the standards. These internal noise levels will also accord to the internal noise levels specified within Policy DM7 of the DM Policies DPD. Condition 29 will secure further details of sound insulation, alongside post completion verification of acoustic test results.
212. With regard to external amenity, Policy DM7 of the DM Policies DPD states that a noise level value of 50 dB will be sought for outdoor amenity areas during daytime (07:00-23:00 hrs). The policy text states, however, that "in general" this level will be sought for residential development. Therefore it is not considered that Policy DM7 requires these levels to be achieved in every situation. The British Standard (BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings) noise levels for external amenity areas is less than  $L_{Aeq,16hr}$  55 dB, being consistent with the upper noise level as specified by the World Health Organisation (WHO). The British Standard does also state that these guideline values may not be achievable in all circumstances where development might be desirable and that development should be designed to achieve the lowest practicable noise levels in external amenity spaces but should not be prohibited. The applicant's assessment sets out that, with the incorporation of fences around the private gardens of the proposed residential properties, the noise levels within all private gardens will be between  $L_{Aeq,16hr}$  40-55 dB. Therefore, whilst some private gardens may achieve noise levels above  $L_{Aeq,16hr}$  50 dB (beyond which Policy DM7 enables some flexibility) such levels would still be below  $L_{Aeq,16hr}$  55 dB, in accordance with the British Standard (BS 8233: 2014) and WHO guidance and therefore would be acceptable.
213. Overall, in terms of future residential amenity and noise it is considered that the proposed development is acceptable and would comply with Policy CS21 of the Core Strategy, Policy DM7 of the DM Policies DPD and the NPPF and that the site is suitable for the residential development proposed.

### *Health club car park*

214. The applicant's assessment states that noise levels measured in the existing David Lloyd Club car park (Westfield) were influenced by noise sources other than cars using the facilities and that, nevertheless, the ambient noise levels measured at the perimeter of the existing car park were between  $L_{Aeq,5min}$  43-54 dB and used as a basis of assessment. The assessment set out that the proposed health club car park is located over 100m from existing residential receptors and, on this basis, the car park noise level contribution has been predicted to be no higher than  $L_{Aeq,5min}$  43 dB at the closest receptors. This would not give rise to harmful impact. The noise impacts of the health club car park upon future occupiers of the new dwellings proposed are considered under the sub-heading '*Proposed residential*'.

### *Mechanical plant and building services equipment*

215. Mechanical plant and building services equipment would be required for the health club although the precise siting and details of such is not yet known. Existing and proposed (future) residential occupiers will be the receptors sensitive to mechanical plant and building

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services equipment, together with Hoe Valley School to the north. Condition 27 can control noise levels from mechanical plant and building services equipment.

216. The specified plant noise limits for mechanical plant and building services equipment would be below the background noise level, ensuring no adverse impact upon noise sensitive receptors, and in accordance with BS4142, as referenced within Policy DM7 of the DM Policies DPD.

### *Outdoor health club facilities, including tennis courts*

217. In addition to Policy DM7 (relating to noise more generally) Policy DM3 of the DM Policies DPD states that proposals for the provision of outdoor sport and recreational facilities will be permitted, subject to other Development Plan policies, provided that they will not generate unacceptable activity or give rise to loss of amenity by virtue of, inter alia, noise or other general disturbance.

218. As part of this application outdoor swimming pool, spa and terrace areas would be included within the health club. The outdoor tennis courts would also be located close to the Hook Hill Lane bridge, and close to residential properties associated with Hook Hill Lane (the closest property being Lisa). Whilst six tennis courts would also be provided to the west (rear) of the health club building these six courts would be situated within permanent airdomes, and further away from residential properties (40m+), such that any noise associated with use of these courts would be reduced in comparison to noise associated with use of the two outdoor tennis courts close to the Hook Hill Lane bridge.

219. At their closest the outdoor swimming pool, spa and terrace areas would be located in excess of 30m from the boundaries (rear garden boundary) of dwellings fronting Hook Hill Lane, and in excess of 40m from the rear elevation of the closest dwelling fronting Hook Hill Lane. The southern-most tennis courts would be close to the property known as Lisa on Hook Hill Lane. Condition 20 would restrict the hours of use of the outdoor swimming pool, spa and terrace areas to between 06:00 and 22:00 hrs, and use of the southern-most tennis courts to between 07:30 and 22:00 hrs. It is acknowledged that use of these outdoor facilities (particularly prior to 08:00 hrs) has the potential to cause disturbance to nearby properties; for this reason the applicant is proposing to install a reflective acoustic barrier (condition 30 refers) to preclude harmful noise impacts to properties fronting Hook Hill Lane, and to the closest new properties forming part of the development. Condition 16 would restrict use of the indoor health club facilities (including the permanent air dome tennis courts) to between 06:00 and 23:00 Mondays to Saturdays and 07:00 to 22:00 hrs on Sundays, Bank and Public Holidays. Again the reflective acoustic barrier will preclude harmful noise impacts to properties fronting Hook Hill Lane, and to the closest new properties forming part of the development.

220. Overall, subject to recommended conditions, it is considered that the proposed development is acceptable in terms of its impact on noise in the local area and the development would not adversely affect the amenities of the existing neighbouring occupiers in the local area, or the future residential occupiers of the development. The proposed development would therefore comply with Policy CS21 of the Core Strategy, Policies DM3 and DM7 of the DM Policies DPD and the NPPF.

### Vibration

221. The applicant has also assessed the potential impact of vibration from the railway line adjacent to the west of the application site. The vibration survey results indicate that transmission from the railway line will not cause any adverse impacts upon the proposed

development because the results are significantly below the minor adverse comment rating in BS 6472 (*Guide to evaluation of human exposure to vibration in buildings. Vibration sources other than blasting*). In light of this no objection is raised to the application in this respect and the site is considered to be suitable for its proposed uses, including residential.

### Air quality

222. Paragraph 181 of the NPPF sets out that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones, and the cumulative impacts from individual sites in local areas and that opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Paragraph 181 of the NPPF also sets out that planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.
223. Policy DM5 of the DM Policies DPD states that when assessed individually or cumulatively, development proposals should ensure that there will be no unacceptable impacts on, inter alia, air quality. Policy DM6 of the DM Policies DPD states that development that has the potential, either individually or cumulatively, for significant emissions to the detriment of air quality, particularly in designated AQMAs or in areas at risk of becoming an AQMA, should include an appropriate scheme of mitigation and that development in designated AQMAs should take account of existing air pollution and include measures to mitigate its impact on future occupiers where possible.
224. There are no significant industrial or waste management sources that are likely to affect the proposed development in terms of air quality. WBC has declared two AQMAs for exceedances of the annual mean nitrogen dioxide (NO<sub>2</sub>) objective; the 'AQMA for Anchor Hill' is located a substantial distance (approximately 3.5 km) to the north-west of the application site and, as such, is not considered further within the applicant's assessment. 'AQMA Order 2' covers a small section of Guildford Road to the south of the Constitution Hill junction and to the north of the junction with Ashdown Close; this AQMA is located approximately 1.7 km to the north-east of the application site.
225. The applicant's submissions (within the ES) comprehensively detail the Environment Protection UK (EPUK) and Institute of Air Quality Management (IAQM) guidance on air quality assessment (*Guidance on land-use planning and development control: Planning for Air Quality (2017)*), including what should be included and significance criteria; the air quality assessment methodology follows this guidance.
226. Activities associated with the demolition and construction of the proposed development will give rise to a risk of dust impacts at existing sensitive receptors during demolition, earthworks and construction, as well as from trackout of dust and dirt by vehicles onto the public highway. The applicant's submissions undertake an assessment of effects from dust during demolition and construction in accordance with IAQM Guidance (*Guidance on the assessment of dust from demolition and construction (2014)*); the dust emission magnitude is considered to be small for demolition, large for earthworks, medium for construction, and medium for trackout. Mitigation measures are predicted to ensure that residual effects from construction works would be 'not significant'; this is a standard approach, is considered appropriate and can be secured through condition 07 (Construction Environmental Management Plan).

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227. In terms of impact to sensitive receptors from construction traffic, across the 4-year construction period the applicant's submission state that the maximum Annual Average Daily Traffic (AADT) flow when considering the proposed development will generate a maximum of 26 Heavy Duty Vehicle (HDV) movements. On the basis that the HDVs will not be routed through any Air Quality Management Areas (AQMA), a detailed assessment of impacts has not been undertaken by the applicant as the number of HDVs is fewer than 100 AADT, which is the trigger for undertaking a detailed assessment. The cumulative impact of construction traffic has been addressed in the planning application for Kingfield Road (Ref: PLAN/2019/1176).
228. The applicant's submissions predict pollutant concentrations at a number of existing sensitive receptors and receptors within the proposed development. The existing receptors include residential properties, schools and nurseries in accordance with the guidance in Local Air Quality Management Technical Guidance (LAQM.TG(16)) on identifying sensitive receptors. In addition, modelled receptors have also been chosen within AQMA Order 2 (Guildford Road), declared by WBC for exceedance of the annual mean nitrogen dioxide (NO<sub>2</sub>) Air Quality Objective (receptor modelling heights have been altered depending on whether the receptors are likely to be children or adults, and if they are located at ground and first floor level; this is an appropriate approach). Overall, the selected human receptors are considered to be appropriate to determine the effects of the proposed development on air quality.
229. The impact upon sensitive ecological receptors at Smart's and Prey Heath Site of Special Scientific Interest (SSSI), located 550m south-west of the application site, have also been considered within the applicant's submissions.
230. The applicant's submissions contain modelling of nitrogen dioxide (NO<sub>2</sub>), and fine particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) pollutants of concern relating to traffic, diesel generators and gas-fired plant emissions. Verification of modelled NO<sub>x</sub> and NO<sub>2</sub> concentrations has been undertaken in accordance with the guidance in Local Air Quality Management Technical Guidance (LAQM.TG(16)). Modelled nitrogen dioxide (NO<sub>2</sub>) concentrations have been compared with concentrations monitored using diffusion tubes deployed by WBC. There is a lack of available monitoring data in the area for fine particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and the adjustment factor calculated for nitrogen dioxide (NO<sub>2</sub>) has been used to adjust road traffic contribution to fine particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) concentrations; this is a suitable approach.
231. With regard to plant emissions, a gas-fired Combined Heat and Power (CHP) unit and two boiler plant (within the health club element) have been modelled (in a 'worst case' scenario - assuming that the CHP and boilers will be operational for 100% of the year at full load, which is an appropriately conservative approach) and including building downwash effects in the model. It should be noted that whilst the health club element will contain three gas-fired boilers one of these will act as a backup, meaning only two boilers will operate at any one time. Energy plant specifications are included within the ES; to ensure the final plant does not give rise to air quality impacts greater than those modelled, the energy plant specifications will be secured through conditions 22, 23 and 24. If the final plant design changes from the submitted information further air quality modelling will be required from the applicant. Selection of background pollutant concentrations and handling of future uncertainty with regard to air quality are appropriately addressed within the applicant's submissions.
232. Despite the 'worst-case' approach adopted the applicant's assessment demonstrates that air quality conditions at the site will be acceptable, with pollutant concentrations predicted to be well below the national air quality objectives throughout the site. In addition, the applicant's



assessment demonstrates that the operation of the proposed development will lead to negligible impacts on concentrations of fine particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) at all selected existing receptor locations. Annual mean nitrogen dioxide (NO<sub>2</sub>) concentrations remain below the objective at all receptor locations with the proposed development in operation, with the exception of receptor E37 (residential property set back from Mayford roundabout), where an exceedance is predicted both with and without the proposed development.

233. In terms of the effects of traffic and plant emissions generated by the proposed development on Smart's and Prey Heath Site of Special Scientific Interest (SSSI) the applicant's assessment demonstrates that process contributions of annual mean and 24-hour mean NO<sub>x</sub> and nutrient and acid nitrogen deposition associated with emissions from operational traffic generated by the proposed development will not cause significant impacts on the nearby SSSI.
234. Appropriate air quality mitigation is listed within the ES, including the use of air source heat pumps (ASHP) as the main source of energy for the residential element (which will not have any on-site emissions associated with them) and actions to minimise dust from the construction phase; these mitigation measures can be secured through conditions 07, 22, 23 and 24. As there are not expected to be significant impacts to air quality to existing or proposed sensitive human receptors, mitigation measures to reduce emissions from road traffic are not required (in air quality terms), although a Travel Plan for the health club element, and the provision of electric vehicle (EV) charging points for both the residential and health club elements, will nonetheless be secured through Executive Undertaking and conditions 10 and 11, in accordance with SPDs Parking Standards (2018) and Climate Change (2014).
235. Overall, subject to recommended conditions, there will be no unacceptable impacts to existing or introduced sensitive receptors as a consequence of the construction and operational phases of the proposed development. The proposal therefore complies with Policies DM5 and DM6 of the DM Policies DPD and the provisions of the NPPF in respect of air quality.

### **Built heritage**

236. A key objective of the Woking Core Strategy is to preserve and enhance the heritage assets of the Borough. Policy CS20 seeks to protect and enhance the Borough's heritage assets in accordance with relevant legislation and guidance in the National Planning Policy Framework (NPPF). Policy CS21 lists a number of design criteria that new development should meet, and the SPD Design (2015) provides supplementary guidance on the design of new development affecting heritage assets.
237. Policy CS20 of the Woking Core Strategy states that new development must respect and enhance the character and appearance of the area in which it is proposed whilst making the best use of the land available and that new development should also make a positive contribution to the character, distinctiveness and significance of the historic environment. In this regard heritage assets include, inter alia (others not relevant in this instance), Listed Buildings (statutory and non-statutory) and Conservation Areas. Policy CS20 also states that there will be a presumption against any development that will be harmful to a listed building.
238. Policy DM20 of the DM Policies DPD provides more detail on the design of development proposals which affect a heritage asset and/or their setting. In terms of the relevant legislation referred to within Policy CS20 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering whether to grant planning

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permission for development which affects a listed building or its setting, special regard must be had to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. Section 72(1) of the same Act states that, in exercise of planning functions, special attention must be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

239. Paragraphs 193-202 (inclusive) of the NPPF set out the framework for decision making in planning applications relating to heritage assets and this report takes account of the relevant considerations in these paragraphs. In terms of heritage impacts it is the degree of potential harm, rather than the scale of development, that must be assessed. Harm may arise from works to the asset itself or from development within its setting.
240. Paragraph 197 of the NPPF sets out that the effect of an application on the significance of a non-designated heritage asset (i.e. locally listed building) should be taken into account in determining the application and that, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
241. The site contains no statutory listed, and no locally listed (i.e. non-statutory) listed buildings, and none are situated adjacent to the site. The site is also not situated within a Conservation Area (CA), and no CA is situated adjacent to the site.
242. The closest statutory listed building to the site is Sunhill House, Hook Hill Lane (Grade II) (to the south), a sixteenth century timber-framed house with a late nineteenth century front, which is separated from the site variously by properties associated with Hook Hill Lane and the carriageway of Hook Hill Lane itself (along with Hook Hill Lane bridge). New buildings forming part of the proposed development would be situated in excess of 100 metres from Sunhill House. Due to this separation distance, together with intervening built development and vegetation, and landform considerations, the proposed development would give rise to no impact upon the setting of Sunhill House.
243. Several locally listed buildings are present along Mayford Green (to the south), and turning into Egley Road (to the south-east). Some glimpsed views of the upper sections of the proposed residential buildings may be evident in the background of some views of these Locally Listed buildings however in such views the proposed residential buildings would be located at distance beyond existing intervening built development (including Woking Garden Centre and residential properties associated with Hook Hill Lane and Egley Drive in particular), and the proposed residential buildings would reflect the predominant residential character of Mayford village and utilise a material pallet (i.e. facing brick/timber effect cladding/roof tiles) sympathetic to the local area. Any effect would be indirect and, for the combined reasons set out, would not cause any harm to the significance of these locally listed buildings (non-designated heritage assets).
244. The closest Conservation Areas to the site are:

Fishers Hill CA – approximately 560m to the west, on substantially higher ground, beyond intervening Hook Hill Lane and housing. Main period of development between 1895 to 1914 was of large country houses in large secluded plots.

Pond Road CA – approximately 880m to the north-west, on substantially higher ground. The majority of original Edwardian and early interwar period dwellings are of individual design although many have similar characteristics - predominantly significant, wide frontage detached villas of 2-3 storeys under large steep pitched roofs, often with significant chimneys and dormer windows.

Mount Hermon CA – approximately 1,200m to the north. Probably the most significant development in Woking south of the railway line following the completion of the station in 1838. Contains excellent examples of Edwardian suburban housing; the majority of the original houses in the area have a distinctive architectural style with steep pitched roofs and decorative timber work to the elevations.

245. The closest Conservation Areas (Fishers Hill and Pond Road CAs) are both in excess of 550m from the site, and both on substantially higher ground. The maximum three storey height of the proposed development, combined with the preceding factors and existing intervening built form and vegetation, would preclude any material impact upon the settings of these Conservation Areas. The Mount Hermon CA is in excess of 1,200m from the site; this level of separation, the maximum three storey height of the proposed development, together with existing intervening built form and vegetation, would preclude any material impact upon the setting of this Conservation Area. Taking into account that other Conservation Areas would be further distant from the site than those detailed the same conclusions would apply to more distant Conservation Areas.
246. The Council's Historic Buildings Advisor does not consider the development would affect the setting of the closest Statutory Listed Buildings. Historic England do not wish to offer any comments on the application.
247. Overall the proposed development would result in no direct effect upon any built heritage asset (archaeology is considered separately). Furthermore the development would not be harmful to the setting (an indirect effect) of any statutory listed building or Conservation Areas (designated heritage assets). Whilst the development may result in indirect effects to the settings of some locally listed buildings, for the combined reasons set out, such effect would not cause any harm to the significance of such non-designated heritage assets. The Historic Buildings Consultant raises no objection. The proposed development therefore complies with Policy CS20 of the Woking Core Strategy, Policy DM20 of the DM Policies DPD, the relevant provisions of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Archaeology (buried heritage):**

248. Paragraph 189 of the NPPF states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Policy CS20 of the Woking Core Strategy states that on all development sites over 0.4 hectares an archaeological evaluation and investigation will be necessary if, in the opinion of the County Archaeologist, an archaeological assessment demonstrates that the site has archaeological potential.
249. Whilst the site is not within an Area of High Archaeological Potential (AHAP) the site area exceeds 0.4 hectares. A desk-based study therefore assesses the impact of the development on archaeological remains, stating that the area is not very well understood archaeologically. The assessment states that the site has an uncertain, but probably low, potential to contain prehistoric remains, with the location of the site close to a reliable source of water making it an attractive area for settlement and farming, although archaeological investigations undertaken directly to the north of the site recorded only three residual pieces of worked flint, bearing no evidence of settlement, only of limited activity, possibly hunting, and that residual flint flakes would be of low heritage significance. The assessment states that the site has a low potential to contain remains from Roman, Saxon and medieval periods because the site was located outside of the main area of settlement which was contained at Old Woking (2.4km to the north-east), and the site would likely have been

located in open fields during these periods. The assessment states that the site has moderate potential to contain post-medieval remains of a 19<sup>th</sup>/20<sup>th</sup> century garden nursery, with any such remains likely to comprise deeply cut features such as tree-boles, planting areas and field boundary ditches, which would be of low heritage significance as derived from their historical and evidential value.

250. The County Archaeologist comments that, due to the large, generally undisturbed nature of the site, combined with the generally unknown archaeological potential, intrusive archaeological investigation will be required in order to confirm the nature, date, extent and significance of any archaeological assets present, and that an archaeological trial trench evaluation should be undertaken in the first instance to allow further decisions to be made about what (if any) mitigation measures are necessary.
251. The County Archaeologist further comments that given there is nothing to suggest archaeological remains worthy of preservation in situ will be present such archaeological work can be secured by planning condition (condition 50 refers). Subject to recommended condition 50 the proposed development complies with Policy CS20 of the Woking Core Strategy, Policy DM20 of the DM Policies DPD and the relevant provisions of the NPPF with regard to archaeology (buried heritage).

### **Contamination**

252. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia, remediating contaminated land, where appropriate. Paragraphs 178 - 179 (inclusive) of the NPPF relate to, inter alia, land contamination and advise that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from, inter alia, land contamination, that, after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990, that adequate site investigation information, prepared by a competent person, is available to inform these assessments and that where a site is affected by, inter alia, contamination issues, responsibility for securing a safe development rests with the developer and/or landowner.
253. Policy DM8 of the DM Policies DPD states that proposals for new development should demonstrate that any existing contamination will be addressed by appropriate mitigation measures, to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area, that the proposed development will not cause the land or groundwater to become contaminated, to the detriment of future use or restoration of the site or so that it would cause unacceptable risk of pollution in the surrounding area and that adequate site investigation information should be provided with development proposals, including the site's history, potential contamination sources, pathways and receptors, and where appropriate, physical investigation, chemical testing, and a risk assessment to cover ground gas and groundwater.
254. The application has been submitted with site investigation information, prepared by a competent person. The Contaminated Land Officer raises no objection, stating that there is just one possible area of concern, which can be addressed through planning condition (condition 46 refers), and that the remainder of the site is considered suitable for the proposed end use in terms of land contamination. Subject to recommended conditions 46, 47, 48 and 49 the development complies with Policy DM8 of the DM Policies DPD and the relevant provisions of the NPPF with regard to contamination.

**Flooding and water management**

255. Paragraphs 155-165 (inclusive) of the NPPF relate to planning and flood risk. Policy CS9 of the Woking Core Strategy states that the Council will determine planning applications in accordance with the guidance contained within the NPPF, that the Council expects development to be in Flood Zone 1 and that the Council will require all significant forms of development to incorporate appropriate sustainable drainage systems (SuDS) as part of any development proposals.
256. The site is located entirely within Flood Zone 1 (low risk) and is at low risk from fluvial and tidal flooding. In accordance with Policy CS9 of the Woking Core Strategy and the NPPF all forms of development are suitable in Flood Zone 1, with safe access/egress being achieved via Egley Road, which would not be affected by fluvial or tidal flooding. The Flood Risk Assessment (FRA) submitted with the application identifies that land within Flood Zone 2 (medium risk) is located approximately 110m east of the site, and at an elevation approximately 1.9m lower than the site, and that land within Flood Zone 3 (high risk) is located approximately 190m east of the site, and at an elevation approximately 3.0m lower than the site. The FRA therefore concludes that the site will remain within Flood Zone 1 (low risk) for its operational lifetime, including with the effects of climate change.
257. In terms of surface water flood risk the FRA identifies that the majority of the site has a very low risk of surface water flooding, that there is a small area of low surface water flood risk to the north of the site and an area of medium to high surface water flood risk located to the south-western part of the site. However the medium to high risk area is limited in size and does not form part of any surface water flow path (i.e. it is ultimately ponded water). In addition, in the post-development scenario, any risk of surface water flooding originating within the site would be reduced (or eliminated) through the proposed drainage strategy (SuDS); therefore it is unlikely that surface water flooding would adversely affect the site. The Woking Borough Council Strategic Flood Risk Assessment (SFRA) (November 2015) identifies that the site is located within an area of "limited potential for groundwater flooding to occur".
258. With regard to surface water drainage in accordance with the NPPF, and Policy CS9 of the Core Strategy, local planning authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SuDS). A drainage strategy (SuDS) is proposed to ensure that the development does not increase flood risk to the site or elsewhere and, where practicable, reduces flood risk over the lifetime of the development. It should be noted that peak rainfall intensity is expected to increase as a result of climate change and, as such, storage calculations include a 40% increase in rainfall depths in accordance with current climate change guidance.
259. The proposed SuDS for the site includes bio-retention areas (i.e. landscaped infiltration areas), lined permeable paving and (below ground) geo-cellular storage beneath car parking and roads; these measures will slow down the rate of surface water runoff from the site, which will be controlled by a hydro-brake before discharging into the watercourse to the north-east. The drainage arrangement for the development will limit runoff for all events, up to and including the 100 year plus 40% climate change, to 11.5 l/s, which the FRA states represents a betterment on both the existing drainage arrangement and greenfield runoff rates. The drainage strategy is sustainable and will ensure flood risk to neighbouring sites (from surface water) will not increase as a result.
260. The Council's Drainage and Flood Risk Engineer, who undertakes the statutory consultee role (for relevant development types) of Lead Local Flood Authority (LLFA) within Woking Borough under local agreements with Surrey CC, has advised that, following a review of the

Flood Risk Assessment and Drainage Strategy (including calculations), the information submitted is compliant with Policy CS9 of the Core Strategy and the NPPF and approval of the application is recommended on flooding and water management grounds subject to conditions 41, 42, 43 and 44. The Environment Agency have raised no objections to the proposed development.

*Foul and potable water*

261. In terms of foul water, through consultation with Thames Water the applicant has identified the location of foul sewers in the vicinity of the site. Thames Water have confirmed that the local foul sewerage network does not currently have enough capacity to serve the proposed development, and that detailed modelling work, and potential off-site reinforcement, would be required to ensure the necessary improvements are in place prior to first occupation (undertaken at the cost of Thames Water, and only following planning permission (if granted)). It should also be noted that, since the publication of the new connections and development charging rules in April 2018, drainage authorities (including Thames Water) in England are obligated to provide a point of connection and undertake any mitigation or improvement works and network reinforcements, where necessary. Such detailed modelling work, and potential off-site reinforcement, will only be undertaken by Thames Water following planning permission (if granted) and can be suitably secured through 'grampian' planning condition (condition 45 refers).
262. The proposed development will result in an increase in water demand. No consultation response has been received from the potable water provider (Affinity Water) and thus it is considered that there is no issue in this respect.

**Sustainable construction requirements**

263. Policy CS22 reflects the carbon reduction targets as:

*All new residential buildings should be 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations*

264. New non-residential developments of 1,000 sq.m or more (gross) floor space are required to comply with BREEAM 'Very Good' standards (or any future national equivalent), while all new developments should consider the integration of Combined Heat and Power (CHP) or other forms of low carbon district heating in the development.
265. SPD Climate Change (2013) provides more detailed guidance.
266. The application has been submitted with an Energy Strategy report (dated November 2019), which states that the residential element of the proposed development will achieve a 39.8% reduction in regulated carbon dioxide emissions over the Part L 2013 compliance target, in excess of the 19% target. The report states that these reductions will be achieved through the implementation of passive design (such as efficient fabric to reduce heating and cooling demand), energy efficiency measures (such as energy efficient lighting), together with the provision of space heating and domestic hot water through Air Source Heat Pumps (ASHP) with a capacity of either 11kW or 14kW per dwelling.
267. Policy CS23 encourages, but does not mandate, the use of Low Zero Carbon (LZC) technologies to include evidence based reasoning for the use or disregard of LZC technologies. The Energy Strategy report appraises differing types of LZC including hydrogen technology, tri-generation, CHP, photovoltaics (PVs), ground source heat pumps,

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wind power, solar thermal, and biomass, concluding that the required carbon emissions savings are best achieved through ASHP technologies. The use of CHP to serve the residential element has been considered within the Energy Strategy report however there are no existing, planned or potential networks in the area, with the distance between the site and the CHP network in Woking Town Centre making connection to that network technically unfeasible.

268. The Sustainability Strategy report states that the residential dwellings will achieve a maximum water use of no more than 110 litres per person, per day and that non-residential elements of the proposed development will incorporate water efficient fittings in line with BREEAM standards to reduce water consumption.
269. The Energy Strategy report states that during the next stages of detailed design (i.e. subject to planning permission being granted), further improvements to the residential systems will be investigated to provide further carbon emissions reductions.
270. A separate Energy Strategy report (dated July 2019) has been submitted for the health club element. Policy CS23 encourages, but does not mandate, the use of Low Zero Carbon (LZC) technologies to include evidence based reasoning for the use or disregard of LZC technologies. The Energy Strategy report for the health club component appraises differing types of LZC including Combined Heat and Power (CHP), wind energy, solar thermal, biomass, Air Source Heat Pumps (ASHP) and photovoltaics (PV), concluding that the required carbon emissions savings are best achieved through Combined Heat and Power (CHP) to provide heating and hot water, being supplemented by ASHP technologies. The Energy Strategy report for the health club element identifies that Policy CS22 requires new non-residential development of 1,000 sq.m or more (gross) floor space, as in this instance, to achieve a BREEAM 'Very Good' rating. (or any future national equivalent).
271. Overall the details within the Energy Strategy and Sustainability Strategy reports demonstrate compliance with the relevant requirements of Policies CS22 and CS23 of the Woking Core Strategy (2012) and SPD Climate Change (2013). Conditions 52, 53, 54 and 55 can secure the requisite sustainable construction requirements.

### **LOCAL FINANCE CONSIDERATIONS**

272. As the proposed development includes the provision of residential accommodation the development is liable for financial contributions under the Community Infrastructure Levy. The CIL Regulations 2010 (as amended) enable the existing floorspace to be demolished to be taken into account. In addition the CIL Regulations also enable a developer to claim social housing relief where the specific definitions as set out in the CIL Regulations are met, such that any dwelling subject to social housing relief exemption would not be liable for CIL. In accordance with the CIL Regulations the claiming of social housing relief only occurs after planning permission has been granted.
273. At this stage it is not possible to conclude whether the proposed development/developer will be eligible for social housing relief under the CIL Regulations 2010 (as amended) for some or all of the proposed affordable housing. In the event that social housing relief is not claimed the CIL amount for the proposed development is expected to be around £835,607. In the event that social housing relief is able to be claimed by any developer the CIL amount for the proposed development is expected to be Nil.

**CONCLUSION – PLANNING BALANCE**

274. The NPPF sets out that it is the Government's clear expectation that there is a presumption in favour of development and growth except where this would compromise key sustainable development principles and be contrary to local planning policies, unless material considerations indicate otherwise. The role of the planning system is to contribute to the achievement of sustainable development. This often involves balancing the economic, social and environmental aspects of a proposal. In addition where a proposal comprises inappropriate development within the Green Belt a balancing exercise is required to establish whether very special circumstances exist that clearly outweigh the substantial harm to be given to the impact on the Green Belt by reason of inappropriateness and any other harm.
275. The proposed development is inappropriate development in the Green Belt, which is by definition harmful. The other harm resulting from the inappropriate development is the loss of openness to the Green Belt, harm to one of the purposes of the Green Belt and harm to the visual and environmental amenity of the area due to the loss of protected trees, including part of the woodland. The NPPF requires substantial weight to be given to this harm.
276. Very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations. The considerations in favour of the application as detailed in the very special circumstances section and other sections of this report are, in summary, as follows:
277. The manner in which this proposal would, through relocating the David Lloyd centre from land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking (Ref: PLAN/2019/1176), facilitate the provision of a new, modern, high quality, football stadium (and other ancillary and commercial/retail/community uses), a significant quantum of housing (1,048 dwellings), including a significant quantum of affordable housing (468 dwellings), together with the social, economic and employment benefits flowing from such, in a sustainable location in the urban area.
278. The provision of affordable dwellings on the site significantly (+50%) above the requirements of Policy CS12 of the Woking Core Strategy (2012).
279. The emerging allocation within the SA DPD, with its proposed removal of this site from the Green Belt.
280. Compliance or general conformity with, national, regional and local planning policies are not in themselves considered to be unique circumstances which justify a departure from Green Belt policy. However in this particular case the proposed development would result in significant planning benefits which would contribute to the provision of sustainable development as set out in this report.
281. It is therefore considered that, when taken together cumulatively, these factors would represent very special circumstances which are considered to outweigh the substantial harm to be given to the Green Belt, and the other harm identified resulting from the proposal, and would justify a recommendation of approval for the application. However this conclusion is contingent on a resolution to grant planning permission for related planning application reference PLAN/2019/1176 (land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking).
282. In relation to all of the planning matters previously assessed, it is considered that the very special circumstances identified would outweigh the identified harm resulting from the



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proposed development subject to the mitigation measures being secured by conditions and the Council's Executive Undertaking. However this conclusion is contingent on a resolution to grant planning permission for related planning application reference PLAN/2019/1176 (land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking).

283. In light of the very special circumstances which exist in this case it is considered that a recommendation of approval is justified. Other than the conflict with Policies CS6 (in respect of Green Belt) and CS21 (in respect of loss of trees) of the Woking Core Strategy (2012), and conflict with Policies DM2 (in respect of loss of trees) and DM13 of the DM Policies DPD (2016) (in respect of Green Belt), which are addressed by the very special circumstances, the proposed development is considered to comply with the other relevant Woking Core Strategy (2012) policies, the relevant policies in the DM Policies DPD (2016), the relevant supplementary planning documents, and the provisions of the NPPF and the NPPG, subject to the recommended conditions and the Council's Executive Undertaking. Regard has been had to the emerging Site Allocations DPD.
284. In view of the recommendation, under the Town and Country Planning (Consultation) (England) Direction 2009, if the Planning Committee resolves to grant planning permission as set out, the application will be referred to the Secretary of State to ascertain whether they wish to call-in the application for their own determination.
285. The recommendation has been made in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

### **EXECUTIVE UNDERTAKING REQUIREMENTS**

- Egley Road dwellings to be rented affordable dwellings.
- Travel plan – prior to first occupation a travel plan for the Health Club will be submitted to and approved in writing by the Council to promote non-car modes of travel. The approved travel plan will be implemented prior to first occupation of the Health Club centre and thereafter maintained and developed to the satisfaction of the Council.
- Highway works – requirement to enter into S278 agreement(s) to secure the carrying out of highway works required by the Highway Authority, including pedestrian crossing improvements on Egley Road.
- Strategic Access Management and Monitoring (SAMM) contribution in line with the Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy tariff (including index linking based on RPI annual inflation).

### **RECOMMENDATION**

That the Planning Committee resolves to **Grant** planning permission subject to:

1. The prior resolution of the Council's Executive to give effect to measures within the Executive Undertaking (as set out at the conclusion of this report);
2. Planning permission being granted on application reference PLAN/2019/1176 (Land south of Kingfield Road and east of Westfield Avenue, Westfield, Woking, GU22 9PF) either by:
  - (i) the Local Planning Authority, or

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- (ii) the Secretary of State for Housing, Communities and Local Government following ‘call-in’ under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009;
3. The referral of this application to the Secretary of State for Housing, Communities and Local Government under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, and failing any direction from the Secretary of State;
  4. Completion of an Appropriate Assessment, supported by Natural England; and
  5. Planning conditions set out at the end of this report.

The Planning Committee is also requested to authorise the Development Manager (or their authorised deputy) to take all necessary action in connection with points 1-5 above.

### Conditions

#### Time limit

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

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

#### Phasing

02. ++ No development must commence (including demolition and site preparation works) until full details, including plans, of the phasing of the development have been submitted to and approved in writing by the Local Planning Authority. The development must be carried out in strict accordance with the approved details of phasing, unless any variation or amendments have first been agreed in writing with the Local Planning Authority.

Reason: To ensure the development progresses in an orderly manner without undue loss of amenity to the surrounding area and that satisfactory facilities are provided to service all stages of the development in accordance with Policy CS21 of the Woking Core Strategy (2012) and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

#### Approved plans and documents

03. The development hereby permitted must be carried out only in accordance with the approved plans and documents listed in this notice, unless where required or allowed by other conditions attached to this planning permission:

Project No. / Drawing No. / Rev.	Drawing Title	Date
<b><i>Existing Drawings</i></b>		
7884 L(00)385 B	Location Plan	05.11.19
7884 L(00)52 C	Existing Site Plan / Demolition Plan	05.11.19

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7884 L(00)222 C	Site Edged Red Plan	05.11.19
7884 L(00)650 A	Proposed Site Ground Floor Plan	27.05.20
Z0351-NOV-Z1-ZZ-PL-A-0004	Barn building - Plan and Elevations as existing	January 2019
<b>Masterplan</b>		
<b>Layout Drawings</b>		
7884 L(00)103 P	Proposed Site - Ground Floor Plan	05.12.19
7884 L(00)104 F	Proposed Site - First Floor Plan	05.12.19
7884 L(00)105 E	Proposed Site - Second Floor Plan	05.11.19
7884 L(00)106 F	Proposed Site - Roof Plan	05.11.19
7884 L(00)404 A	Proposed Site - Boundary Treatment	05.11.19
<b>Health Club</b>		
7884 L(00)326 D	David Lloyd Ground Floor Plan	05.11.19
7884 L(00)327 D	David Lloyd First Floor Plan	31.10.19
7884 L(00)328 D	David Lloyd Roof Plan	05.11.19
7884 L(00)312 C	David Lloyd Elevations 1	05.11.19
7884 L(00)313 C	David Lloyd Elevations 2	05.11.19
7884 L(00)330 B	David Lloyd Section A	31.10.19
A-PL-05-011 P0	Proposed Air Dome	19.05.20
<b>Residential</b>		
7884 L(00)322 E	Residential Ground Floor Plan	05.12.19
7884 L(00)323 E	Residential First Floor Plan	05.12.19
7884 L(00)324 D	Residential Second Floor Plan	05.11.19
7884 L(00)325 D	Residential Roof Plan	05.11.19
7884 L(00)315 C	Residential - House Type 1 Plans - Two/Three Bedroom	05.11.19
7884 L(00)316 C	Residential - House Type 2 Plans - Three Bedroom	05.11.19
7884 L(00)317 C	Residential - House Type 3 Plans - Four Bedroom	05.11.19
7884 L(00)318 C	Residential - House Type 4 Plans - Five Bedroom	05.11.19
7884 L(00)304 C	Residential Street Elevations	05.11.19
7884 L(00)305 D	Residential - House Block Type 1 - Elevations	05.12.19
7884 L(00)306 D	Residential - House Block Type 2 - Elevations	05.12.19
7884 L(00)307 D	Residential - House Block Type 3 - Elevations	05.12.19
7884 L(00)308 D	Residential - House Block Type 4 - Elevations	05.12.19
7884 L(00)309 D	Residential - House Block Type 5 - Elevations	05.12.19
7884 L(00)310 D	Residential - House Block Type 6 - Elevations	05.12.19
7884 L(00)311 D	Residential - House Block Type 7 - Elevations	05.12.19
<b>Landscape</b>		
A241-ER-LA01	Landscape Masterplan	22.11.19
A241-ER-GA01 D	Landscape General Arrangement - Sheet 1 of 3	06.11.19
A241-ER-GA02 D	Landscape General Arrangement - Sheet 2 of 3	06.11.19
A241-ER-GA03 D	Landscape General Arrangement - Sheet 3 of 3	06.11.19

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<b>Highways</b>		
183923a_A01 C	Site Access General Arrangement and Visibility Splays	04.10.19

### Environmental Impact Assessment

Document Title	Document Ref	Date
Environmental Impact Assessment - Volume 1: Environmental Statement	-	November 2019
Environmental Impact Assessment - Volume 2: Technical Appendices	-	November 2019

Reason: To ensure the development is carried out in accordance with the planning permission and to ensure that any development that is carried out is that which has been assessed.

### Levels

04. The development hereby permitted must be carried out only in accordance with the proposed finished floor levels and ground levels as shown on the approved plans unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity of the site in accordance with Policies CS6, CS21 and CS24 of the Woking Core Strategy (2012) and the NPPF.

### External materials

05. ++ Notwithstanding the details submitted with the application prior to the commencement of superstructure works for a building hereby permitted, full details (including samples) of all external facing materials of that building must be submitted to and approved in writing by the Local Planning Authority. The submitted details must include:

- a) Sample panel(s) (of a size to be first agreed in writing by the Local Planning Authority) of all brickwork / masonry (including mortar colour and pointing), all cladding materials (including timber effect and metal effect), standing seam roofing material, glazing (including curtain wall glazing and window frames) and aluminium capping for the health club building;
- b) Sample panel(s) (of a size to be first agreed in writing by the Local Planning Authority) of all brickwork (including mortar colour and pointing), cladding materials (including timber effect), roof covering materials, downpipes/gutters/soffits/fascias and glazing (including window frames) for the residential building(s);
- c) Samples of all other external facing materials;

The details must generally accord with the type and quality of materials indicated within the application. The building shall thereafter be carried out and permanently maintained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure a high quality development in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the NPPF.

Hard and soft landscape

06. ++ The overall concept, layout, extent and type of hard and soft landscaping for the development hereby permitted must generally accord with the approved plans and documents and must have regard to the approved surface water drainage scheme. Prior to the commencement of any superstructure works on the relevant part of the development (as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') details of the hard and soft landscaping scheme for the relevant part of the development must be submitted to and approved in writing by the Local Planning Authority. The submitted details must include:
- a) full details of all proposed tree planting, including planting and maintenance specifications, including cross-section drawings, details of tree pit design / underground modular systems, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
  - b) soft planting, grassed/turfed areas, shrubs and herbaceous areas detailing species, sizes and numbers/densities;
  - c) specifications for operations associated with plant establishment and maintenance that are compliant with best practice;
  - d) enclosures including type, dimensions and treatments of any walls, fences, screen walls, barriers, railings and hedges (including surrounding the outdoor tennis courts);
  - e) hard landscaping, including samples and specifications of all ground surface materials, kerbs, edges, steps and any synthetic surfaces (including the artificial tennis courts);
  - f) street furniture, including details of litter bins (including recycling option);
  - g) details of the design and access controls for the health club car park gate(s);
  - h) details (including plans and elevations at 1:100 scale and external finishes) of any outdoor structures and ground coverings located within the spa garden, swim area and terrace of the health club;
  - i) details (including plans and elevations at 1:100 scale and external finishes) of the 'battle box' within the health club;
  - j) any other hard and soft landscaping features forming part of the scheme;
  - k) a wayfinding and signage strategy; and
  - l) a landscape management plan for the public and private areas to include a maintenance schedule for all landscaped areas.

Tree and other planting must accord with BS: 3936-1:1992, BS: 4043:1989, BS: 4428:1989 and BS: 8545:2014 (or subsequent superseding equivalent(s)). All landscaping must be completed/planted in accordance with the approved details during the first planting season following practical completion of the relevant part of the development or in accordance with a programme otherwise first agreed in writing with the Local Planning Authority. All soft landscaping must have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased must be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting must be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting must be in accordance with the approved details.

Reason: To ensure a high quality development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), SPD Design (2015) and the NPPF.

Construction Environmental Management Plan (CEMP)

07. ++ Prior to any works being undertaken pursuant to either the health club or residential elements of this planning permission (as are identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') (other than site hoarding) a Construction Environmental Management Plan (CEMP) for the relevant element (or a CEMP encompassing both elements) must first be submitted to and approved in writing by the Local Planning Authority. The details must be in accordance with the Environmental Statement (ES) and include (but not be limited to) the following:
- i. Measures to minimise visual impact during demolition, ground works and construction;
  - ii. Measures to minimise noise and vibration levels during demolition, ground works and construction;
  - iii. Measures to minimise dust levels during demolition, ground works and construction (in the form of a Dust Management Plan prepared in accordance with Section A6 (Construction Mitigation) of Appendix: Air Quality of the ES);
  - iv. Measures to control pollution during demolition, ground works and construction (including a Pollution Response Plan);
  - v. Site works lighting strategy, including measures to minimise light spill;
  - vi. Measures to reduce water usage during demolition, ground works and construction;
  - vii. Measures to reduce energy usage during demolition, ground works and construction;
  - viii. Neighbour and public relations strategy; and
  - ix. Site Waste Management Plan.

Reason: To protect the environmental interests and the amenity of the area and to comply with Policies CS6, CS7, CS9 and CS21 of the Woking Core Strategy (2012) and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

Highways / Transport

08. The health club development hereby permitted must not be first occupied unless and until space has been laid out within the relevant part of the application site in accordance with the approved plans for vehicles to be parked, and for vehicles to load and unload, and for vehicles to turn so that they may enter and leave the relevant part of the application site in forward gear. Thereafter the parking, loading and unloading and turning areas must be permanently retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF.

09. The residential development hereby permitted must not be first occupied unless and until space has been laid out within the relevant part of the application site in accordance with the approved plans for vehicles to be parked, and for vehicles to

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load and unload, and for vehicles to turn so that they may enter and leave the relevant part of the application site in forward gear. Thereafter the parking, loading and unloading and turning areas must be permanently retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF.

10. ++ The health club development hereby permitted must not be first occupied unless and until at least 10% of the available car parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230v AC 32 amp Single Phase dedicated supply) and a further 10% of the available car parking spaces are provided with ducting to provide additional fast charge sockets (feeder pillar or equivalent permitting future connection) in accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved facilities must be permanently maintained unless replaced by a more advanced technology with the same objective.

Reason: In order that suitable provision for electric vehicle charging points is made in accordance with SPDs Parking Standards (2018) and Climate Change (2014) and the NPPF.

11. ++ No dwelling within the residential development hereby permitted must be first occupied unless and until that dwelling has been provided with at least 1 passive electric vehicle charging point per dwelling, in accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved facilities must be permanently maintained unless replaced by a more advanced technology with the same objective.

Reason: In order that suitable provision for electric vehicle charging points is made in accordance with SPDs Parking Standards (2018) and Climate Change (2014) and the NPPF.

12. ++ The health club development must not be first occupied unless and until facilities for the secure parking of cycles have been provided in accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved facilities shall be permanently maintained.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF.

13. ++ No dwelling forming part of the residential development hereby permitted must be first occupied unless and until secure and covered cycle storage (to accommodate a minimum of x2 cycles per dwelling) has been provided for that dwelling in accordance with details to first be submitted to and approved in writing by the Local Planning Authority. The details to be submitted must include store plans and elevations (at 1:50 scale), location of store within the curtilage(s), and details of facing materials. Cycle storage facilities shall thereafter be permanently retained for use by the occupants of and visitors to the residential development.

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Reason: To ensure that satisfactory facilities for the storage of cycles are provided and to encourage travel by means other than the private car in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF.

14. ++ Other than site preparation works (site hoarding, demolition, decontamination) no development shall commence pursuant to either the health club or residential elements of this planning permission (as are identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') until a Construction Transport Management Plan (CTMP) for the relevant element (or a CTMP encompassing both elements) has first been submitted to and approved in writing by the Local Planning Authority. The details must be in accordance with the Environmental Statement (ES) and include (but not be limited to) the following:
- (a) Parking for vehicles of site personnel, operatives and visitors;
  - (b) Loading and unloading of plant and materials;
  - (c) Storage of plant and materials;
  - (d) Programme of works (including measures for traffic management);
  - (e) Provision of boundary hoarding behind any visibility zones;
  - (f) HGV deliveries and hours of operation;
  - (g) Vehicle routing;
  - (h) Measures to prevent the deposit of materials on the highway;
  - (i) Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;
  - (j) No HGV movements to or from the site shall take place between 08:15 - 08:45 hrs and 16:00 - 16:30 hrs nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in local roads during these times; and
  - (k) On-site turning for construction vehicles.

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

15. ++ The development hereby permitted shall not be first occupied unless and until the proposed pedestrian crossing improvements on Egley Road have been provided in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority, with a Stage 1 and 2 Road Safety Audit being first undertaken.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the NPPF.

16. ++ The development hereby permitted shall not be first occupied unless and until the kerb upstand at the dropped kerb for cyclists to get to and from the cycle path on Egley Road to Lilac Road has been dropped and made flush with the road, in



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accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the NPPF.

17. The health club service / delivery area shown on the approved plans shall be reserved exclusively for the loading and unloading of delivery and service vehicles and shall at no time be used as a general car parking area for other visitors or for employees.

Reason: To ensure that the health club servicing area is used for its intended purpose and not as a casual car park in accordance with Policy CS18 of the Woking Core Strategy (2012) and the NPPF.

### Use and hours of operation for health club

18. Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) and the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any equivalent Order(s) revoking and/or re-enacting these Order(s) with or without amendment(s)) the use of the health club development hereby permitted (as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') shall only be for purposes falling within (e) of Class D2 (including ancillary uses ordinarily associated with the operation of a health & racquet club) as defined within The Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose(s) whatsoever without express planning permission from the Local Planning Authority first being obtained.

Reason: To protect the general amenities of the area and the residential amenities of neighbouring and nearby properties from undue noise and disturbance in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2018) and the NPPF.

19. The indoor health club facilities (including the permanent air dome tennis courts) (as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') hereby permitted must only be open to customers between the following times:

06:00 hrs and 23:00 hrs Mondays to Saturdays (inclusive); and

07:00 hrs and 22:00 hrs on Sundays, Bank and Public Holidays.

Reason: In the interests of the character and appearance of the site, to safeguard the amenities of nearby existing and introduced residential occupiers and to comply with Policies CS6 and CS21 of the Woking Core Strategy (2012) and the NPPF.

20. The following outdoor health club facilities (excluding the permanent air dome tennis courts) (as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') hereby permitted must only be open to customers between the following times:

Outdoor swimming pool, spa and terrace areas:

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06:00 hrs and 22:00 hrs Mondays to Sundays (inclusive) (including Bank and Public Holidays)

Southern-most tennis courts (not within permanent air domes):

07:30 hrs and 22:00 hrs Monday to Sundays (including Bank and Public Holidays)

Reason: In the interests of the character and appearance of the site, to safeguard the amenities of nearby existing and introduced residential occupiers and to comply with Policies CS6 and CS21 of the Woking Core Strategy (2012) and the NPPF.

21. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any equivalent Order(s), replacing, amending and/or re-enacting that Order(s) with or without amendment(s)) no additional floors, including mezzanine floors, other than as shown on the approved plans shall be erected within the health club building hereby permitted without the prior written approval of the Local Planning Authority.

Reason: To avoid the potential over-intensification of use of the health club and subsequent adverse implications for car parking, noise and neighbouring amenity in accordance with Policies CS18 and CS21 of the Woking Core Strategy (2012) , Policy DM7 of the Development Management Policies DPD (2016) and the NPPF.

### Air quality

22. The main source of energy for the residential element of the development must be air source heat pumps (ASHPs) unless otherwise first agreed in writing by the Local Planning Authority. If ASHP are not to provide the main source of energy for the residential element of the development for any reason, additional future air quality modelling in respect of an alternative energy source must first be submitted to and approved in writing by the Local Planning Authority in order to ensure that there are no significant adverse air quality impacts. The development shall thereafter be permanently maintained in accordance with any such approved details.

Reason: To ensure no adverse impact upon air quality in accordance with Policy DM6 of the Development Management Policies DPD (2018) and the NPPF.

23. Energy plant specifications and release conditions must adhere to the restrictions set out in Tables A3.3 and A5.1 in ES Volume 2, Appendix 2: Air Quality (Annexes 3 and 5). To further emphasise these, the final design must adhere to the following minimum specifications:

- a boiler system with a maximum total of 1.486 MW fuel input (distributed evenly between two boilers) will be installed; each boiler with its own individual flue outlet with a maximum internal diameter of 0.2 m at the exit point, terminating at least 3m above the roof level;
- a CHP with a maximum of 432 kW fuel input, with a maximum internal diameter of 0.2 m at the exit point, terminating at least 3m above the roof level; and
- all stacks must discharge vertically upwards and be unimpeded by any fixture on top of the stack (e.g., rain cowls or conical cowls).

If the energy plant specifications and release conditions deviate significantly from the modelled specification, additional future modelling must first be submitted to and

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approved in writing by the Local Planning Authority prior to installation in order to ensure that there are no significant adverse air quality impacts.

Reason: To ensure no adverse impact upon air quality in accordance with Policy DM6 of the Development Management Policies DPD (2016) and the NPPF.

24. ++ Prior to first occupation of the health club element of the development details must be submitted to and approved in writing by the Local Planning Authority confirming that the gas boilers conform to a maximum NOx emission of 38.8 mg/kWh, and the CHP conform to an emission rate of 250 mg/Nm<sup>3</sup> based on:

- monitoring undertaken on the actual installed plant; or
- manufacturer guaranteed performance levels supported by type approval monitoring undertaken by the equipment supplier.

In order to attain these values, relevant catalyst or alternative abatement may be required. If the design of the health club energy plant deviates significantly from the modelled specification (within the ES), additional future modelling must be undertaken prior to first occupation in order to ensure that there are no significant adverse air quality impacts.

Reason: To ensure no adverse impact upon air quality in accordance with Policy DM6 of the Development Management Policies DPD (2016) and the NPPF.

25. ++ Prior to the commencement of superstructure works for the health club building hereby permitted a scheme for the installation of external equipment to control emissions from the building shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented fully in accordance with the approved scheme prior to the first occupation of the building. Any external flue ductwork must be supported using mountings fixed to the external structure of the building in such a way that any vibration or noise associated with mechanical ventilation/extraction is reduced to a level which does not cause a nuisance. All external equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details and permanently retained as such thereafter.

Reason: To protect the environment and amenities of the occupants of neighbouring properties and prevent nuisance arising from noise, fumes, smell, smoke, ash, grit or other emissions in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the NPPF.

### Noise

26. ++ Prior to any works being undertaken pursuant to either the health club or residential elements of this planning permission (as are identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') (including demolition and site preparation works) a Noise and Vibration Management Plan (NVMP) (which may be a standalone document or form part of a wider Construction Environmental Management Plan (CEMP)) for the relevant element (or a NVMP encompassing both elements) must first be submitted to and approved in writing by the Local Planning Authority. The NVMP must address phasing, provide predicted noise (and where necessary) vibration levels and details of mitigation and monitoring. Only CFA (Continuous Flight Auger) piling must occur pursuant to this planning permission unless a comprehensive assessment of noise and vibration arising from

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other piling techniques has first submitted to and approved in writing by the Local Planning Authority. The NVMP must also provide a protocol for receiving, investigating and resolving noise and/or vibration complaints during the demolition and construction phase(s). Development must only be undertaken in accordance with the approved Noise and Vibration Management Plan (NVMP) unless the Local Planning Authority otherwise first agrees in writing to any variation.

Reason: To protect the environmental interests and the amenity of the area and to comply with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the DM Policies DPD (2016) and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

27. ++ a) Mechanical plant and building services equipment (including any air source heat pump(s)) within the development must be designed and maintained for the lifetime of the development such that the rating noise level as assessed in accordance with British Standard 4142:2014 +A1:2019 (or any superseding standard) does not exceed:

- 43 dB LAeq,1hr between the hours of 07:00 and 23:00; and
- 34 dB LAeq,15mins between the hours of 23:00 and 07:00

as assessed 1 metre from the façade of residential dwellings

Mechanical plant and building services equipment must not create an audible tonal noise nor cause perceptible vibration to be transmitted through the structure of the buildings.

b) A post completion verification report including acoustic test results and confirming that the above maximum noise standards have been complied with must be submitted to the Local Planning Authority for written approval prior to the expiry of the period of 3 months from first occupation of the relevant building within the development.

Mechanical plant and building services equipment must thereafter be permanently maintained in accordance with the approved details for the lifetime of the development.

Reason: To safeguard the amenity of the surrounding area and the residential amenities of existing and future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the DM Policies DPD (2016) and the NPPF.

28. ++ Prior to first occupation of the health club a health club Delivery Management Plan must be submitted to and approved in writing by the Local Planning. If health club deliveries are required between the hours of 23:00 and 07:00 the health club Delivery Management Plan must detail measures for protecting residential receptors (including those within the development pursuant to this planning permission) from noise (including, but not limited to, noise from vehicle movements) such as use of white noise reversing beepers, rubber mats to minimise noise from cages etc. The approved health club Delivery Management Plan must be implemented upon first occupation of the health club and permanently maintained and operated for the lifetime of the health club.

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Reason: To safeguard the amenity of the surrounding area and the residential amenities of existing and future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the DM Policies DPD (2016) and the NPPF.

29. ++ a) Prior to the commencement of superstructure works for a residential building a scheme of sound insulation, including details of glazing, ventilation (including how overheating shall be addressed through glazing and ventilation design) and roof/ceiling construction design demonstrating compliance with BS 8233:2014 internal ambient noise levels (providing source calculations and any corrections or error bands used) for habitable rooms within the new residential units to achieve the following:

- 35 dB  $L_{Aeq,T}$  in all habitable rooms between the hours of 07:00 and 23:00; and
- 30 dB  $L_{Aeq,T}$  and  $L_{Amax}$  less than 45dB in bedrooms between the hours of 23:00 and 07:00

must be submitted to and approved in writing by the Local Planning Authority.

b) A post completion verification report including acoustic test results, acoustic data for the glazing system and ventilation system to the residential units, and confirming that the above maximum noise standards have been complied with must be submitted to the Local Planning Authority for written approval prior to the expiry of the period of 3 months from first occupation of the relevant residential building within the development.

The approved scheme of sound insulation must be implemented concurrently as part of the residential development and the residential buildings must thereafter be permanently maintained in accordance with the approved details for the lifetime of the development.

Reason: To safeguard the residential amenities of future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the DM Policies DPD (2016) and the NPPF.

30. ++ a) Prior to first occupation of the health club development (as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') details of the reflective acoustic barrier to be installed in the general position and extent as shown on the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan' as 'Acoustic Fence Line') must first be submitted to and approved in writing by the Local Planning Authority. The submitted details must include:

- a plan (at 1:50 scale) showing the position and extent of the reflective acoustic barrier; and
- manufacturers' specification of the reflective acoustic barrier

The selected acoustic barrier must be 2.5 metres in height and possess a minimum surface density of 15 kg/m<sup>2</sup>.

b) Prior to first occupation of the health club development the approved acoustic barrier must be installed in the approved location and to the manufacturers' specification. The acoustic barrier must be permanently maintained for the lifetime of the development to ensure no gaps. Where gaps develop in the barrier, the affected

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panels must be replaced within fourteen days unless a longer timeframe is otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of neighbouring occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the DM Policies DPD (2016) and the NPPF.

### External lighting / CCTV etc

31. ++ Notwithstanding the details submitted with the application prior to the installation of any external lighting on the relevant part of the development (as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') (other than temporary construction / site works related lighting) the final detailed external lighting design / CCTV design (if applicable), including:

- a) CCTV (if applicable); and
- b) general external lighting (i.e. external walkway, carriageway, car parks, amenity lighting, security lighting and building facade lighting).

on or around the building(s) and elsewhere within the relevant part of the development must be submitted to and approved in writing by the Local Planning Authority. The submitted details must include the location and specification of all lamps, light levels/spill, illumination, CCTV cameras (including view paths) and support structures including height, type, materials, colour (RAL) and manufacturer's specifications.

Evidence must be submitted to demonstrate that the final detailed external lighting design (including external walkway, car parks, amenity lighting and building facade lighting) is in line with recommendations within the Guidance Notes for the reduction of Obtrusive Light GN01:2011 (or any future equivalent) for Environmental Zone E3, with regards to sky glow, light intrusion into residential windows and luminaire intensity.

A Sensitive Lighting Management Plan – identifying how the final detailed external lighting design has had regard to the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series" must also be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external lighting on the relevant part of the development (other than temporary construction / site works related lighting).

Development shall be carried out in accordance with the approved details and be permanently maintained as such thereafter.

Reason: To protect the general environment, the amenities of the area, the residential amenities of neighbouring and nearby existing and introduced properties and the habitat for bats and other nocturnal animals in accordance with Policies CS7 and CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the NPPF.

32. External lighting (other than security lighting) within the health club development hereby permitted shall be switched off at the latest 1 hour after the closure of the health club to customers and switched on at the earliest 1 hour before the opening of the health club to customers.

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Reason: To protect the general environment, the amenities of the area, the residential amenities of neighbouring and nearby existing and introduced properties and the habitat for bats and other nocturnal animals in accordance with Policies CS7 and CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the NPPF.

### Refuse / recycling

33. ++ Notwithstanding the information submitted with the application prior to the commencement of superstructure works for the residential development hereby permitted details (to include plans and elevations at 1:50 scale, locations within curtilage(s) and material finishes) of enclosures / screened facilities to be used for the storage of refuse and recycling containers, wheeled bins and any other containers where applicable must be submitted to and approved in writing by the Local Planning Authority. Refuse and recycling enclosures / screened facilities must be provided in accordance with the approved details before any relevant dwelling is first occupied and thereafter be permanently maintained for the lifetime of any relevant dwelling.

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

### Biodiversity / ecology

34. Vegetation clearance must take place outside the bird breeding season (i.e. during the months of October to February). Any clearance of vegetation with the potential to support nesting birds must only occur following a check by a qualified ecologist. If any active nests are found an appropriate buffer zone must be established and works must cease within this buffer zone until such time as a qualified ecologist confirms the nest is no longer in active use.

Reason: To prevent birds being injured or killed during site works and to comply with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and the NPPF.

35. Works to trees (T3, T4 and T5) assessed as providing low potential to support roosting bats (within the Ground Level Tree Assessment by The Ecology Consultancy (within the ES)) must be timed for during either mid-March-April or September-October and completed under a 'soft fell' precautionary approach, whereby suitably qualified tree surgeons will cut and lower any substantial limbs to the ground to be left overnight to allow bats (if present) to make their way out.

Reason: To prevent bats being injured or killed during site works and to comply with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and the NPPF.

36. Works on the application site must proceed strictly in line with the following methods of working / measures:
- Paragraphs 4.22 - 4.23 (inclusive) (Hedgehog) of the Preliminary Ecological Appraisal by The Ecology Consultancy, Version 5.0 dated 20/11/2019 (within the ES);

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- Paragraphs 4.24 - 4.25 (inclusive) (Fox and rabbit) of the Preliminary Ecological Appraisal by The Ecology Consultancy, Version 5.0 dated 20/11/2019 (within the ES);
- Paragraph 4.26 (Invasive Species) of the Preliminary Ecological Appraisal by The Ecology Consultancy, Version 5.0 dated 20/11/2019 (within the ES);
- Paragraph 4.27 (other protected species) of the Preliminary Ecological Appraisal by The Ecology Consultancy, Version 5.0 dated 20/11/2019 (within the ES);
- Paragraphs 4.28 - 4.29 (inclusive) (Environmental best practice) of the Preliminary Ecological Appraisal by The Ecology Consultancy, Version 5.0 dated 20/11/2019 (within the ES); and
- Paragraphs 5.3 - 5.13 (inclusive) of the Reptile Survey by The Ecology Consultancy, Version 3.0 dated 20/11/2019 (within the ES).

Reason: To prevent animals being injured or killed during site works and to comply with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and the NPPF.

37. ++ No development must commence until full details of biodiversity enhancements have been submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements across the development must be in accordance with the relevant recommendations of the Environmental Statement (ES) and must include (but not be limited to) the following:
- a) predominantly native tree, shrub and wildflower planting, details of which must include locations, species and planting plans, as well as the total area of this planting which will be native woodland and length of mixed native hedgerow (including barriers to public access into the woodland in the form of scrub planting on the boundaries of the woodland);
  - b) landscaping to include a good diversity of nectar-rich plants to provide food for bumblebees and other pollinators for as much of the year as possible, details of which must include species lists and planting plans;
  - c) at least 5 bat boxes (suitable for a variety of species and roost types to be installed on retained trees within the woodland at least 15m from the edge of the woodland), details of which must include number, locations and type of boxes;
  - d) at least 5 bird boxes for appropriate bird species to be installed within the woodland, details of which must include number, locations and type of boxes;
  - e) at least 10 bird boxes for house sparrow on (or integral to) new buildings, details of which must include number, locations and type of boxes;
  - f) features for stag beetle and other invertebrates and fungi, details of which must include number, locations and type of feature;
  - g) creation of log piles and hibernacula, details of which must include number, locations and type of feature; and
  - h) a scheme to ensure that any newly installed or replaced means of enclosure within, and/or surrounding, the application site contain holes/gaps approximately 10x10cm to allow for movement of hedgehogs, common toad, frogs and other wildlife.



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At least 5 bat boxes shall be provided on the site prior to works to any trees assessed as having low bat roosting potential (T3, T4 and T5) (within the Ground Level Tree Assessment by The Ecology Consultancy (within the ES)). The other approved biodiversity enhancements shall be implemented in full prior to the first occupation of the relevant part of the development (i.e. the health club or residential elements as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') hereby permitted and shall thereafter be retained as such for the lifetime of the relevant part of the development.

Reason: To contribute towards and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible in accordance with Policies CS21 and CS7 of the Woking Core Strategy (2012) and the NPPF.

38. ++ No development must commence on the application site until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP must include (but not be limited to) adequate details of:

- Description and evaluation of features to be managed and created including measures to compensate for tree removal;
- Number, location and type of boxes for bat and bird boxes, including provision integral to the design of the new buildings;
- Aims and objectives of management;
- Appropriate management options to achieve aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule for securing biodiversity enhancements in perpetuity;
- Details of the body or organisation responsible for implementation of the LEMP;
- Ongoing monitoring and remedial measures; and
- Details of legal / funding mechanisms.

The LEMP as approved must be carried out concurrently with the relevant part of the development (i.e. the health club or residential elements as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') hereby permitted and shall thereafter be retained as such for the lifetime of the relevant part of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and to protect the general amenity and character and appearance of the locality in accordance with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy (2012) and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

### TBH SPA / Natural England

39. ++ No residential development must commence on the application site until written confirmation has been obtained from the Local Planning Authority that Suitable Alternative Natural Green Space (SANGS) has been secured and no dwelling must be first occupied before written confirmation has been obtained from the Local

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Planning Authority that the works required to bring the land up to acceptable SANGS standard have been completed.

Reason: To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy (2012) and The Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy.

### Arboriculture

40. ++ Prior to the commencement of the development hereby permitted (including demolition and all preparatory work) a scheme for the protection of the retained trees, in accordance with BS 5837:2012 (or any future equivalent(s)), including a Tree Protection Plan(s) (TPP) and an Arboricultural Method Statement (AMS) must be submitted to and approved in writing by the Local Planning Authority. The following specific issues must be addressed within the TPP and AMS:
- a) Location, extent, depth, installation and full details of the method of construction of services/ utilities/ drainage within Root Protection Areas or that may impact on the retained trees;
  - b) Details of special engineering of foundations and specialist methods of construction within Root Protection Areas or that may impact on the retained trees;
  - c) A full specification for the construction of any roads, parking areas and driveways within Root Protection Areas or that may impact on the retained trees, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them;
  - d) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses;
  - e) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing;
  - f) A specification for scaffolding and ground protection within tree protection zones;
  - g) Tree protection during demolition and construction indicated on a Tree Protection Plan and demolition and construction activities clearly identified as prohibited in these area(s);
  - h) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing;
  - i) Details of any new / replacement boundary treatments within Root Protection Areas and methods of installation;
  - j) Methodology and detailed assessment of any root pruning;

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- k) Provision for the convening of a pre-commencement site meeting attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan;
- l) Provision for arboricultural supervision and inspection(s) by suitably qualified and experienced arboricultural consultant(s) where required, including for works within Root Protection Areas;
- m) Reporting of arboricultural inspection and supervision; and
- n) Methods to improve the rooting environment for retained and proposed trees and landscaping

Demolition, site clearance or building operations must not commence until tree and ground protection has been installed in accordance with BS 5837: 2012 (or any future equivalent(s)) and as detailed within the approved TPP and AMS. The development must thereafter be carried out in accordance with the approved details or any variation as may subsequently be first agreed in writing by the Local Planning Authority.

Reason: To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the NPPF. This condition is required to be addressed prior to commencement in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works.

### Water management (SuDs)

- 41. The development hereby permitted must be carried out in strict accordance with the submitted Flood Risk Assessment and Drainage Strategy (Ref: RMA-C1947 Issue Number 7 Dated 28th April 2020) unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent an increase in flood risk by ensuring that the compensatory storage of flood water is provided in accordance with Paragraph 163 of the NPPF and Policy CS9 of the Woking Core Strategy (2012).

- 42. ++ No development shall commence (other than site hoarding, tree works, demolition, decontamination) until construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a detailed construction method statement have been submitted to and approved in writing by the Local Planning Authority. The scheme must then be constructed in accordance with the approved drawings, method statement and Micro drainage calculations prior to the first use of the development hereby approved. No alteration to the approved drainage scheme must occur without prior written approval of the Local Planning Authority.

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Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy (2012) and the policies in the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

43. ++ Prior to first occupation of the development hereby permitted details of the maintenance and management of the sustainable drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The drainage scheme must be implemented and thereafter permanently managed and maintained in accordance with the approved details. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- i. a timetable for its implementation,
  - ii. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
  - iii. a table to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues; and
  - iv. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

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

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

### Thames Water

45. ++ No development hereby permitted must be first occupied until confirmation has been provided in writing by the Local Planning Authority (following consultation with Thames Water) that:
1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
  2. A housing and infrastructure phasing plan has been agreed with Thames Water to allow properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation(s) must take place other than in accordance with the agreed housing and infrastructure phasing plan.

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Reason: Foul water network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with Policy CS16 of the Woking Core Strategy (2012) and the NPPF.

### Land contamination

46. ++ Prior to the commencement of development (other than site hoarding) a further contaminated land site investigation and risk assessment, undertaken in accordance with the conclusions and recommendations of the JOMAS Site investigation & risk assessment P1381J1459 / AMM v1.2, must take place. This investigation must investigate / assess the risk from ground gas around WS2 / the Barn area and the extent and nature of contamination on site in this area. The findings must be reported in accordance with the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and replacement guidance and British Standard BS 10175, and be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). Ground gas risk assessments must be completed in line with CIRIA C665 guidance. The development must then be undertaken only in accordance with the approved details.

Reason: To address any potential land contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

47. ++ Prior to any works being undertaken pursuant to either the health club or residential elements of this planning permission (as are identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') a detailed remediation method statement must be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify) for that element. The remediation method statement must detail the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and must detail the information to be included in a validation report. The remediation method statement must also provide information on a suitable discovery strategy to be utilised on site should contamination manifest itself during site works that was not anticipated. The Local Planning Authority must be given a minimum of two weeks written prior notice of the commencement of the remediation works on site. The development must then be undertaken in accordance with the approved details.

Reason: To address any potential land contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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48. ++ Prior to the first occupation of either the health club or residential elements of this planning permission (as are identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan'), a remediation validation report for that element must be submitted to and approved in writing by the Local Planning Authority. The report must detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken. Should specific ground gas mitigation measures be required to be incorporated into the development the testing and verification of such systems must have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To address any potential land contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the NPPF.

49. Contamination not previously identified by the site investigation, but subsequently found to be present at the site must be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development must cease on the relevant part of the site (as identified by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan') until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted to and approved in writing to the Local Planning Authority (including any additional requirements that it may specify). The development must then be undertaken in accordance with the approved details. Should no further contamination be identified then a brief comment to this effect shall be required to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the relevant part of the development.

Reason: To address any potential land contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the NPPF.

### Archaeology

50. ++ No development-related works must commence (other than site hoarding) until the applicant (or their agents or successors in title) has secured the implementation of a programme of archaeological work to be conducted in accordance with an Archaeological Written Scheme of Investigation which must first be submitted to and approved in writing by the Local Planning Authority. For land that is included within the Archaeological Written Scheme of Investigation, no development must take place other than in accordance with the agreed Archaeological Written Scheme of Investigation, the programme and methodology of site investigation and the nomination of a competent person(s) or organisation to undertake the agreed works. The Archaeological Written Scheme of Investigation must accord with the appropriate Historic England guidelines and include:

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- a) a statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
- b) a programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

The Archaeological Written Scheme of Investigation must be prepared and implemented by a suitably qualified professionally accredited archaeological person(s) or organisation.

Reason: To ensure that the potential for archaeological remains is properly addressed in accordance with Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

### Residential permitted development rights

51. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A, B, D, E and F of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order(s) revoking and/or re-enacting that Order with or without modification(s)) no extension(s), alteration(s), detached building(s) or other work(s) permitted by Classes A, B, D, E and F of Part 1 of Schedule 2 of that Order shall be erected on the residential part of the development hereby permitted (other than as may be approved or required by details pursuant to the conditions of this planning permission) without the prior written approval of the Local Planning Authority of an application made for that purpose.

Reason: To protect the residential amenity of the occupants of all dwellings forming part of the development and to ensure adequate provision of private amenity space to serve those dwellings in accordance with Policy CS21 of the Woking Core Strategy (2012), SPDs Design (2015) and Outlook, Amenity, Privacy and Daylight (2008) and the NPPF.

### Energy and water

52. ++ Prior to the commencement of superstructure works for a building hereby permitted full details of the Air Source Heat Pumps (ASHP), or any such alternative energy source as previously agreed in writing by the Local Planning Authority, (including manufacturers specifications, acoustic properties and location within the relevant curtilage(s)) to serve the building must be submitted to and approved in writing by the Local Planning Authority. Such approved details must be installed prior to the first occupation of the building and thereafter be permanently maintained and operated for the lifetime of the building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2014) and the NPPF.

53. ++ Notwithstanding the information submitted with the application prior to the commencement of superstructure works on a residential building hereby permitted

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written evidence must be submitted to, and approved in writing by, the Local Planning Authority (LPA) demonstrating that dwellings forming part of the building will:

- a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence must be in the form of a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and,
- b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence must be in the form of a Design Stage water efficiency calculator.

Development must be carried out wholly in accordance with such details as may be approved and the approved details must be permanently maintained and operated for the lifetime of the relevant dwelling(s) unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2014) and the NPPF.

54. ++ No dwelling forming part of the residential development hereby permitted must be first occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the relevant dwelling has:

- a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence must be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
- b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence must be in the form of the notice given under Regulation 37 of the Building Regulations.

Such approved details must be permanently maintained and operated for the lifetime of the relevant dwelling(s) unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2014) and the NPPF.

55. ++ (a) Prior to the commencement of superstructure works for the health club building hereby permitted evidence that the health club development is registered with a BREEAM certification body and a pre-assessment report (or design stage



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certificate with interim rating if available) demonstrating that the health club development can achieve not less than BREEAM "Very Good" in accordance with the relevant BRE standards (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme) must be submitted to and approved in writing by the Local Planning Authority.

(b) Unless otherwise first agreed in writing by the Local Planning Authority within 3 months of first occupation of the health club building a final Certificate must be submitted to and approved in writing by the Local Planning Authority certifying that not less than BREEAM "Very Good" in accordance with the relevant BRE standards (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme) has been achieved for the health club development.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2014).

### **Informatives**

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the NPPF.
02. The applicants attention is specifically drawn to the planning conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT. Failure to observe these requirements will result in a contravention of the terms of the planning permission and the Local Planning Authority may serve Breach of Condition Notices (BCNs) to secure compliance. The applicant is advised that sufficient time needs to be allowed when submitting details in response to planning conditions, to allow the Local Planning Authority to consider the details and discharge the condition(s). A period of between five and eight weeks should be allowed for.
03. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential exemptions), it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development. The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from:

[http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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Claims for relief must be made on the appropriate forms which are available on the Council's website at:

<https://www.woking.gov.uk/planning/service/contributions>

Other conditions and requirements also apply and failure to comply with these will lead to claims for relief or exemption being rendered void. The Local Planning Authority has no discretion in these instances.

For full information on this please see the guidance and legislation here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

Please note this informative provides general advice and is without prejudice to the Local Planning Authority's role as Consenting, Charging and Collecting Authority under the Community Infrastructure Levy Regulations 2010 (as amended).

04. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
05. The applicant is advised that adequate control precautions should be taken in order to control noise emissions from any fixed plant, including generators, on site during demolition / construction activities. This may require the use of quiet plant or ensuring that the plant is sited appropriately and / or adequately attenuated. Exhaust emissions from such plant should be vented to atmosphere such that fumes do not ingress into any property. Due to the proximity of residential accommodation there should be no burning of waste material on site. During demolition or construction phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents within the locality. This may involve the use of dust screens and/ or utilising water supply to wet areas of the site to inhibit dust.
06. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet, prepared by the Ministry of Housing, Communities and Local Government, and setting out your obligations, is available at the following address:  
<https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance#explanatory-booklet>
07. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
08. The Contaminated Land Officer would like to draw the applicants/agents/consultants attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks' notice'. The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not directly to the Contaminated Land Officer.

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09. The permission hereby granted shall not be construed as authority to carry out any 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 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/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
10. 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.
11. 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).
12. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
13. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
14. The developer is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan.
15. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
16. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

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17. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required.  
Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
18. The applicant is advised that an application will need to be made under the Control of Pollution Act to Woking Borough Council's Environmental Health Team for consent for any proposed additional working hours outside of the normal working hours of 08:00 to 18:00 hrs Mondays-Fridays (inclusive) and 08:00 to 13:00 hrs on Saturdays.
19. The applicant is advised that advertisement consent will be required for any signage on the buildings/site.
20. The applicant is advised to fully take account of the comments submitted by Network Rail in response to this planning application which provides advice, guidance and the need for approval for some detailed works. The applicant is advised the following "as the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts AssetProtectionWessex@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at [www.networkrail.co.uk/asp/1538.aspx](http://www.networkrail.co.uk/asp/1538.aspx).
21. The applicant is reminded that the planning permission hereby permitted does not include the provision of any floodlighting. The potential provision of any floodlighting to the development hereby permitted would require separate planning permission.
22. For the avoidance of any doubt, and for the purposes of construing the planning conditions attached to this planning permission, where referenced as such the health club and residential elements of the development hereby permitted are identified as such by the plan numbered/titled '7884 L(00)650 A - Proposed Site Ground Floor Plan'.