

**LAND TO THE NORTH AND SOUTH OF  
GOLDSWORTH ROAD, WOKING, SURREY,  
GU21 6JT**

**Statement of Common Ground**

**Appeal Reference APP/A3655/W/21/3276474**

**NOVEMBER 2021**

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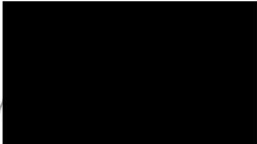
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SoCG agreed between the parties on 22 November 2021	
Signed on behalf of WBC	
Signed on behalf of the Appellant	

# 1 INTRODUCTION

1.1 This Statement of Common Ground ('SoCG') is agreed by Goldsworth Road Development LLP ('the Appellant') and Woking Borough Council ('WBC') in relation to an appeal ('Appeal') against the refusal of planning application reference PLAN/2020/0568 ('the Planning Application') by WBC on 21st January 2021.

1.2 The Appellant sought permission for the:

*"Demolition of all existing buildings and redevelopment of the site for a phased mixed-use scheme, comprising 929 residential units (Class C3), communal residential and operational spaces, commercial uses (Classes A1/A2/A3/A4/B1/D1/D2) at ground floor and homeless shelter (sui generis) within 5 blocks of varying heights of between 9 and 37 storeys (plus rooftop amenity) to the north and south sides of the site together with soft and hard landscaping including public realm works, highway alterations to Goldsworth Road, car parking, cycle parking, bin storage, ancillary facilities and plant (Environmental Statement submitted)" ('the Proposed Development').*

1.3 The site address for the Proposed Development is land to the north and south of Goldsworth Road, Woking, GU21 6JT ('the Site').

1.4 This SoCG addresses the following areas of common ground:

Description of the Site and surrounding area;

Relevant planning history of the Site;

Details of the Proposed Development;

Relevant Development Plan policies;

Matters agreed between the parties;

Matters not agreed between the parties;

Proposed planning conditions; and

Proposed Section 106 obligations.

1.5 This SoCG is intended to provide a summary of the above matters only and the parties to this Statement refer the Inspector to the further information that is before the Inquiry in the Proofs of Evidence and the Planning Application documents.

1.6 A list of Core Documents relevant to the Appeal is attached at Appendix A.

## 2 SITE AND SURROUNDING AREA

- 2.1 The Site lies within the administrative area of Woking Borough Council and comprises 1.15 hectares of land located at the western end of Woking town centre.

### *Site as Existing*

- 2.2 The Site contains a number of existing buildings on land both to the north and south of Goldsworth Road. Nos. 15-29 Goldsworth Road and 8 Church Street West are on the northern part of the Site whilst 20-32 Goldsworth Road and the Woking Railway Athletic Club (the 'WRAC') are on the southern part. The mainline South-Western railway line bounds the Site to the south.

- 2.3 There are eight existing buildings on the Site:

Woking Railway Athletic Club (WRAC): A single-storey working men's club/drinking establishment (Use Class A4) which sits adjacent and parallel to the railway embankment. The building has pedestrian access onto Goldsworth Road between Systems House and Bridge House (the latter of which is not included within the application site boundary).

20 Goldsworth Road (also known as Systems House): A four-storey office building which is currently vacant. The site is accessed via Goldsworth Road.

30 Goldsworth Road: A three-storey building (formerly a bar) currently occupied by the York Road Project, a day centre for the homeless.

32 Goldsworth Road (also known as Philips Court): The building occupies the southwestern end of the site and has the largest floor area of the eight buildings. It comprises a four-storey 'C' shaped 1980s office block with surface and basement level car parking accessed from the frontage at the western end of the site. The building is currently vacant.

15-25 Goldsworth Road: A three-storey building with a mirrored façade. The building extends above 27 and 29 Goldsworth Road. The building was previously used as a Job Centre by the Secretary of State until June 2019 but is now leased to the Coign/Welcome Church who occupy the space for office use, a woodwork project and storage. Vehicular access to the surface level car park can be accessed via the rear of the site along Church Street West.

27 Goldsworth Road: This building comprises the ground floor level of a three-storey building. This property is currently vacant.

29 Goldsworth Road: This building comprises the ground floor level of a three-storey building and is currently occupied by a fast-food takeaway.

8 Church Street West (also known as Synergy House): A small two-storey office building and is the northmost point of the site. The building is accessed via Church Street West and is currently vacant.

### ***Site Designations***

- 2.4 The Site is located within Woking town centre as defined on the Proposals Map.
- 2.5 In terms of heritage assets, the Site:
- is not protected by any statutory designations;
  - does not directly adjoin or contain any statutory listed buildings;
  - does not lie within or adjacent to a conservation area; and
  - does not contain or adjoin any non-designated locally listed buildings.
- 2.6 The closest conservation areas to the Site are the Basingstoke Canal Conservation Area to the north and Woking Town Centre Conservation Area to the east.
- 2.7 The Site lies within the 200m consultation zone surrounding the Rail Aggregate Depot to the south of the railway line.
- 2.8 The Site is allocated for redevelopment within the Council's Site Allocations DPD (2021). Collectively the Site spans across the following three allocations known with the document as the 'Western Cluster' on sites UA11, UA12 and UA13 where high density development is supported.

### ***Surrounding Area***

- 2.9 The Site is located within a mixed area of residential, retail, leisure, community and hotel uses and within a 5-minute walk from the heart of the centre of Woking which offers a larger variety of retail, leisure, eateries and bars.
- 2.10 The Site is bounded by the railway lines to the south, Curchods Estate Agents and Victoria Way to the east, Woking Fire Station and Greenwood House to the west and a mix of three and five storey buildings to the north along Goldsworth Road and three to eleven storey buildings on Church Street West.
- 2.11 The Poole Road Energy Centre is nearing completion to the west of the Site (approved under PLAN/2018/1362) with a large Morrisons foodstore located beyond (approximately 300m west of the Site). The tall building development at Victoria Square (approved under PLAN/2014/0014) is nearing completion on the other side of Victoria Way to the north east.
- 2.12 Further residential areas are situated to the south of the railway, some of which are up to 21 storeys. To the north west is an area of residential properties on Oaks Road and Vale Farm Road.

### ***Transport Connections***

- 2.13 The Site is located in a prominent location in Woking town centre. Goldsworth Road is one of several thoroughfares to and from the main shopping area and train station. The Site is a few minutes' walk to Woking Railway Station, from where London Waterloo can be reached within 24 minutes.

- 2.14 The Site, and Woking town centre, is accessible to the major road network in the south east comprising the A3, M3 and M25. The international airports at London Heathrow and London Gatwick can be reached by road or rail from Woking.
- 2.15 The Site is located off Victoria Way, the A320, which is the main arterial road running through the town centre. Victoria Way has been undergoing highways improvement works as part of the Woking Integrated Transport Package to enhance the traffic flow in the town centre and improve safety for pedestrians and cyclists. The Victoria Arch railway bridge immediately to the east of the Site provides one of only two points of vehicular access under the railway lines into the town centre, the other being the Maybury Hill Railway Bridge to the east. The historic road layout underneath and on either side of the Victoria Arch railway bridge creates a pinch-point for traffic resulting in peak-time congestion.
- 2.16 WBC is in receipt of Housing Infrastructure Fund (HIF) money to provide greater vehicle capacity on the A320 as well as the introduction of cycle lanes and segregated footpaths to improve sustainable transport links to support increased housing delivery in the town centre.

### 3 PLANNING HISTORY

- 3.1 On 18 October 2016, WBC's Planning Committee, in line with an officer recommendation, and following months of negotiation and consideration formally resolved to grant planning permission to redevelop part of the Site for: PLAN/2016/0742 - *Demolition and clearance of the site and erection of a phased development comprising 560 residential units, 10,582 sqm of offices, 843 sqm of retail and gym use (A1-A4 and D2) with 395 parking spaces, public realm improvements and highway works to Goldsworth Road. Block A to comprise ground plus 34 storeys, Block B comprising ground plus 25 and 20 storeys, and Block C comprising ground plus 17, 14 and 10 storeys.* – Resolution to grant October 2016 ('the 2016 Scheme').
- 3.2 The resolution was subject to the prior completion of a Legal Agreement. The Legal Agreement has not been completed so a formal decision notice has not been issued. Notwithstanding this, the 2016 Scheme and its process toward resolution to grant are material considerations in the determination of the Appeal.

## 4 THE PROPOSED DEVELOPMENT

4.1 The agreed description of development for the Proposed Development is as follows:

*“Demolition of all existing buildings and redevelopment of the site for a phased mixed-use scheme, comprising 929 residential units (Class C3), communal residential and operational spaces, commercial uses (Classes A1/A2/A3/A4/B1/D1/D2) at ground floor and homeless shelter (sui generis) within 5 blocks of varying heights of between 9 and 37 storeys (plus rooftop amenity) to the north and south sides of the site together with soft and hard landscaping including public realm works, highway alterations to Goldsworth Road, car parking, cycle parking, bin storage, ancillary facilities and plant”.*

4.2 In summary the Planning Application sought approval for:

The demolition of all the eight buildings on the Site;  
 929 residential homes (148 studio, 402 one bed, 355 two bed and 24 three bed);  
 1,727.66 sqm of homeless shelter floor space (Sui Generis);  
 2,710.13 sqm of commercial floorspace (Use Classes A1/A2/A3/A4/B1/D1/D2);  
 366.73 sqm of floor area for a replacement WRAC facility;  
 263 car parking spaces; and  
 Highway alterations to Goldsworth Road, including the pedestrianisation of that part of Goldsworth Road fronted by the proposed development.

4.3 The Proposed Development is organised into five buildings: T1, T2 and T3 joined at the lower levels by a three storey podium located to the south of Goldsworth Road, Building BA sited to the north of Goldsworth Road and Building BB on Church Street West sited to the west of the Premier Inn.

4.4 Buildings T1, T2 and T3 are connected by a 3 storey podium which would accommodate commercial units with a mezzanine level fronting Goldsworth Road, replacement WRAC facility, residential entrance and lobby areas, car and cycle parking as well as ancillary uses such as waste storage and plant rooms. Building BA is separated by the new public realm. Building BA also promotes an active frontage at ground floor level for commercial uses with residential above.

4.5 The homeless shelter is located in Building BB on Church Street West, providing a facility for the York Road Project charity - this is in addition to the charity's services that are currently located in various buildings in Woking.

### ***Residential Element***

4.6 The following table summarises the residential composition of the Proposed Development.



		Building T1	Building T2	Building T3	Building BA
Number of storeys		12 to 21 storeys	20 to 29 storeys	37 storeys (including rooftop amenity)	Part 3 storeys, part 29 storeys
Number of Homes		183 homes	239 homes	295 homes	212 homes

- 4.7 The podium connecting buildings T1, T2 and T3 provides internal and external communal amenity spaces for residents and private terrace for a small proportion of homes at podium level. All three buildings propose roof terraces for use by residents.
- 4.8 All homes within the Proposed Development exceed minimum space standards.
- 4.9 Overall, the Proposed Development has 929 dwellings.
- 4.10 All homes have access to a private balcony or terrace with the exception of 12 Studios which have been located in close proximity to access the public amenity spaces within the development.

### ***Homeless Shelter***

- 4.11 Building BB fronting Church Street West is 9 storeys plus roof terrace and plant enclosures and provides a homeless shelter to be run by the York Road Project under use class Sui Generis.
- 4.12 Building BB would be used by the York Road Project and would enable the charity to consolidate a number of existing uses into one location ranging from day centre and staff facilities to accommodation for clients with differing levels of support.

### ***Affordable Housing***

- 4.13 48 of the total number of residential units would be provided for affordable housing to be secured through the Legal Agreement.

### ***Non-Residential Uses***

- 4.14 The Proposed Development involves the demolition of existing buildings to provide a total of 2,710 sqm flexible commercial space at ground floor level across planning use classes A1-A4, B1a and D1-D2. The ground floor space of Buildings T1-T3 and Building BA that fronts the new public open space is designed to be capable of subdivision or amalgamation in order to accommodate a range of uses falling within the range of use classes depending on operator demand.

- 4.15 In addition, 367 sqm of A4 floorspace is proposed to accommodate the re-provision of the WRAC who currently reside on the Site in an ageing 1930s building. The club will also be provided with 7 car parking spaces within the Proposed Development, representing a like for like provision on existing arrangements.

### ***Landscaping and Public Realm***

- 4.16 The Site has very little in the way of landscaping features at present.
- 4.17 It is proposed that (subject to receiving all necessary consents) Goldsworth Road will be adapted and pedestrianised to provide a new area of public realm linking Woking train station and the heart of the town centre to this western end. This will be known as the 'Green Street' and will combine pedestrian and cycle circulation with space for spill-out from the ground floor commercial units. The Green Street will enhance pedestrian connections via a pedestrian crossing to Victoria Square to the east and to the future widened footpath under the bridge to the south.
- 4.18 A comprehensive hard and soft landscaping strategy is set out in the Design and Access Statement that accompanied the Planning Application and is part of the Proposed Development. The hard landscaping strategy comprises stone paving, gravel and raised stone edges to the tilted lawns and planters as well as street furniture and feature lighting, cycle stands, litter bins and planter integrated and free standing seating areas.
- 4.19 At podium and roof level, the landscaping scheme will comprise a variety of materials including block paving, play surface, decking and artificial lawn. In terms of soft landscaping, a tree planting strategy and soft landscaping scheme has been developed in co-ordination with the WBC's Green Infrastructure team to ensure the proposed species can relate to the wider town centre in terms of aesthetics to connect the scheme with Victoria Square and beyond and robustness to withstand the microclimate in this location.

## 5 PLANNING POLICY

5.1 The policies that are relevant to the determination of this appeal include the following:

### ***National Planning Policy Framework (NPPF) (2021)***

- 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 7- Ensuring the vitality of town centres
- Section 8- Promoting healthy and safe communities
- Section 9- Promoting sustainable transport
- Section 11- Making efficient use of land
- Section 12- Achieving well-designed places
- Section 14- Meeting the challenge of climate change, flooding and coastal change
- Section 15- Conserving and enhancing the natural environment

### ***Woking Core Strategy (2012)***

- CS1- A spatial strategy for Woking Borough
- CS2- Woking Town Centre
- 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
- CS13- Older people and vulnerable groups
- CS15- Sustainable economic development
- CS16- Infrastructure delivery
- CS17- Open space, green infrastructure, sport and recreation
- CS18- Transport and accessibility
- 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  
DM5- Environmental pollution  
DM6- Air and water pollution  
DM7- Noise and light pollution  
DM8- Land contamination and hazards  
DM16- Servicing development  
DM17- Public realm  
DM19- Shopfronts  
DM20- Heritage assets and their settings

***The South East Plan (2009) (saved policy)***

Saved Policy NRM6- Thames Basin Heath Special Protection Areas

***Surrey Minerals Plan Core Strategy Development Plan Document (2011)***

MC1- Spatial Strategy- location of mineral development in Surrey  
MC6- Safeguarding mineral resources and development  
MC16- Rail aggregate depots

***Site Allocations DPD ('SADPD')***

- 5.2 The SADPD was adopted by WBC on 14 October 2021. The SADPD now forms part of the Development Plan and is given full weight in the decision-making process.
- 5.3 The Site is split across three proposal sites within the SADPD which promotes high density development. The SADPD allows for 180 dwellings in total – UA11 (55 dwellings) and UA13 (125 dwellings) with UA12 allocated for 900 sqm (net) office:
- UA11 (1-7 Victoria Way and 1-29 Goldsworth Road);  
UA12 (Synergy House, 8 Church Street West); and  
UA13 (30-32 Goldsworth Road, Woking Railway and Athletic Club, Systems House and Bridge House, Goldsworth Road).
- 5.4 The report to the Planning Committee in respect of the Proposed Development confirms that the then draft DPD should be given substantial weight in the decision-making process.
- 5.5 Other material considerations include:
- Parking Standards SPD (2018)  
Outlook, Amenity, Privacy and Daylight SPD (2008)  
Housing and Infrastructure Fund Section 106 Tariff

Affordable Housing Delivery SPD (2014)

Design SPD (2015)

Surrey County Council Vehicular and Cycle Parking Guidance (2018)

- 5.6 Supplementary Planning Guidance and Documents are not part of the Development Plan but are taken into account as material considerations in the determination of a planning application or appeal. Where SPGs/SPDs contain guidance which is inconsistent with higher tier Development Plan policy or within the NPPF the degree of weight to be given to them or specific guidance within the documents will depend upon the degree of consistency with Development Plan policies and the NPPF, as per Paragraph 219 of the NPPF.

## 6 MATTERS AGREED BETWEEN THE PARTIES

6.1 This Section sets out the agreed matters between the Appellant and WBC concerning the Proposed Development's compliance with the Development Plan, consultation responses and other relevant factual matters.

6.2 WBC's planning officers recommended the Proposed Development for approval and the Officer Report is a helpful baseline position for understanding the matters of agreement.

### **Land Use**

6.3 The principle of providing a mixed-use development on the Site is acceptable in land use terms.

6.4 It is agreed between parties that the Officer Report to the 12 January 2021 Planning Committee at paragraph 28 states: *"Whilst the proposal would not fully accord with the requirements set out in the draft Site Allocations DPD, as discussed above the proposal is providing commercial floorspace at ground floor for Use Classes A1-A4, B1a and D1-D2 which would provide flexibility and the proposal is considered consistent with the aims of the DPD in providing a mixed use development which better utilises the proposal site and results in a regenerative effect on this part of the Town Centre."*

6.5 It is agreed between parties that the Officer Report to the 12 January 2021 Planning Committee at paragraph 29 states: *"Overall the proposal is considered consistent with the aims of the Development Plan and the aspirations of Woking Town Centre and the proposal is considered acceptable in principle in land use terms."*

### **Need for Housing**

6.6 It is agreed between both parties that WBC has a requirement to deliver homes in Woking town centre.

6.7 It is agreed between the parties that WBC has accepted a Housing Infrastructure Funding (HIF) grant from Homes England and is underway with works to Victoria Arch. The works are being delivered to improve infrastructure and support additional homes in the town centre.

### **Tall Buildings**

6.8 It is agreed between the parties that the principle of tall buildings at the Site is acceptable given the Site's location within Woking town centre.

### **Density**

6.9 It is agreed between the parties that the total dwellings proposed on the Site equates to 929 homes over a site area of 1.15 hectares. This is density of 807 dwellings per hectare (dph). The Core Strategy states that density of over 200 dph is acceptable for the Site's town centre location.

### **Design**

- 6.10 It is agreed between the parties that significant weight should be given to the Design Review Panel process. In accordance with NPPF Paragraph 133, decision makers should have regard to the outcome from these processes, including any recommendations made by design review panels.. The Officer Report to the 12 January 2021 Planning Committee at paragraph 34 confirms: *“The proposal has been subject to extensive pre-application discussions and was subject to three Design Review Panels chaired by Design South East. The latest design review panel states ‘The panel commend the applicant and design teams on their thorough presentation and efforts in progressing the proposal through a series of design reviews in such an exemplary manner. Since the previous review the overall proposal has significantly improved; the concept and design strategy are sound, and the proposal now requires refinement of particular elevational design elements and architectural details. The panel is confident the design team will successfully resolve these to deliver a well considered addition to Woking Town Centre’. The submitted planning application has incorporated the key recommendations from the latest design review panel.”*

### **Materials**

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

### **Heritage Impacts**

- 6.12 It is agreed between the parties that the impact of the Proposed Development on nearby designated and non-designated assets has been appropriately assessed. The proposals would not give rise to any negative impact to the significance of heritage assets and would satisfy the provisions under the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Public Realm**

- 6.13 It is agreed between the parties that the proposed public realm is a benefit to the wider town centre and community.

### **Standard of Accommodation**

- 6.14 All of the proposed residential accommodation would meet the recommended minimum standards set out in the National Technical Housing Standards.
- 6.15 It is agreed between the parties that the proposed landscaping scheme across all elements for the Proposed Development is accepted, subject to final details being agreed through condition.
- 6.16 It is agreed between the parties that the Proposed Development incorporates sufficient amenity space in accordance with the Outlook, Amenity, Privacy and Daylight SPD.

- 6.17 Provision for collection of refuse and recycling, plus servicing, to all elements of the Proposed Development is acceptable.

### ***Affordable Housing***

- 6.18 It is agreed between both parties that the proposed quantum, mix and tenure of affordable housing is acceptable, subject to this being secured through an appropriate Legal Agreement.

### ***Housing Mix***

- 6.19 The proposed housing mix is suitable for the Site's location. The Officer Report to the 12 January 2021 Planning Committee at paragraph 200 states: *"In the context of Policy CS11 and the town centre location of the proposal site, on balance the proposal is considered to achieve an acceptable housing mix whilst delivering the efficient use of previously developed land."*

### ***Impact on Drainage and Flood Risk***

- 6.20 It is agreed between the parties that the Proposed Development is acceptable in terms of flood risk and drainage, subject to final details being agreed through the discharge of conditions.

### ***Neighbouring Properties***

- 6.21 The parties will seek to agree the 'neighbouring properties' that are undefined in Reason for Refusal 1. It is agreed between parties that the scheme itself is not a "neighbouring property" and in this context the properties referred to are outside of the red line boundary.

### ***Daylight, Sunlight and Privacy***

- 6.22 The main parties are working together on a separate SoCG to deal with the issue of daylight and sunlight. It is anticipated that this will be available prior to the opening of the Inquiry.
- 6.23 In respect of privacy and Reason for Refusal 1, the only harm to 'neighbouring properties' relates to the following:

Birchwood Court;  
Victoria House (1-7 Victoria Way and 1-9 Goldsworth Road); and  
11-13 Goldsworth Road.

### ***Impact on Wind Microclimate***

- 6.24 It is agreed between both parties that the assessment of Wind Microclimate was appropriate and the proposed mitigation will ensure that the wind conditions across the development would be suitable for their intended use with the exception of four balconies.



### **Noise and Vibration**

- 6.25 It is agreed between the parties that part of the Site lies within the Surrey County Council Consultation Area for Rail Depots.
- 6.26 It is agreed between the parties that appropriately worded conditions would mitigate any impact of noise to future occupiers of the Proposed Development.

### **Impact on the Thames Basin Heath SPA**

- 6.27 In accordance with WBC's Policy CS8, the contribution required to mitigate the impact on the TBHSPA is calculated as being £592,780 for Suitable Access Management and Monitoring (SAMM). The SANG elements of the SPA tariff are encompassed within the Community Infrastructure Levy payment.

### **Energy and Sustainability**

- 6.28 The parties agree that the Proposed Development will achieve the required standards in terms of energy and sustainability, subject to demonstration of efficiency in accordance with finer details being agreed through the discharge of conditions.

### **Ecology**

- 6.29 The parties agree that the proposal represents an opportunity to achieve a net gain in biodiversity on the Site and the Proposed Development would mitigate any harm on biodiversity and protected species.

### **Transportation Impact**

- 6.30 It is agreed between the parties that with the exception of residential cycle parking, the Proposed Development raises no highways concerns, subject to final details and provisions being secured through conditions and an appropriate Legal Agreement.
- 6.31 It is agreed between the parties that the level of car parking to be provided is sufficient for the Proposed Development.

### **Air Quality**

- 6.32 The parties agree that the Proposed Development is considered to result in an acceptable impact on air quality.

### **Fire Safety**

- 6.33 The parties agree that the Proposed Development will be required to meet the latest Building Regulations.

### ***Aviation***

- 6.34 Fairoaks Airport raised an objection to the application and appeal although both WBC and the Appellant agree that it is not an officially safeguarded aerodrome, as such, the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction (2002) does not apply to it.
- 6.35 The Officer Report to the 12 January 2021 Planning Committee at paragraphs 267 to 273 confirms the position on aviation – principally that the CAA did not have any comments to make on the Proposed Development and that Fairoaks Airport has not demonstrated that any real adverse impact on safety would occur.

### ***Contamination***

- 6.36 The parties agree that an appropriate mitigation strategy through the use of appropriately worded conditions would be in place to monitor and mitigate any contamination found on the Site.

### ***Legal Agreement***

- 6.37 It is agreed between both parties that in the event that the appropriate Section 106 agreement was to be completed in accordance with the terms noted at paragraph 289 of the Officer Report, all matters would be addressed and Reason for Refusal 4 would fall away.
- 6.38 It is agreed that the proposed Section 106 agreement is an appropriate format to secure the obligations and the content is in accordance with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

## 7 MATTERS IN DISPUTE

- 7.1 Whether the Proposed Development would result in harmful impacts due to the loss of daylight, sunlight and privacy to neighbouring properties.
- 7.2 Whether the bulk and massing of the Proposed Development would fail to respect the prevailing character and scale of development in the area.
- 7.3 Whether the Proposed Development would fail to provide sufficient cycle parking.

## 8 PLANNING CONDITIONS

- 8.1 The Appellant and WBC are working to agree a list of appropriate planning conditions as part of the Appeal process. A list of conditions with any areas of disagreement will be available prior to the start of the Inquiry.

## 9 PLANNING OBLIGATIONS

9.1 The Appellant and WBC are working together to agree the Legal Agreement as part of the Appeal process.

9.2 In summary, the obligations secured by the draft Section 106 Agreement are as follows:

SAMM (SPA): Contribution of £592,780;

Affordable Housing: Provision of 48 on site affordable homes plus a late stage viability review when 75% of homes have been sold/let;

Homeless Shelter: Provision of either a bespoke replacement homeless shelter or the reservation of land made available to the Council at a reduced purchase price to facilitate the delivery of a homeless shelter;

Car Club: Funding of one year's membership of the Enterprise-operated Woking Town Centre Car Club to those occupiers wishing to become members and credit vouchers;

Housing Infrastructure Funding (HIF): Contribution of £1,858,000.00 towards HIF works; and

Private Waste Collection: fortnightly waste collection by a private contractor.

# APPENDIX 1- LIST OF CORE DOCUMENTS

No.	Document
<b>0 -National Policy and Guidance</b>	
0.1.1	National Planning Policy Framework (2021)
0.1.2	Planning Practice Guidance
0.1.3	National Design Guide (2021)
0.1.4	BRE Guidelines
<b>1 - Local Policy and Supporting Documents</b>	
1.1.1	Woking Core Strategy (2012)
1.1.2	Proposals Map (2021)
1.1.3	Development Management Policies Development Plan Document (2016)
1.1.4	The South East Plan (2009) (saved policy)
1.1.5	Surrey Minerals Plan Core Strategy Development Plan Document (2011)
1.1.6	Inspector's Report relating to the Site Allocations Development Plan Document
1.1.7	Site Allocations Development Plan Document (2021)
1.1.8	Outlook, Amenity, Privacy and Daylight Supplemental Plan Document (2008)
1.1.9	Draft Update to the Outlook, Amenity, Privacy and Daylight SPD (2021)
1.1.10	Design Supplemental Plan Document (2015)
1.1.11	Parking Standards Supplemental Plan Document (2018)
1.1.12	Woking Character Study (2010)
1.1.13	Surrey Landscape Character Assessment (2015) appendices?
1.1.14	Heritage of Woking (2000)
1.1.15	Housing Infrastructure Fund - Recovery strategy for Woking Town Centre: Section 106 tariff – Guidance Note
1.1.16	Update to Thames Basin Heath SPA Avoidance Strategy (2021)
1.1.17	Woking Town Centre Proposals Inset Map 2021
<b>Planning Application (PLAN/2020/0568)</b>	
<b>2 - Documents submitted in June 2020</b>	
2.1.1	Covering Letter and Application Form
2.1.2	Planning Statement
2.1.3	Planning Statement Addendum
2.1.4	Design and Access Statement
2.1.5	Affordable Housing Statement (August 2020)
2.1.6	Daylight and Sunlight Amenity within the Site Statement
2.1.7	Transport Statement
2.1.8	Financial Viability Statement
2.1.9	Aviation Impact Assessment
2.1.10	Arboricultural Impact Assessment
2.1.11	BREEAM- Pre-Assessment
2.1.12	Energy Strategy
2.1.13	External Lighting
2.1.14	Flood Risk Assessment and Drainage Strategy
2.1.15	Framework Construction Management Plan
2.1.16	Framework Travel Plan

2.1.17	Statement of Community Involvement
2.1.18	TV and Radio Baseline Report
2.1.19	Ventilation and Extraction Report
2.1.20	Waste Management Strategy
<b>3 - Documents submitted post submission</b>	
3.1.1	Covering Letter
3.1.2	Addendum to Design and Access Statement
3.1.3	Addendum to Financial Viability Statement
3.1.4	Updated Financial Viability Statement – November 2021
3.1.5	Addendum to Daylight and Sunlight Amenity within the Site Statement
3.1.6	Addendum to Aviation Impact Assessment
3.1.7	Aviation Safety Assessment (December 2020)
3.1.8	Updated Aviation Safety Assessment
<b>4 - Environmental Statement</b>	
4.1.1	Volume 1- Main text and Figures
4.1.2	Volume 2- Technical Appendices
4.1.3	Volume 2- 6.2 Daylight and Sunlight Results
4.1.4	Volume 3- HTVIA
4.1.5	Volume 4- Non Technical Summary
4.1.6	ES Statement of Conformity- Main Report
4.1.7	ES Statement of Conformity- Appendices
<b>5 - Drawings</b>	
<b>Site Location and Block Plans</b>	
5.1.1	01597_JTP_DR_MP_XP_A_1000 Location Plan P1
5.1.2	01597_JTP_DR_MP_XP_A_1001 Existing Block Plan & Demolition Plan P1
5.1.3	01597_JTP_DR_MP_XP_A_1002 Proposed Site Plan P2
5.1.4	01597_JTP_DR_MP_PH_A_1700 Proposed Phasing Plan_P1
5.1.5	01597_JTP_DR_MP_PH_A_1701 Proposed Phasing Plan 1-5_P1
<b>Proposed Floor Plans</b>	
5.1.6	01597_JTP_DR_MP_PP_A_1100 Level 00 Proposed Plan P3
5.1.7	01597_JTP_DR_MP_PP_A_1101 Level MZ Proposed Plan P2
5.1.8	01597_JTP_DR_MP_PP_A_1102 Level 01 Proposed Plan P2
5.1.9	01597_JTP_DR_MP_PP_A_1103 Level 02 Proposed Plan P2
5.1.10	01597_JTP_DR_MP_PP_A_1104 Level 03 Proposed Plan P2
5.1.11	01597_JTP_DR_MP_PP_A_1105 Level 04 Proposed Plan P2
5.1.12	01597_JTP_DR_MP_PP_A_1106 Level 05 Proposed Plan P2
5.1.13	01597_JTP_DR_MP_PP_A_1107 Level 06 Proposed Plan P2
5.1.14	01597_JTP_DR_MP_PP_A_1108 Level 07 Proposed Plan P2
5.1.15	01597_JTP_DR_MP_PP_A_1109 Level 08 Proposed Plan P2
5.1.16	01597_JTP_DR_MP_PP_A_1110 Level 09 Proposed Plan P2
5.1.17	01597_JTP_DR_MP_PP_A_1111 Level 10 Proposed Plan P2
5.1.18	01597_JTP_DR_MP_PP_A_1112 Level 11 Proposed Plan P2
5.1.19	01597_JTP_DR_MP_PP_A_1113 Level 12 Proposed Plan P2
5.1.20	01597_JTP_DR_MP_PP_A_1114 Levels 13-15 Proposed Plan P2
5.1.21	01597_JTP_DR_MP_PP_A_1115 Level 16 Proposed Plan P2
5.1.22	01597_JTP_DR_MP_PP_A_1116 Level 17 Proposed Plan P2
5.1.23	01597_JTP_DR_MP_PP_A_1117 Level 18 Proposed Plan P2

5.1.24	01597_JTP_DR_MP_PP_A_1118	Level 19 Proposed Plan P2
5.1.25	01597_JTP_DR_MP_PP_A_1119	Level 20 Proposed Plan P2
5.1.26	01597_JTP_DR_MP_PP_A_1120	Levels 21-24 Proposed Plan P2
5.1.27	01597_JTP_DR_MP_PP_A_1121	Level 25 Proposed Plan P2
5.1.28	01597_JTP_DR_MP_PP_A_1122	Level 26 Proposed Plan P2
5.1.29	01597_JTP_DR_MP_PP_A_1123	Level 27 Proposed Plan P2
5.1.30	01597_JTP_DR_MP_PP_A_1124	Level 28-34 Proposed Plan P2
5.1.31	JTP_DR_MP_PP_A_1125	Level 35 Proposed Plan P2
5.1.32	01597_JTP_DR_MP_PP_A_1126	Proposed Roof Plan P2
5.1.33	01597_JTP_DR_BB_PP_A_1150	YRP Level 00 Proposed Plan P2
5.1.34	01597_JTP_DR_BB_PP_A_1151	YRP Level 01 Proposed Plan P2
5.1.35	01597_JTP_DR_BB_PP_A_1152	YRP Level 02 Proposed Plan P2
5.1.36	01597_JTP_DR_BB_PP_A_1153	YRP Level 03 Proposed Plan P2
5.1.37	01597_JTP_DR_BB_PP_A_1154	YRP Level 04 Proposed Plan P2
5.1.38	01597_JTP_DR_BB_PP_A_1155	YRP Level 05 Proposed Plan P2
5.1.39	01597_JTP_DR_BB_PP_A_1156	YRP Level 06 Proposed Plan P2
5.1.40	01597_JTP_DR_BB_PP_A_1157	YRP Level 07 Proposed Plan P2
5.1.41	01597_JTP_DR_BB_PP_A_1158	YRP Level 08 Proposed Plan P2
5.1.42	01597_JTP_DR_BB_PP_A_1159	YRP Level 09 Proposed Plan P2
5.1.43	01597_JTP_DR_BB_PP_A_1160	YRP Level RF Proposed Plan P2
<b>Proposed Elevations</b>		
5.1.44	01597_JTP_DR_MP_PE_A_1200	Proposed Elevation AA P2
5.1.45	01597_JTP_DR_MP_PE_A_1201	Proposed Elevation BB P2
5.1.46	01597_JTP_DR_MP_PE_A_1202	Proposed Elevation CC P2
5.1.47	01597_JTP_DR_MP_PE_A_1203	Proposed Elevation DD P2
5.1.48	01597_JTP_DR_MP_PE_A_1204	Proposed Elevation EE P1
5.1.49	01597_JTP_DR_MP_PE_A_1205	Proposed Elevation FF P2
5.1.50	01597_JTP_DR_MP_PE_A_1206	Proposed Elevation GG P1
5.1.51	01597_JTP_DR_MP_PE_A_1207	Proposed Elevation HH P2
5.1.52	01597_JTP_DR_MP_PE_A_1208	Proposed Elevation II, JJ P1
5.1.53	01597_JTP_DR_MP_PE_A_1209	YRP Proposed Elevation KK LL P2
5.1.54	01597_JTP_DR_BB_PE_A_1210	YRP Proposed Elevation MM NN P2
<b>Proposed Sections</b>		
5.1.55	01597_JTP_DR_MP_PS_A_1300	Proposed Sections AA, BB P2
5.1.56	01597_JTP_DR_MP_PS_A_1301	Proposed Sections CC P2
5.1.57	01597_JTP_DR_MP_PS_A_1302	Proposed Sections DD P2
5.1.58	01597_JTP_DR_MP_PS_A_1303	Proposed Sections EE P1
5.1.59	01597_JTP_DR_MP_PS_A_1310	Proposed Context Section - North & South P2
5.1.60	01597_JTP_DR_MP_PS_A_1311	Proposed Context Section - East & West P2
<b>Proposed Details</b>		
5.1.61	01597_JTP_DR_MP_DT_A_1500	Proposed Elevation - Entrance T1 P1
5.1.62	01597_JTP_DR_MP_DT_A_1501	Proposed Elevation - Entrance T2 P1
5.1.63	01597_JTP_DR_MP_DT_A_1502	Proposed Elevation - Entrance T3 P1
5.1.64	01597_JTP_DR_MP_DT_A_1503	Proposed Elevation - Entrance BA P1
5.1.65	01597_JTP_DR_MP_DT_A_1504	Proposed Elevation - WRAC Entrance P1
5.1.66	01597_JTP_DR_MP_DT_A_1505	Proposed Elevation Commercial Entrances
5.1.67	01597_JTP_DR_MP_DT_A_1510	Proposed Façade Details - T1 P1



5.1.68	01597_JTP_DR_MP_DT_A_1511	Proposed Façade Details - T2 P1
5.1.69	01597_JTP_DR_MP_DT_A_1512	Proposed Façade Details - T3 P1
5.1.70	01597_JTP_DR_MP_DT_A_1513	Proposed Façade Details - BA P1
5.1.71	01597_JTP_DR_MP_DT_A_1514	Proposed Façade Details - T3 West P1
5.1.72	01597_JTP_DR_MP_DT_A_1515	Proposed Façade Details - T3 North P1
5.1.73	SK-MP-0072	Proposed Canopy to South-West Façade
Proposed Landscaping Drawings		
5.1.74	P12902-00-001-GIL-100 Illustrative Landscape Masterplan colour all levels 02	
5.1.75	P12902-00-001-GIL-101 Ground Floor General Arrangement Plan B+W 04	
5.1.76	P12902-00-001-GIL-102 Podium Level General Arrangement Plan B+W 03	
5.1.77	P12902-00-001-GIL-103 Roof Levels General Arrangement Plan 03	
5.1.78	P12902-00-001-GIL-104 Ground Floor Levels Plan 05	
5.1.79	P12902-00-001-GIL-105 Ground Floor Softworks Plan 02	
5.1.80	P12902-00-001-GIL-106 Podium Level Softworks Plan 02	
5.1.81	P12902-00-001-GIL-200 Ground Floor Sections - Sheet 1 01	
5.1.82	P12902-00-001-GIL-201 Ground Floor Sections - Sheet 2 01	
5.1.83	P12902-00-001-GIL-202 Ground Floor Sections - Sheet 3 01	
5.1.84	P12902-00-001-GIL-203 Ground Floor Sections - Sheet 4 01	
5.1.85	P12902-00-001-GIL-204 Podium Level Sections - Sheet 5 01	
6 – Determination Documents		
6.1.1	Committee Report dated 12 January 2021	
6.1.2	Committee Report Addendum 12 January 2021	
6.1.3	Committee Minutes dated 12 January 2021	
6.1.4	Decision Notice dated 20 January 2021	
7 – Other Documents		
7.1.1	Report of the Woking Design Review Panel 26 February 2020	
7.1.2	Report of the Woking Design Review Panel 6 May 2020	
7.1.3	Report of the Woking Design Review Panel 9 June 2020	
7.1.4	Housing Infrastructure Fund Forward Funding supporting document July 2017	
7.1.5	Housing Infrastructure Funds Business Case	
7.1.6	Extract of public reports pack in respect of meeting of the Executive on 6 February 2020 (including Appendices) (HIF)	
7.1.7	Printed minutes of meeting of the Executive on 6 February 2020 (HIF)	
7.1.8	Extract of public reports pack in respect of meeting of the Council on 30 July 2020 (including Appendices) (CPO)	
7.1.9	Executive Meeting on 15 July 2021 setting out 3 options for Town Centre Masterplan and specifically Appendix 1 Shaping the Future – How the Spatial Distribution of Development has Evolved	
7.1.10	Woking Borough Council Overview and Scrutiny Committee Meeting 19 October 2020 Agenda Item 7	
8 - Consented Development and Resolved to Grant Development		
8.1.1	Victoria Square (PLAN/2014/0014) - Committee Report dated 4 November 2014	
8.1.2	Victoria Square (PLAN/2014/0014) - Decision Notice dated 26 March 2015	
8.1.3	Victoria Square (PLAN/2018/0444) - Committee Report dated 4 September 2018	

8.1.4	Victoria Square (PLAN/2018/0444) - Decision Notice dated 29 March 2019
8.1.5	20 - 32 Goldsworth Road (PLAN/2016/0742) - Committee Report dated 18 October 2016
8.1.6	20 - 32 Goldsworth Road (PLAN/2016/0742) - Printed minutes of meeting of Planning Committee on 18 October 2016
8.1.7	20 - 32 Goldsworth Road (PLAN/2016/0742) - Draft decision notice dated 21 October 2016
8.1.8	20 - 32 Goldsworth Road (PLAN/2016/0742) – Plans
8.1.9	11-13 Victoria Way (PLAN/2007/0688) – Committee Report for Planning Committee on 29 January 2008
8.1.10	11-13 Victoria Way (PLAN/2007/0688) – Decision Notice 4 June 2008
<b>9 - Correspondence</b>	
9.1.1	Statutory Consultee responses - application
9.1.2	Statutory Consultee responses - appeal
9.1.3	Representations received from interested parties - application
9.1.4	Representations received from interest parties - appeal
9.1.5	Notes of pre-inquiry Case Management Conference
<b>10 - Statements of Case</b>	
10.1.1	Appellant Statement of Case
10.1.2	Woking Borough Council Statement of Case
10.1.3	Oaks and Vale Farm Road Residents Group Statement of Case Part 1
10.1.4	Oaks and Vale Farm Road Residents Group Statement of Case Part 2
<b>11 - Statement of Common Ground</b>	
11.1.1	Statement of Common Ground
11.1.2	Daylight and Sunlight Statement of Common Ground
<b>12 - Proofs of Evidence</b>	
<b>Appellant</b>	
12.1.1	Summary Proof of Evidence of Katy Davis
12.1.2	Proof of Evidence of Katy Davis
12.1.3	Summary Proof of Evidence of Nigel Bidwell
12.1.4	Proof of Evidence of Nigel Bidwell
12.1.5	Summary Proof of Evidence of Dr Chris Miele
12.1.6	Proof of Evidence of Dr Chris Miele
12.1.7	Summary Proof of Evidence of Gordon Ingram
12.1.8	Proof of Evidence of Gordon Ingram
12.1.9	Rebuttal of Gordon Ingram
<b>13 - Woking Borough Council</b>	
13.1.1	Proof of Evidence of Peter Rainier
13.1.2	Proof of Evidence of Paul Hearman
<b>14 - Oaks and Vale Farm Road Residents Group</b>	
14.1.1	Proof of Evidence Oaks and Vale Farm Road Residents Group 1 of 2
14.1.2	Proof of Evidence Oaks and Vale Farm Road Residents Group 1 of 2
<b>15 - Case Law</b>	
15.1.1	Appeal decision reference: APP/J1915/W/19/3234842

15.1.2	Rainbird R (on the application of) v The Council of the London Borough of Tower Hamlets [2018] EWHC 657 (Admin)
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