
Statement of Common Ground

Land South of Kingfield Road and East of Westfield Avenue, Westfield Avenue, Westfield, Woking, Surrey, GU22 9PF

Ref: PLAN/2019/1176

April 2021

Prepared by Savills (UK) Limited acting as planning consultant for the agent for the Appeal, GolDev Woking Ltd and DMH Stallard Planning acting as planning consultant to Woking Borough Council.

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1. Introduction

1.1. This Statement of Common Ground (SOCG) has been prepared by Savills (UK) Limited, acting as planning consultant to the agent for the Appeal, GolDev Woking Ltd ('the Appellant'). The SOCG has been agreed with GolDev Woking Ltd and DMH Stallard acting as planning consultants for Woking Borough Council (WBC) as the local planning authority ('LPA').

1.2. It follows the refusal by WBC of a planning application under reference: PLAN/2019/1176 for development at Land South of Kingfield Road and East of Westfield Avenue, Westfield Avenue, Westfield, Woking, Surrey, GU22 9PF ('the proposed development'). The application was submitted by GolDev Woking Ltd and Woking Football Club. GolDev Woking Ltd has contractual agreements to proceed the planning and development of the site with Woking Football Club and Woking Borough Council (as landowner).

1.3. The description of development, as described on the decision notice dated 2 July 2020, is:

Redevelopment of site following demolition of all existing buildings and structures to provide replacement stadium with ancillary facilities including flexible retail, hospitality and community spaces, independent retail floorspace (Classes A1/A2/A3) and medical centre (Class D1) and vehicle parking plus residential accommodation comprising of 1,048 dwellings (Class C3) within 5 buildings of varying heights of between 3 and 11 storeys (plus lower ground floor and partial basement levels) on the south and west sides of the site together with hard and soft landscaping, highway works, vehicle parking, bin storage, cycle storage, plant and other ancillary works including ancillary structures and fencing/gates and provision of detached residential concierge building (Environmental Statement submitted).

1.4. The application was refused for the following five reasons:

01. By cumulative reason of its excessive height, bulk, mass, housing density and design the proposed development would fail to respect and make a positive contribution to the street scenes and character of the area in which it would be situated. The proposed development is therefore contrary to Policies CS10, CS21 and CS24 of the Woking Core Strategy (2012), Policy DM10 of the Development Management Policies DPD (2016), SPD Design (2015) and Section 12 of the National Planning Policy Framework (NPPF).

02. The proposed development would fail to provide an appropriate mix of dwelling types and sizes to address the nature of local needs as evidenced in the latest Strategic Housing Market Assessment, and to reflect the established character and density of the neighbourhood, and therefore would fail to create a sustainable and balanced community. The proposed development is therefore contrary to Policy CS11 of the Woking Core Strategy (2012).

03. The proposed development would result in significantly harmful impacts by reason of overbearing effect and loss of privacy to No.2 Westfield Grove and Penlan (Kingfield Green), significantly harmful impacts by reason of loss of privacy to The Cedars (Kingfield Green) and Nut Cottage (Kingfield Green), significantly harmful impacts by reason of loss of daylight to Beech House (Sycamore Avenue), Hazel House (Sycamore Avenue) and Elm View (Kingfield Road), together with loss of daylight to other residential properties, the effects of which would not be outweighed by other considerations. The proposed development is therefore contrary to Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and Section 12 of the National Planning Policy Framework (NPPF).

04. The proposed development would provide insufficient on-site car parking to serve the stadium and medical centre uses and has failed to demonstrate that the level of on-site parking proposed for these uses would not result in the displacement of vehicle parking onto nearby streets, thereby exacerbating existing pressure for on-street car parking, particularly during match days. The proposed development is therefore contrary to Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and Section 9 of the National Planning Policy Framework (NPPF).

05. In the absence of an Executive Undertaking no mechanism exists to secure the requirements set out in the Planning Committee report. The proposed development is therefore contrary to Policies CS8, CS12, CS17, CS18 and CS19 of the Woking Core Strategy (2012), SPDs Parking Standards (2018), Affordable Housing Delivery (2014) and Climate Change (2013), Saved Policy NRM6 of the South East Plan 2009, the Thames Basin Heaths Special Protection Area Avoidance Strategy, the Conservation of Habitats and Species Regulations 2017 and the National Planning Policy Framework (NPPF).

- 1.5. The Application was refused by the LPA's planning committee on 23 June 2020 following a recommendation of approval being made by the LPA's planning officers.

2. Site Description

- 2.1. Located to the south of Woking town centre within Woking Urban Area, the site itself is predominately commercial recreation and sport, set within a wider local area which has a strongly residential character ('the site').
- 2.2. The site is not within the Green Belt, Area of Outstanding Beauty (AONB) or Area of Great Landscape Value (AGLV). The nearest Conservation Area is Mount Hermon, located approximately 430m to the west of the site.
- 2.3. There are four listed buildings (Grade II) within the vicinity of the site: Elmbridge Cottage, which lies to the north of the stadium, Howards Farm and Laurel Cottage (Grade II) to the east and Old Oak Cottage (Grade II) to the south-east.
- 2.4. The site lies within Flood Zone 1 (Low Risk of Flooding), yet on the western side, outside the red line boundary, is Hoe Stream, Willow Pond and Chestnut Pond which are Flood Zone 2 and 3 respectively. A Flood Risk Assessment has been carried out by RMA Environmental.
- 2.5. The site is currently occupied by a football stadium, some vacant land, David Lloyd fitness centre and other, ancillary recreational uses.
- 2.6. Located 1.5km from Woking Town Centre, the site benefits from a high-level of connectivity with nearby bus stops, Woking Railway Station a 15-20 minute walk.

3. Related Appeal

- 3.1. This Appeal is closely related to another separate application that was submitted to Woking Borough Council for determination:

LPA Reference: PLAN/2019/1177

Location: Land South Of Hoe Valley School And East Of Railway Tracks Egley Road Woking Surrey 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)

- 3.2. This application was also determined and refused by Woking Borough Council on the same date, following a planning committee dated 23 June 2020 and decision notice dated 2 July 2020.
- 3.3. This separate application would have allowed for the relocation of the existing David Lloyd facility from the Land South of Kingfield Road and East of Westfield Avenue to the alternative site noted above. As such, there is a clear link between the two applications and thus the determination of each application.
- 3.4. This refused application (PLAN/2019/1177) has also been submitted for Appeal and it is agreed that the two cases should be determined together given the links between the two.

4. Relevant Planning Policy

- 4.1. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), planning applications are to be determined in accordance with the development plan unless other material considerations indicate otherwise.
- 4.2. The development that is the subject of this application has been considered in light of the National Planning Policy Framework (NPPF, adopted February 2019), which provides a direction for planning on a national scale and the expectation that all local planning documents will be in general conformity with the NPPF and decisions made on that basis.
- 4.3. The 'golden thread' running through the NPPF is a presumption in favour of sustainable development across economic, social and environmental characteristics.
- 4.4. One key parameter running through the NPPF is that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own need. In putting this in to practice, paragraph 2 of the NPPF notes that the planning system has three overarching and interdependent objectives as follows:

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 4.5. To reach these three objectives, the NPPF details how to address these. Chapter 6 sets out how planning should support Building a Strong, Competitive Economy, with paragraph 80 stating:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

- 4.6. With regard to design, Chapter 12 of the NPPF addresses Achieving Well-Designed Places. Paragraphs 127 and 128 specifically note:

Planning policies and decisions should ensure that developments:

(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

(c) 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);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) 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

(f) 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 46 ; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

4.7. Previously developed land is defined in annex 1 of the NPPF as follows:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape

4.8. Chapter 5 of the NPPF seeks to deliver a sufficient supply of homes, with paragraph 59 detailing:

To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay"

- 4.9. The NPPF requires there to be a continuous supply of deliverable sites with the provision of an additional 5% buffer to ensure a wide choice of housing. A higher buffer of 20% is to be applied where an LPA has a record of persistent under-delivery.
- 4.10. Paragraph 59 outlines that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

For decision-taking, paragraph 11 of the NPPF is clear that this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Development Plan

- 4.11. The 2004 Planning & Compulsory Purchase Act requires that determination of any planning application must be in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.12. The Development Plan within Woking Borough comprises:

Adopted Woking Core Strategy 2012

- 4.13. The Woking Core Strategy covers the period up to 2027 and sets out the overall spatial development strategy, development management policies and sets out the overall approach to managing development and change in the Borough.
- 4.14. Woking's Core Strategy was adopted in 2012 and includes a housing requirement of 292 homes per annum up until 2027. Housing development is focused predominantly on previously developed land in Woking town centre; however, the Core Strategy also recognises that Green Belt land will be required to make up any shortfall in supply after 2022.
- 4.15. Concerning the development, the following policies are relevant considerations to the application:
- Policy CS1 sets out the spatial strategy for Woking Borough in order to make provision for the delivery of additional dwellings, office space and retail floorspace. As part of this policy, most of the development will be directed to previously development land in the town which offer the best range of services and facilities. There is an affordable housing provision target of 35%.
 - Policy CS7 Biodiversity and Nature Conservation establishes the principle of conserving and protecting existing biodiversity assets within the Borough.

- Policy CS10 Housing provision and distribution outlines that the Council will make provision for at least 4,964 net additional dwellings in the Borough between 2010 and 2027, with most dwellings planned for the Town Centre.
- Policy CS11 Housing Mix cites that all residential properties will be expected to provide a mix of dwellings which are indicative of local need.
- Policy CS12 Affordable housing sets out that Woking Borough Council have a target of 35% affordable housing on all new homes, and 40% on brownfield sites providing 15 or more dwellings.
- Policy CS17 Open space, green infrastructure, sport and recreation requires all development to contribute to the provision of open space and green infrastructure through either on-site provision and/or developer contributions. This should include both outdoor sports facilities and children's play areas.
- Policy CS18 Transport and accessibility commits to ensuring that new development is close to existing sustainable travel links, jobs and community facilities. New development should also mainly be located in urban areas which are served by a range of public transport modes.
- Policy CS19 Social and community infrastructure seeks to achieve a sustainable community within Woking, requiring a provision of adequate community facilities and social and community infrastructure.
- Policy CS21 Design details that all forms of development should make a positive contribution to the environment and strengthen the character and distinct identity of the area. All new development should create buildings and places that are attractive with their own identity.
- Policy CS22 Sustainable construction encourages all development on previously developed land to meet national energy and emissions standards and, where possible, facilitate the reduction of construction waste.
- Policy CS23 Renewable and low carbon energy generation encourages all applicants to utilise renewable energy installations within the borough and to mitigate any adverse impacts of the proposed development.
- Policy CS24 Woking's landscape and townscape requires all development proposals to provide a positive benefit in terms of landscape and townscape character, to protect local landscape and to protect and encourage the planting of new trees.
- Policy CS25 Presumption in favour of sustainable development ensures that the Council will take a positive approach that reflects the NPPF and where policies accord with the Development Plan, will be approved without delay.

Adopted Woking Development Management Policies DPD 2016

- 4.16. The Development Management Policies DPD, 2016 is designed to be read alongside the Core Strategy and contains detailed management policies to help determine day to day planning applications.
- 4.17. Whilst the Core Strategy sets out a strategic directive for Woking, the Development Management DPD seeks to clarify or explicate those policies within the Core Strategy.
- 4.18. Concerning the development, the following policies are relevant considerations to the application:

- Policy DM2 Trees and landscaping sets out more detailed criteria to maintain existing trees and landscaping during construction and through new development.
- Policy DM5 Environmental Pollution states that in order to maintain and improve air and water quality, development proposals should ensure that there will be no unacceptable impacts on air quality, surface and ground water quality, land quality and health and safety to the public.
- Policy DM7 Noise and light pollution requires that noise generating forms of development that would affect noise-sensitive uses to be accompanied by a statement detailing potential noise generation levels, and how these are to be mitigated.
- Policy DM16 Servicing development should be read in conjunction with CS21 and requires servicing facilities to be well designed, built to accommodate the demands of new development and sensitively integrated into the development and the surrounding townscape.
- Policy DM17 Public realm contains more detailed information for assessing the public realm element of new development proposals, ensuring well-designed public spaces which add to the attractiveness and competitiveness of the Borough's hierarchy of centres. This policy is to be read in conjunction with CS2 and CS5.

Emerging Site Allocations DPD

- 4.19. WBC submitted its Draft Site Allocations DPD to the Planning Inspectorate in 2019, and Hearings were undertaken in December 2019 – February 2020, with the Inspector providing initial written feedback in February 2020. The Main Modifications consultation was undertaken in the period October – December 2020. This Examination process will determine soundness and is a key stage in the DPD moving towards adoption. Adoption is presently anticipated to be later in 2021. [update timeframes as required].
- 4.20. It is recognised that Woking Site Allocations DPD is at an advanced stage and is due to be adopted in 2021. As part of this DPD, Woking Football Club, Woking Gymnastic Club and Woking Snooker Club is allocated for development under policy UA42. The site is allocated for mixed use development to include a replacement football stadium, residential including affordable housing and commercial retail uses.
- 4.21. The 'sister site' at Egley Road is identified for Green Belt release for development under policy GB7/SA1 of the DPD, for 'Residential including affordable housing, recreational/open space and education.' This includes the land currently occupied by Hoe Valley School and the Nursery land to the north. As part of this policy, certain requirements for development are stipulated once the plan has been adopted. On adoption, the DPD will remove the site from the Green Belt.
- 4.22. The Draft Site Allocations DPD identifies and allocates specific land for development within Woking Borough in order to meet future development needs and enable the delivery of Woking Core Strategy.
- 4.23. Due to the advanced stage of which the Site Allocations Document has progressed to, it should therefore be given material weight in the decision making process.

5. Matters Agreed

Reason for Refusal 05

5.1. This reason for refusal relates to the need to complete an Executive Undertaking (which acts as the legal mechanism and obligations) to secure measures to address the following matters:

- Block One - being 191 dwellings - to be Shared Ownership affordable dwellings.
- Block Two - being 277 dwellings - to be rented affordable dwellings.
- Blocks One and Two to be constructed and capable of occupation before any other residential dwellings within Blocks Three, Four and Five are occupied.
- Restriction on occupation of no more than 606 dwellings (which must include Blocks 1 & 2) until the replacement stadium construction is complete and capable of use for its intended purpose(s), including the medical centre and retail / flexible use areas being constructed at least to 'shell and core' level.
- Travel plan – requirements as follows:
 - o submit a travel plan for the stadium and a travel plan for the remainder of the development to the Council for approval prior to the first occupation of the relevant building(s);
 - o to implement the approved plans prior to the first occupation of the relevant building(s); and
 - o pay a travel plan monitoring contribution.
- Highway works – requirement to enter into S278 agreement(s) to secure the carrying out of highway works required by the Highway Authority, including:
 - o Improvements to the Site Access Junction to Woking FC stadium (Kingfield Road);
 - o Works to provide access to the undercroft car parks from Westfield Avenue in two locations;
 - o The provision of a pedestrian crossing on Westfield Avenue, close to the Westfield Avenue / Kingfield Road Junction;
 - o Improvements to the pedestrian environment at Vicarage Road / High Street / Kingfield Road Roundabout.
- A bus services contribution to provide the following:
 - o A 20 minute frequency service between the site and Woking town centre and Guildford, with 3 buses per hour operating in each direction. The hours of operation would be 6am – 7pm, Mondays to Saturdays (inclusive), with a reduced level of service after 7pm. The level of service on Sundays would be less, but still enhanced from the existing arrangement to better than 1 bus per hour.

- On matchdays, duplicate bus services between Woking rail station and the site to provide 'appropriate capacity'. Pre-match, a duplication of all Max 34 services (including the diverted Max 35 i.e a 20 minute frequency service) operating for circa 90 minutes prior to the match and 60 minutes after a match. For example, for a Saturday 3pm kick-off, all services operating and serving the site between 1:30pm – 2:45pm and 4:30pm – 5:30pm would be duplicated. For a 7:45pm kick-off, it would be 6pm – 7:30pm and 9:15pm – 10pm.
 - Provision of a minimum of 15 car club spaces and vehicles within the development, a car pool database, and the provision of an electric fold-up bike with every apartment.
 - Prior to the first occupation of the 469th dwelling the mobility Hub, with café, workspace, micro-consolidation centre, a cycle hub, and Community Concierge Team and associated personalised travel planning service, shall be constructed and capable of use for its intended purpose(s). Thereafter the building and its service(s) shall be permanently maintained for the lifetime of the development.
 - The funding of consultation and implementation of Traffic Regulation Orders (TRO's) to manage parking on local streets.
 - All residential parking spaces to have passive electric charging ability at first occupation of the relevant building(s) with the first occupiers of each dwelling to be able to elect for active electric charging ability, which shall thereafter be provided within one month of first occupation of the relevant dwelling.
 - Goldev Woking with Woking Borough Council will put a strategy in place which provides for the participation in the process and selection of a permanent public work of art which is integral to the Development and permanently affixed to the Site, the precise nature of the work of art and its location on the Site to be approved by the Council prior to First Occupation with an agreed maximum cost.
 - 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).
 - The new Stadium will be completed within two years of start on site and at this present time, WFC will vacate May 2022 and return May 2024. If the planning approval is delayed then the date of vacant possession will be delayed until the following May 2023 or later if needed, so a clear two year period is available to allow the new stadium to be constructed, while WFC ground share at a different location.
 - The Woking Gymnastics Club building shall not be demolished until such time as a replacement building has been constructed and is capable of use for its intended purpose(s) on an alternative site.
 - The David Lloyd facilities shall not be demolished (or otherwise made incapable of use) until such time as replacement facilities have been constructed and are capable of use for their intended purpose(s) on an alternative site.
- 5.2. In the event that the appropriate Executive Undertaking was to be completed in accordance with the terms noted at paragraph 609 within the officer's report to planning committee, all of these matters would be addressed and Reason for Refusal 05 would fall away.
- 5.3. The Executive Undertaking is a form of Unilateral Undertaking. As the Council is the owner of part of the land the subject of this application, it would prefer to not 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.

- 5.4. The Council's Executive, acting separately from the Local Planning Authority, resolved on 22 June 2020 to give effect to measures required. This resolution provides 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).
- 5.5. It is agreed that the proposed Executive Undertaking is an appropriate format to secure the obligations noted above and that the content is in accordance with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). A new document called a Planning & Development Agreement (PDA) had been drafted and WBC executive committee gave authority on the 25th March 2021 to allow WBC to continue entering into the PDA – which the Inquiry will be updated of.
- 5.6. The Appellant will also supply a Section 106 as a Unilateral Undertaking (UU), as an alternative to the Executive Undertaking/PDA, for use in the event that either the Inspector or the Secretary of State require this in addition, or as an alternative, should further assurance be required that the agreed obligations/conditions can be secured. A UU will be provided in the event WBC cannot agree to the proposed Executive Undertaking/ PDA.

Land Uses

- 5.7. The mix of land uses proposed is acceptable in the location of the proposed development.

Density

- 5.8. The total dwellings proposed on the site equates to 1,048 dwellings over a site area of 5 hectares. This is a density of 210 dwellings per hectare (dph) gross. On the basis of the development area excluding the Stadium, the site area for residential land and associated amenity space is 3.12 hectares. This equates to a density calculation of 336 dph.

Replacement Stadium

- 5.9. The principle of the proposed replacement stadium is acceptable.

Relocation of David Lloyd Facility

- 5.10. The relocation of the existing David Lloyd facility away from this site is acceptable, subject to an alternative facility being provided and secured through an appropriate legal agreement.

Relocation of Woking Gymnastics Club

- 5.11. The relocation of the existing Woking Gymnastics Club facility away from this site is acceptable, subject to an alternative facility being provided and secured through an appropriate legal agreement.

Demolition of Existing Buildings

- 5.12. The demolition of all existing buildings on the site is acceptable in principle, subject to an acceptable redevelopment scheme being approved .

Materials

- 5.13. The materials proposed for each building and structure are acceptable, subject to final details being agreed through the discharge of conditions.

Affordable Housing

- 5.14. The proposed quantum, mix and tenure of affordable housing is acceptable, subject to this being secured through an appropriate legal agreement.

Landscaping

- 5.15. No objection was raised to the proposed landscaping provisions, subject to final details being agreed through the discharge of conditions.

Highways

- 5.16. With the exception of a consideration of car parking for the medical centre and football stadium, the proposed development raises no highway concerns, subject to final details and provisions being secured through an appropriate legal agreement.

Heritage

- 5.17. The impact of the proposed development on nearby designated and non-designated assets has been appropriately assessed in terms of the significance of the buildings and the impact on their setting. The proposed development would not diminish the significance of the assets and would preserve their immediate settings.

Biodiversity, Ecology and Thames Basins Heath SPA Impact

- 5.18. The proposed development raises no concerns in respect of impact on biodiversity and ecology, subject to final details being agreed through the discharge of conditions.

- 5.19. The proposed development, by virtue of the contribution toward the provision of SANGs, and also the Air

Quality evidence, will not have a likely significant effect on the SPA.

Landscaping and trees

- 5.20. The proposed landscaping scheme is accepted, subject to final details being agreed through the discharge of conditions.

Informal and Formal Open Space

- 5.21. The proposed development incorporates sufficient open space.

Impact on Neighbouring Amenities

- 5.22. With the exception of the specific instances and locations noted within Reason for Refusal 03, the proposed development raises no concerns in respect of impacts on the amenities of existing properties subject to final details being agreed through the discharge of conditions.

Refuse, Recycling and Servicing

- 5.23. Provision for collection of refuse and recycling, plus servicing, to all elements of the proposed development are acceptable.

Air Quality

- 5.24. The proposed development raises no air quality concerns, subject to final details being agreed through the discharge of conditions.

Drainage and Flood Risk

- 5.25. The proposed development is acceptable in terms of flood risk and drainage strategy, subject to final details being agreed through the discharge of conditions.

Energy and Sustainability

- 5.26. The proposed development will achieve the required standards in terms of energy and sustainability, subject to demonstration of efficiency in accordance with final details being agreed through the discharge of conditions.

6. Matters in dispute

- 6.1. Whether or not the proposed development would make a positive contribution to the street scenes and character of the area in which it would be situated, with reference to height, bulk, mass, housing density and design.
- 6.2. Whether or not the proposed development would provide an appropriate mix of dwelling types and sizes to reflect local need as evidenced in the latest Strategic Housing Market Assessment and whether this reflects the established character and density of the local neighbourhood in order to create a sustainable and balanced community.
- 6.3. Whether or not the proposed development would cause significant harm to the amenity of specific neighbouring properties, as follows:
 - To No.2 Westfield Grove and Penlan (Kingfield Green), through the effect of overbearing and loss of privacy;
 - To The Cedars (Kingfield Green) and Nut Cottage (Kingfield Green), through the effect of loss of privacy; and
 - To Beech House (Sycamore Avenue), Hazel House (Sycamore Avenue) and Elm View (Kingfield Road), through the effect of the loss of daylight.
- 6.4. Whether or not the proposed development provides sufficient on-site car parking to serve the football stadium and medical centre, including whether or not the level of car parking proposed would result in the displacement of vehicle parking onto nearby streets which would exacerbate existing pressure for on-street car parking and particularly during match days.
- 6.5. The Appellant will work with the LPA, to seek to address all or some of these remaining matters through the Appeal process.

7. List of Possible Planning Conditions



- 7.1. A total of 76 planning conditions were proposed and noted within the Officers Report to Planning Committee dated 23 June 2020, as amended by a note issued to the committee in advance of the meeting.
- 7.2. The exceptions to this would be the following, where wording of the conditions was updated in a separate report to the committee that was presented on 23 June 2020. Updated conditions were proposed to read as follows:

Condition	Agreed Updated Wording
9	<p><i>In respect of the Class D2 use of the stadium hereby permitted, and notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and / or re-enacting that Order with or without modification(s)) and of Schedule 2, Part 4, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (including any Order(s) revoking and/or re-enacting that Order, with or without modification(s)) other than the football events use permitted by Condition 10 of this planning permission the stadium bowl (the pitch and spectator terraced seats and standing terraces) must not be used for spectator or audience events without express planning permission from the Local Planning Authority first being obtained.</i></p> <p><i>Reason: To protect the amenity of the surrounding area in respect of noise and disturbance, vehicle movements and parking provision in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the DM Policies DPD (2016), SPD Parking Standards (2018) and the NPPF. Such uses have not been assessed within the submitted Environmental Statement and would require further assessment.</i></p>
42	<p><i>++ a) Prior to the commencement of superstructure works for a residential building a methodology and scheme of pre-completion testing for that building to demonstrate compliance with BS 8233:2014 internal ambient noise levels for habitable rooms as follows:</i></p> <p><i><u>Normal conditions</u></i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>35 dB LAeq,T in all habitable rooms between the hours of 07:00 and 23:00;</i> <input type="checkbox"/> <i>30 dB LAeq,T and LAm_{ax,5 min} 45 dB exceeded no more than 10 times in bedrooms between the hours of 23:00 and 07:00</i> <p><i><u>Match day conditions</u></i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>40 dB LAeq,T in all habitable rooms between the hours of 07:00 and 23:00;</i> <input type="checkbox"/> <i>35 dB LAeq,T and LAm_{ax,5 min} 50 dB exceeded no more than 10 times in bedrooms between the hours of 23:00 and 07:00</i> <p><i>must be submitted to and approved in writing by the Local Planning Authority.</i></p> <p><i>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.</i></p>

	<p><i>Residential buildings must thereafter be permanently maintained in accordance with the approved details for the lifetime of the development.</i></p> <p><i>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.</i></p>
45	<p><i>++ Notwithstanding the details submitted with the application prior to the occupation of any building hereby permitted details of:</i></p> <p><i>a) CCTV;</i></p> <p><i>b) general external lighting (including external walkway, carriageway, car parks, amenity lighting, security lighting and building facade lighting);</i></p> <p><i>c) floodlighting (stadium only); and</i></p> <p><i>d) access control measures for residential core entrances.</i></p> <p><i>on or around the building and within the adjoining public realm must be submitted to and approved in writing by the Local Planning Authority. The 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.</i></p> <p><i>Evidence must be submitted to demonstrate that the final detailed external lighting design (including stadium floodlighting, external walkway, carriageway, 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.</i></p> <p><i>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.</i></p> <p><i>The stadium floodlighting must only be used between the hours of 09:00 and 23:00 on any day.</i></p> <p><i>Development must be carried out only in accordance with the approved details and be permanently maintained as such thereafter for the lifetime of the development.</i></p> <p><i>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.</i></p>

- 7.3. The pre-commencement conditions were agreed with the Appellant prior to the publication of the relevant papers in accordance with Notice under Regulation 2 of The Town and Country Planning (Pre Commencement Conditions) Regulations 2018.
- 7.4. Each of these conditions, included those specifically noted above that were updated and separately reported to the planning committee, were agreed between the Appellant and Officers prior to the committee.
- 7.5. As such, it is proposed that each condition should be replicated as set out in the Officers Report (or as noted as agreed amendments above) in the event of an Appeal being allowed.
- 7.6. For the avoidance of doubt, the Appellant and the LPA agree to the original conditions in the Officers Report and the additional conditions.
- 7.7. A separate list of these conditions in full will be provided as part of the Core Documents.

8. Agreement

Sign on behalf of Appellant  Charles Collins	Sign on behalf of Local Planning Authority  Peter Rainier
Date: 28 April 2021	Date: 28 April 2021
Position: Director, Savills, on behalf of Goldev Woking Ltd	Position: Principal Director of Planning, DMH Stallard, on behalf of Woking Borough Council