



Appeal Decision

Hearing Held on 6 September 2022

Unaccompanied site visit made on 5 September 2022

by Christina Downes BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 November 2022

Appeal Ref: APP/A3655/W/20/3259819

Crown Place, Chertsey Road, Woking GU21 5AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Watkin Jones Group Plc & McKay Securities Plc against the decision of Woking Borough Council.
 - The application Ref PLAN/2019/1141, dated 18 November 2019, was refused by notice dated 24 March 2020.
 - The development proposed is demolition of all existing buildings including existing footbridge to Victoria Way Car Park and redevelopment of site to provide a new building ranging from 5x to 28x storeys plus basement level comprising up to 366x residential units (Use Class C3), commercial (Use Classes A1/A2/A3) and community uses (Use Classes D1/D2) at ground floor and first floor level and associated internal and external amenity spaces, basement level car parking, cycle parking, bin storage, ancillary facilities, plant, new public realm, landscaping and highway works.
 - This decision supersedes that issued on 13 December 2021. That decision on the appeal was quashed by order of the High Court.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of all existing buildings including existing footbridge to Victoria Way Car Park and redevelopment of site to provide a new building ranging from 5x to 28x storeys plus basement level comprising up to 366x residential units (Use Class C3), commercial (Use Classes A1/A2/A3) and community uses (Use Classes D1/D2) at ground floor and first floor level and associated internal and external amenity spaces, basement level car parking, cycle parking, bin storage, ancillary facilities, plant, new public realm, landscaping and highway works at Crown Place, Chertsey Road, Woking, in accordance with the terms of the application, Ref PLAN/2019/1141, dated 18 November 2019, subject to the conditions in Annex 3 to this decision.

Procedural matter

2. The above description of the proposed development was taken from the Council's decision notice and differed slightly in wording, but not in substance, to that on the application form. The Appellant confirmed at the hearing there was no objection to the change, which describes the proposal more clearly.
3. I undertook an unaccompanied site visit prior to the hearing. I saw the appeal site from all of the viewpoints that I considered necessary, both from within the town centre and from longer distances. It was agreed by the main parties that a further accompanied site visit would not be necessary. I am satisfied from my

observations at the visit that I have sufficient visual understanding of the proposal to inform my decision.

4. The proposal is Environmental Impact Assessment Development. An Environmental Statement has been submitted and I am satisfied that this includes all necessary information to enable an assessment of the significance of environmental impacts that would arise from the scheme. Furthermore, I have no reason to doubt that the Environmental Statement is other than procedurally correct and has been subject to the necessary publicity requirements.
5. The second reason for refusal relates to the failure to deliver affordable housing. The Council now accepts that the Appellant's assessment demonstrates that its provision would render the scheme unviable. However, local objectors maintain an objection to the lack of affordable housing, and I consider this later in my decision.
6. The third reason for refusal concerns the failure to satisfactorily mitigate the ecological impact on the Thames Basin Heaths Special Protection Area (the SPA). A Planning Obligation by Unilateral Undertaking (UU) has now been submitted, which addresses this matter. I consider this later in my decision.

INSPECTOR'S REASONS

The effect on the character and appearance of the area, including nearby heritage assets

Introduction

7. The appeal site comprises 0.45 hectares of land within the eastern part of Woking town centre, with boundaries to Church Street East and Chertsey Road. A supermarket was built on the site in the 1970's but this was subsequently repurposed for various uses, including a conference centre, leisure and entertainment complex, hotel and nightclub. The building, which is now vacant, is connected to the Victoria Way multi-storey car park on the northern side of Church Street East by an elevated footbridge. It ranges from 2-5 storeys in height, is utilitarian in appearance and makes no positive contribution to the visual aesthetic of this part of the town centre, including the adjacent Town Centre Conservation Area (the CA).
8. The proposal is for the demolition of the existing building and redevelopment with a residential-led mixed-use scheme, including towers rising to 22, 25 and 28 storeys fronting Church Street East. This is the most controversial aspect of the appeal proposal. However, it is important to consider that it is one part of a project that also includes a 5-storey building fronting Chertsey Road, which adjoins the CA and a 4-storey link fronted by a new public plaza and pedestrian route to reconnect Commercial Way to Chertsey Road.

Policy approach to tall buildings in the town centre

9. Woking is a town that is experiencing significant growth and regeneration. This is in large part due to the constraints that affect large parts of the Borough, including the Metropolitan Green Belt and areas covered by environmental restrictions, including the SPA. Policy CS1 of the *Woking Core Strategy* (2012) (the CS) recognises the constraints to development by directing it to previously developed land within the various centres. Of these the town of Woking is seen

as the primary focus for sustainable growth due, amongst other things, to its transport links and accessibility to shops and services. To date the regeneration projects have mainly taken place in the western part of the town centre. These include Victoria Square, which comprises large scale buildings including towers rising to 34 storeys. More recently permission was granted on appeal for buildings rising to 37 storeys at 20-32 Goldsworth Road¹. This development will extend the cluster of tall buildings in a westerly direction.

10. The Council's current administration is seeking to restrict the height of new building within the eastern part of the town centre. Consequently, planning permission has recently been refused for projects at Concord House and 81 Commercial Way where redevelopments of up to 34 and 39 storeys respectively were proposed. This is reflected in the *Woking Town Centre Masterplan*, which envisages a bell curve with the height and massing of development reducing outwards from the western cluster of tall buildings. However, the Masterplan is at draft stage and currently undergoing public consultation. I am aware that there have been a number of responses, including an objection by the Appellant. At this stage it is therefore not known whether the current approach in the Masterplan will be carried forward or not. For that reason, it can be given very limited weight as a material consideration in this appeal.
11. In terms of the development plan, policies CS1 and CS21 in the CS encourage high density and well-designed development within the town centre which could include tall buildings, provided that its character and appearance is not compromised, and the street scene is enhanced. Policy CS2 also supports the town centre as the preferred location for high quality, high density residential development. What comprises a tall building is not specified in the development plan, although the *Woking Design Supplementary Planning Document* (2015) (the Design SPD) indicates that, bearing in mind prevailing heights in the town centre, a tall building would generally be regarded as above 6 storeys. There is no locational differentiation as to where such buildings should go, either in the CS or the Design SPD.
12. Policy UA15 in the recently adopted *Site Allocations Development Plan Document* (the SA DPD) applies specifically to the appeal site and the adjoining land, which was occupied by the now demolished Rat and Parrot public house (the Rat and Parrot site). The policy advocates a mixed-use scheme of a height that is to be informed by the local and wider town centre context, taking account of short and long-distance views. Furthermore, it seeks footprints, scales and densities that maximise the use of the site whilst reflecting the development grain of its surroundings in a way that is sympathetic to local character. The anticipated site yield is 67 residential units, provision of community/ cultural and entertainment floor space and reprovision of existing office floor space. The supporting text indicates that the 67 units is a minimum through the words "at least".
13. In the circumstances, I do not consider there is a policy impediment to a tall building of any particular height on the appeal site. It seems to me that such buildings, including towers, are now part of the character of the town centre overall. It is though recognised that to date those on regenerated sites within

¹ Mixed-use development including 929 residential units on land to the north and south of Goldsworth Road, Woking (APP/A3655/W/21/3276474).

the eastern sector, such as 175 Church Street East and One Crown Square, are lower in height and not comparable with the scale of the Victoria Square towers or those permitted at Goldsworth Road. The 23, 25 and 28 storey towers proposed on the appeal site would undoubtedly represent a significant step-change in terms of height within this location. However, the main question in terms of the development plan is whether this would be harmful in terms of its impact on existing character.

Effect on character and appearance

14. The previous Inspector considered that the proposed towers would be a prominent feature when seen from many of the viewpoints within the town centre identified in the Appellant's visual assessment. There is no doubt that they would stand out from their surroundings due to their height. They would also be seen from further afield, for example from Chobham Common and the Hog's Back, although the effect would be ameliorated on account of distance. The Appellant's cumulative assessments include the towers proposed at Concorde House and 81 Commercial Way, thus assuming an emerging cluster. However, as my colleague commented these buildings cannot be relied upon to materialise and since her decision both schemes have been refused by the Council. I therefore agree with her conclusion that the towers proposed on the appeal site would appear isolated from the main cluster around Victoria Square and in this respect would not mirror their existing surroundings.
15. On the other hand, the appeal site is in a gateway location when approaching the town centre from the east. At the present time this entrance to the town is relatively unremarkable with mid-rise developments in the foreground and the Victoria Square towers visible in the distance. The proposed towers would provide a landmark feature and a focal point to signal arrival at the town centre from the easterly approach. Indeed, the supporting text to policy CS1 refers to tall buildings in this very context. Nevertheless, as mentioned previously the term "tall building" as relating to Woking town centre could mean anything above 6 stories. In this regard a 12 storey residential building has already been permitted on the Rat and Parrot site, adjoining the appeal land. The question is whether the very much higher scale of development proposed on the appeal site would be acceptable or appropriate.
16. In terms of design, the towers would comprise 3 separate elements with a taller central section and lower and narrower sections wrapping around either end. The verticality of the towers would be articulated by shadow gaps and each structure would be topped with an open crown enclosing a roof garden. The central 28 storey tower would be distinguished from the 22 and 25 storey wings by different coloured brickwork and the bays would be articulated by faceted façade panels. The design has been derived from the concept of organ pipes where the height and size of the structures would reduce at lower levels. In my opinion the tall elements of the proposed development would result in built structures of elegance and quality. Along with the other parts of the scheme, the overall composition would enhance this part of the town centre where development over the last 50 years or so has been generally uninspiring. I do not therefore agree with the previous Inspector that the appeal scheme would fail to integrate successfully with the surrounding townscape.
17. As my colleague acknowledged, there was a great deal of pre-application discussion with the Council's officers and the scheme was considered on

several occasions by the Design Review Panel (DRP). Various changes were made as a result of their comments and those of other consultees during the design process. In the Report to Committee, it was recorded that the final scheme was considered to be acceptable. At the hearing a local objector questioned the impartiality and objectivity of the DRP. However, the Design SPD specifically requires a formalised design review process, and this has been done in accordance with the Council's adopted procedures. That the scheme was subsequently supported by the DRP, who are independent of the Council, seems to me to be a matter of considerable importance.

Effect on heritage assets

18. There are a number of designated heritage assets within the town centre and its surrounding area although none are within the appeal site. The appeal site is within the setting of 2 such assets, the CA and Christ Church. The CA is to the south and south-west and its boundary adjoins the site along Chertsey Road. It comprises the original Victorian town centre, which followed the arrival of the railway. It lies to the north of the station and is quite small and compact with plots and street patterns that remain relatively intact. The late Victorian and Edwardian buildings are mainly 3 and 4 storeys in height, and many have attractive decorative detailing and ornamentation. The *Heritage of Woking Supplementary Planning Guidance* (2000) indicates that the focus of the shopping centre has now shifted, which reflects the construction of modern commercial developments such as Victoria Square. The Guidance also notes that whilst most of the building fabric in the CA is intact, the quality of the visual environment has declined with modern infill developments and installation of unsympathetic shopfronts. There are no listed buildings in the CA although there are a number of locally listed buildings.
19. It seems to me that the significance of the CA is mainly derived from its historic value and to a lesser extent its architectural value in terms of individual buildings as well as building groups. These aspects would remain unaffected by the proposed development. The area beyond the boundaries seems to me to contribute relatively little to significance. This is because there is not much of the Victorian townscape remaining and redevelopment has taken place that has been generally unsympathetic in terms of its grain and massing. Nevertheless, the lower height of much of the surrounding built development, including on the appeal site, does allow the historic skyline to continue to be appreciated from within the narrow streets of the CA. This provides some reflection of the historical context. The appeal site is a small part of that setting and overall makes a limited contribution to the significance of the CA.
20. The proposal would include a 4-storey red brick building with a mansard roof along the Chertsey Road frontage. There would be glazed arched bays to the ground floor commercial units and projecting bay windows above, which would extend to the dormers within the mansard roof. This new building would integrate successfully with the historic frontages and be a considerable visual improvement in comparison with the utilitarian building that currently occupies this part of the site. In addition, the historic route from Commercial Way into the CA would be partly re-established with a ground level link provided within the new frontage. These features would represent enhancements.
21. Although the towers would be set well back within the site, they would be very much taller than their immediate surroundings. They would punctuate the

historic skyline, and this would be apparent from various places within the CA, particularly as the streets widen out towards the south-western end of Chertsey Road. There is an attractive locally listed three-storey building on the corner with Chobham Road and at this point the visual effect of the towers and their contrast with the lower scale and narrow grain of the historic built environment would be most keenly experienced. There would therefore be harm to the significance of the CA. However, as indicated above, the setting is only a small element of the significance of this CA and the site is only a small part of the setting. More widely there are intrusions to the skyline that also play their part. In the circumstances, I therefore consider that the less than substantial harm to significance would be at the lowest end of the spectrum.

22. Christ Church is a Grade II listed building to the west of the appeal site, where Church Street East meets Jubilee Square. It was built in the latter part of the 19th century and as the town rapidly expanded, its location within the residential area made it central to the congregation that it served. It is an impressive building and is a good example of elaborate Victorian Gothic architecture which was popular in civic and ecclesiastical buildings at the time. It is constructed mainly of red brick and detailing includes tall narrow arched windows, decorative banding, buttresses and turrets and two elegant copper spires.
23. To my mind the scale of the church was such that it would have been a prominent feature within the residential environment around it. To that extent I reach a different view to the Appellant. However, the surroundings of the church have changed considerably. It now stands at one side of a public square amidst the modern shopping centre. Its significance is derived not only from its fabric and architecture but also from its historical and communal associations. It provides a solid and permanent presence within a built environment that has continually evolved around it, especially latterly. The setting in which the church is appreciated and experienced is now quite different in terms of grain, scale and uses. This is a modern commercial context including buildings with a far greater height and scale than the church itself.
24. The appeal site is within the setting of Christ Church on account of its proximity. However, for the reasons given above there is now no historical association between the two, although the low-rise buildings presently on the site mean that it does not affect the appreciation of the church in terms of its form or architecture. When looking east from Jubilee Square the existing modern development is of a height and scale that still allows the church's predominance over its neighbourhood to be experienced. This has of course been interrupted in the other direction, where the views looking westwards are interrupted by the towers of Victoria Square.
25. The proposed towers would change this context to the extent that they would be evident in easterly views from Jubilee Square and from some places would be seen to rise directly behind the church. Because of their height they would diminish the focal prominence of the heritage asset and detract from an appreciation of features such as the copper spires. However, the effect on overall significance would be limited and it would be confined to a relatively small part of the setting. Nevertheless, I consider that the proposal would cause a degree of detriment to the significance of Christ Church, albeit at the lower end of the scale of less than substantial harm.

Conclusions

26. For all of the reasons given above, I do not consider that the proposed development would have an adverse effect on the character and appearance of the area. There is no doubt that the towers would be highly visible and would not reflect their immediate surroundings in terms of height. However, that does not mean that the scheme would thus be unacceptable. The existing built environment within the eastern part of the town centre is generally uninspiring and has little to commend it. The proposal would introduce a development of high quality and distinction and a landmark at the easterly approach to the town centre. Overall, the development would enhance townscape character and, in this respect, comply with development plan policy, including policies CS1, CS2, CS21 and CS24 in the CS. Furthermore, it would be in accordance with the principles of the Design SPD.
27. There would be less than substantial harm to the significance of 2 designated heritage assets, the CA and Christ Church. This would be caused by the effect that the proposed development would have on their setting, but for the reasons I have given the harm would be at the lower end of the scale. There would also be some harm to the significance of the non-designated heritage asset at the corner of Chertsey Road and Chobham Road. The Framework indicates that harm to heritage assets needs to be balanced against any public benefits. I return to this later in the decision.
28. Policy CS20 in the CS includes a presumption against any development that is harmful to a listed building and requires it to make a positive contribution to the character, distinctiveness and significance of the historic environment. Reference is made to the Framework in the policy, but it seems to me that it is not altogether consistent because there is an absence of reference to any balance against public benefits. In the circumstances, the proposed development would not be compliant with policy CS20.

Whether satisfactory provision has been made for the provision of affordable housing

29. Policy CS12 in the CS expects residential development on brownfield sites such as this to provide 40% affordable housing. There is no dispute that there is a considerable need for affordable housing in the Borough and that this need is increasing year on year. However, the policy makes clear that the proportion to be delivered is determined by viability, amongst other things. This accords with the Framework and the Planning Practice Guidance, which indicates that it is up to the applicant to provide the necessary justification. The *Affordable Housing Delivery* SPD (2014) reiterates this principle and gives more detail of how viability assessments should be undertaken. A residual method of valuation was used for the appeal proposal, in accordance with the Council's guidance.
30. A financial viability assessment (FVA) was submitted by the Appellant in 2019 and this was considered by independent consultants on behalf of the Council. Whilst they did not agree with all of the inputs and variables, they came to the conclusion that the costs of the scheme would be significantly greater than the values. The deficit was considered to be around £40m by the Appellant and around £21.5m by the Council's consultants. An updated FVA was prepared in June 2022, and this was discussed at the hearing. This reflected an improvement in value in the Build to Rent (BtR) sector; higher construction costs due to inflation; and a reduction in the Benchmark Land Value due to the

poor condition of the site and the low income stream it generates. The updated FVA includes many of the changes suggested by the Council's consultants on the original FVA. It is to be noted that the Council did not ask its consultants to consider the updated FVA but did not object to its conclusion that the deficit would be about £6m.

31. It is noted that before the Council made its decision, the Appellant offered to provide a financial contribution for offsite provision of affordable housing, which would have been equivalent to about 15%. This offer was withdrawn when the Council refused planning permission. Whilst on the face of it such a payment is difficult to understand given the viability position, this type of development is a long-term investment project that does not necessarily expect to make immediate returns. In the circumstances it is reasonable to surmise that the Appellant was willing to take a long-term view in order to achieve a positive outcome in the short-term.
32. The objectivity of the FVA process was questioned by an objector at the hearing. The quality of the review undertaken by the Council's consultants was also criticised and it was said that on such an important matter it should have commissioned its own independent FVA. However, it is for the developer to justify the claim that affordable housing would render the scheme unviable. It is thus reasonable for the Council to appoint experts to review this work rather than undertake its own assessment.
33. The objector made a number of detailed points about the FVA, particularly in relation to various of the costs, which were considered to have been over-estimated. These matters were discussed in detail at the hearing, and if, for example the cost of debt financing, operating costs and contingencies were reduced as was suggested, then there would likely be sufficient value for affordable housing to be provided. However, an FVA is not undertaken with a particular developer in mind because any planning permission runs with the land. The Appellant's viability expert explained why the various inputs had been adopted. I found his explanations, which were clearly based on considerable experience of the BtR sector, to be reasonable and robust. The lack of challenge from the Council, who took independent professional advice, lends credibility to the overall conclusion that the FVA is soundly based.
34. There is however a dispute between the main parties as to whether a viability review would be justified. The Planning Practice Guidance makes clear that any review mechanism should be established through development plan policy. There is no such provision in the development plan, including Policy CS12 in the CS. Whilst the *Affordable Housing Delivery* SPD does include a mechanism for clawing back "excess" value at the end of the development period, caselaw makes clear that such guidance does not equate to a policy requirement. I have no doubt that such a provision would be desirable, especially in view of the considerable affordable housing need in the Borough. However, I cannot conclude that it would be lawful to require it.

Other matters

35. The appeal site is within 5km of the SPA. The residential population from the appeal development would have the potential to generate additional recreational pressure on the protected areas, which would likely result in a significant adverse effect on their integrity. An Appropriate Assessment is therefore required. In this case the particular qualifying features are the

European nightjar, Dartford Warbler and Woodlark. The SPA is sufficiently close that it would be attractive to new residents for informal recreation. Walking within the heathland, with or without dogs, would be likely to cause disturbance to the ground nesting birds and their habitat, particularly during the breeding season. Such visitor pressure would thus undermine the conservation objectives of the SPA and this would be contrary to the *Conservation of Habitats and Species Regulations 2017* (as amended). There would therefore be a likely significant effect on the protected sites as a result of the appeal development.

36. The Council with the agreement of Natural England has adopted the *Thames Basin Heath Avoidance Strategy* (updated in February 2022) (the Avoidance Strategy). This provides mitigation through the use of Suitable Alternative Natural Greenspace (SANG). In this case there is sufficient capacity at existing SANGs, such as Horsell Common, in order to provide a more proximate alternative recreational facility for those living at the development. The proposal would also provide a contribution towards Strategic Access Management and Monitoring (SAMM) in accordance with the aforementioned Avoidance Strategy. These strategies would successfully mitigate the likely significant effect and the proposal would thus comply with policy CS8 in the CS, saved policy NRM6 in the South East Plan and Framework policy in this respect.

Public benefits of the proposal

Housing

37. There is no dispute that the Council can demonstrate a 5 year supply of deliverable housing sites based on the 2012 CS requirement of 292 dwellings per year. The CS was reviewed in 2018 but the requirement remains unchanged. Although no further review is required until 2023 it is relevant to note that the target in the CS does not represent the Borough's housing need, which it has been unable to meet due to the constraints referred to earlier. In 2015 the *Strategic Housing Market Assessment* calculated that the objectively assessed housing need was 517 dwellings per year. The evidence indicates that on this basis, and including the relevant 20% buffer, a 5 year supply of deliverable housing sites would not be able to be achieved. The Inspector in the Goldsworth Road appeal concluded that the proposed residential units would contribute significantly to meeting the objectively assessed need for housing in the Borough, which is a need that is unmet year on year. I agree with that conclusion, in respect of the appeal proposal.
38. The Council in concert with Surrey County Council has secured a £95m grant under the Housing Infrastructure Fund (HIF) for infrastructure in the town centre, including the replacement of the Victoria Arch Bridge. This requires, amongst other things, that the Council commit to unlocking land within the town centre for an additional 3,304 dwellings. To this effect various potential sites have been identified, including the policy UA15 land, which is considered to have capacity for some 400 homes. An objector indicated at the hearing that the present administration was reconsidering the contract and the associated homes that would go with it. However, I was given no evidence on this point or what Homes England's position would be if the Council wished to renegotiate the agreement. As things stand a considerable uplift in housing on town centre sites will be required and this is a significant matter to be borne in mind. How

this would fit in with the draft Masterplan, which refers to the HIF sites but proposes a bell curve in terms of building heights, remains to be seen.

39. The Framework indicates that the size, type and tenure of housing needed for different groups in the community, including those who rent their homes, should be assessed and reflected in planning policies. BtR housing is a specific type of rental housing that is defined in the Glossary of the Framework. It is intended to offer longer term tenancy agreements of three years or more and is typically professionally managed and in single ownership. The appeal proposal meets these requirements, which are set out in more detail in the Planning Practice Guidance.
40. There are no planning policies in the CS relating to BtR. This is not surprising because it is a relatively new concept. It provides greater choice for those who rely on the rental market and also provides certainty that the accommodation will remain in the rented sector through covenants in the UU. A recent study by Knight Frank *Build to Rent Demand Study* (7 June 2022) confirmed that there are no other B2R schemes in the Borough other than the appeal scheme. Furthermore, that there is a shortfall in the supply of private rented sector accommodation in the Borough compared to those seeking it and that this is likely to get worse moving forward.
41. For all of the above reasons I consider that the provision of 244 housing units that would specifically address the BtR sector, would be a benefit of very significant weight.

Other public benefits

42. The proposal would include a flexible and good quality community space, which could meet the requirements of various users, including some who previously operated from the appeal site.
43. The built development proposed along the Chertsey Road frontage would be a considerable visual enhancement to what exists at present. It would include three modern ground floor retail units. This element of the proposal would provide an active frontage and contribute to the vitality and viability of the historic town centre.
44. The existing site is within the town centre but contributes little to the public realm. The appeal proposal would open up the site and the public could enjoy a landscaped courtyard area and a pedestrianised link to Chertsey Road, which would re-establish a historic thoroughfare from Commercial Way.
45. The proposed development would generate employment opportunities during the construction period. In the operative phase the new occupiers would generate additional spend in the local economy.
46. Each of these factors would provide a benefit of moderate weight.

The Planning Obligation (UU)

47. The covenants are contained within 4 schedules that were discussed at the hearing. The UU includes a "blue pencil" clause whereby an obligation would cease to be operable if it is not found to comply with Regulation 122 of the Community Infrastructure Levy Regulations.

48. Schedule 1 includes various provisions relating to the BtR units, including a requirement to submit a management plan for approval. The Planning Practice Guidance indicates that this should include the rental levels and marketing arrangements. The 15 year period recognises that this type of development is financed by investors who are looking for a longer term return. There is also a compensation provision if BtR units are sold, as required by the Planning Practice Guidance. These obligations are necessary in order that the units meet the specific need for which they have been proposed.
49. Schedule 2 includes provisions for the first occupying household of each unit to get a one-year pre-paid membership of either the Woking Town Centre Car Club or a similar town centre car club. The appeal site is in a highly accessible location but for some trips residents may wish to use a car. Whilst some car parking spaces are provided within the development, the obligations are required to provide an alternative choice to car ownership. This complies with policy CS18 in the CS relating to sustainable transport.
50. Schedule 3 provides for the payment of the SAMM contribution. The Council explained at the hearing that with indexation, the contribution would meet the requirements of the updated *Thames Basin Heath Avoidance Strategy*. Its justification has already been explained. Schedule 4 provides for a viability review. For the reasons I have given I do not consider that this is reasonable or necessary.
51. The planning obligations in Schedules 1, 2 and 3 are justified and meet the provisions of Regulation 122 of the CIL Regulations. The planning obligations in Schedule 4 do not meet the provisions of Regulation 122 of the CIL Regulations and have not been taken into account.

Planning conditions

52. A list of planning conditions was drawn up by the Council and Appellant and was discussed at the hearing. My consideration has taken account of paragraph 56 of the Framework and advice in the Planning Practice Guidance. In particular pre-commencement conditions should be avoided unless there is clear justification. The Appellant has confirmed acceptance in writing of those that have been imposed. I have changed the suggested wording in some cases to reflect the discussion at the hearing and also to ensure that the conditions are precise, focused and enforceable.
53. The standard implementation period has been applied and it is necessary to specify the approved plans for the avoidance of doubt and in the interests of proper planning. In order to ensure an attractive scheme that enhances its surroundings, conditions requiring further details of materials, hard and soft landscaping and features external to the building are necessary. In relation to the latter item the Appellant considered that 1:10 would be too large a scale for a development of this size. In this case I agree that a 1:50 scale would be adequate to show the required detailing. It seems to me that the landscaping details should be submitted and approved at an early stage in the development process to ensure a satisfactory and successful outcome. For the same reason, the landscaped areas, once provided, should be properly managed and maintained with planting replaced if it fails during a 5 year period of establishment.

54. In order to ensure the security of the proposed development and in the interests of amenity, a lighting strategy is necessary. As with landscaping and materials this is required at an early stage of the development process to ensure a satisfactory outcome. The footbridge between the appeal site and the Victoria Way car park is to be demolished as part of the appeal scheme. Even though the present lease requires reinstatement of the car park once the footbridge is removed, that situation could change. In order to ensure an acceptable appearance, the details of external changes following demolition are required.
55. The proposed community use would be a benefit of the scheme. To ensure timely provision, this facility should be delivered before the development is first occupied. A plan is also needed to demonstrate proper management in perpetuity. There are several conditions that are necessary in order to ensure a high-quality and secure environment. These include provisions for the delivery and retention of the internal amenity spaces; the creation of good noise environments within the buildings and external spaces; the storage and recycling of waste; and lighting, CCTV and control measures within the external areas and residential entrances.
56. The construction period would inevitably cause disruption and inconvenience to road users and those living nearby. A Demolition and Construction Method Statement is therefore necessary to mitigate adverse effects as far as possible. There are a number of conditions relating to access, car parking and cycle storage, provision of Car Club bays and a Travel Plan. These are necessary in the interests of highway safety and in order to encourage sustainable travel choices. The Framework seeks to achieve net gains in biodiversity and a condition is required to demonstrate how this would be achieved.
57. Tall buildings can have adverse effects on wind conditions, and these have been assessed in the Environmental Statement. In order to ensure the safety and comfort of those within and outside the site certain mitigation measures are necessary, including additional soft landscaping, walling and balustrades.
58. Conditions seek to protect the D1/D2 use, and the A Class uses. Permitted development rights should only be removed in exceptional circumstances. However, in this case the community use is a positive benefit of the scheme that reflects policy CS 19 in the CS and policy UA15 in the SA DPD. The uses of the commercial units on the Chertsey Road frontage are intended to enhance the vitality and viability of the historic part of the town centre. There is therefore the need to restrict the range of uses that would be operational in these parts of the development. Telecommunications equipment can be deleterious to the appearance of a building if erected on its roof for example. In this case control over such development is therefore justified.
59. In view of the relationship of the site to Heathrow Airport and the height of the proposed towers, conditions are necessary to ensure that there is no interference with radar in the interests of air traffic safety. I note that Fair Oaks Airport has objected to the scheme, but it has provided no evidence to demonstrate that the safe operations of that facility would be adversely affected by the proposed development.
60. There are a number of conditions seeking to achieve a sustainable built environment. There is no policy support for the suggested 19% uplift in the emission rate for new dwellings above the target rate set out in the Building

Regulations. In any event, since the condition was drafted there is a new version of the Building Regulations, which establishes a higher target rate. The maximum water use of 110 litres of water per person per day is an optional requirement of the Building Regulations and I consider it to be reasonable for this restriction to be imposed in order to protect water resources. A Combined Heat and Power Network is available, and I understand that the intention is to connect to it, subject to commercially acceptable charges. It is therefore appropriate to allow for the option of a suitable alternative. The requirement for at least a "very good" BREEAM rating is necessary to provide a reliable measure of the sustainability of the non-residential buildings. In order to ensure the site is drained properly it is necessary to require details of the sustainable drainage scheme and its maintenance and management to ensure effectiveness in perpetuity.

61. The appeal site is previously developed land that has supported various uses historically. An Environmental Desktop Study Report has already been submitted and it is unnecessary to require such information again. However, the sequence of requirements that follow, which puts forward a staged approach to risk assessment, remediation and verification is necessary to ensure that any contamination is properly dealt with.
62. It is noted that fire safety has not been addressed specifically. In order to ensure that future residential occupiers of the towers in particular would be safely protected from fire risk, a Fire Statement is necessary in accordance with the provisions of the Planning Policy Guidance.

Overall conclusions and planning balance

63. The appeal scheme is Environmental Impact Assessment development. I have taken account of the environmental information in my consideration and conclusions.
64. For the reasons I have given there would be less than substantial harm to the designated heritage assets of Christ Church and the Woking Town Centre Conservation Area. The Planning Practice Guidance indicates that the level of harm should be clearly articulated. In respect of each asset, I have concluded that it would be at the lower end of the scale. Nonetheless, Paragraph 199 of the Framework makes clear that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The exercise under paragraph 202 is therefore not an even balance and I have undertaken it accordingly. For the reasons I have given, the package of public benefits can be afforded very significant weight. In this case the harm to the significance of the designated heritage assets would be outweighed by the public benefits that I have identified.
65. I have referred to the undesignated heritage asset at the junction of Chobham Road and Chertsey Road. The scale of harm is relatively low and to my mind would similarly be outweighed by the public benefits flowing from the proposal.
66. The proposed development would integrate satisfactorily with its surroundings and result in no adverse effect on the character and appearance of the area. It would be in accordance with policies CS1, CS2, CS21 and CS24 in the CS. Whilst no affordable housing would be provided, it has been satisfactorily demonstrated that it would not be viable to do so. There would thus be no conflict with policy CS12 in the CS. The significant adverse effect on the

Thames Basin Heaths SPA would be adequately mitigated in accordance with policy CS8 in the CS and saved policy NRM6 in the South East Plan.

67. Policy CS20 indicates that new development should make a positive contribution to the character, distinctiveness and significance of the historic environment. The appeal scheme would result in some detriment to heritage assets for the reasons I have given and therefore would not comply with this policy.
68. Policy UA15 in the SA DPD envisages a mixed-use development, including provision of community, office, entertainment, leisure, retail and residential floorspace. The 67 residential units referred to are clearly a minimum and so the proposal does not seem to me to be an impediment in this way. However, the development would not include entertainment, leisure or office floorspace. The existing uses have now all closed down. Space has been re-provided for many, but not all of these uses, elsewhere in the wider town centre. However, I do not consider that the terms of policy UA15 would be fully met and there would therefore be conflict in this regard.
69. Drawing the above matters together, it seems to me that notwithstanding conflict with policies CS20 and UA15, the appeal scheme would be in accordance with the most relevant strategic policies in the development plan. In such circumstances I conclude that it would comply with the development plan when taken as a whole. In such circumstances, paragraph 11c) of the Framework is engaged and the presumption in favour of sustainable development is engaged. Planning permission should therefore be granted without delay.
70. If that conclusion were not to be accepted, there are material considerations of sufficient weight and importance to indicate that the decision should be made otherwise than in accordance with the development plan. It is appreciated that the proposal would conflict with the provisions of the draft Masterplan. However, for the reasons given previously this document can only be given limited weight at the present time. Conversely, there would be a very significant package of public benefits. In addition, there are other factors to which positive weight can be given in the planning balance, including the quality of the proposed development itself and the enhancement to the Chertsey Road frontage at the interface to the CA. Furthermore, policy CS20 in the SA DPD includes no reference to balancing harm with public benefits, which is inconsistent with paragraph 202 of the Framework. The conflict with that policy is thus a matter of limited weight.
71. I have considered all other matters raised but have found nothing to change my conclusion that the appeal should succeed.

Christina Downes

INSPECTOR

ANNEX 1: APPEARANCES

FOR THE APPELLANT:

Mr Reuben Taylor	Of King's Counsel, instructed by Mr T Brown, Solicitor at Trowers & Hamlin LLP
Mr T Tolcher	Carey Jones Chapman Tolcher
Mr O Jefferson MRTPI	Turley
Mr J Clemons IHBC MRTPI	Savills
Mr P Levine MRICS	DS2
Ms L Breckner MSc MRICS	Knight Frank
Mr J Williamson BSc(Hons)	Consil
Mr K Oke	Watkin Jones

FOR THE LOCAL PLANNING AUTHORITY:

Mr P Rainier	DMH Stallard, acting as consultant to the Council
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INTERESTED PERSONS:

Dr A Fraser	Local resident
Mr R Nuttall BEng CEng	Local resident

ANNEX 2: DOCUMENTS

- 1 Revised Statement of Common Ground (31 August 2022)
- 2 Appellant's appearances list
- 3 Written submission by Mr Nuttall
- 4 Suggested condition regarding fire safety
- 5 Appellant's written agreement to pre-commencement conditions

ANNEX 3: SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall not begin later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule of Plans in Annex 4.
- 3) No works other than below ground works, groundworks and the erection of the lift/stair core(s) and structural frame, shall take place until sample panels of the external materials have been prepared on site for inspection and approved in writing by the Local Planning Authority. The sample panels shall include the proposed material, bond, pointing technique and palette (including roofing, cladding and brickwork) to be used in the development. The development shall be constructed in accordance with the approved samples, which shall not be removed from the site until completion of the development.
- 4) Notwithstanding the details shown on the approved plans, no works other than below ground works, groundworks and the erection of the lift/stair core(s) and structural frame, shall take place until drawings at 1:50 scale

(including sections showing all external construction detailing) have been submitted to and approved in writing by the Local Planning Authority. The drawings shall include details of:

- The facade of the buildings including typical bay details
- Main entrances
- Balconies and terraces, including balustrades
- Roof and parapets including the detailed design of plant
- Windows and doors including service entrances
- Photovoltaic panels and flues
- Facade cleaning apparatus

The development shall be carried out in accordance with the approved details.

- 5) Notwithstanding the details shown on the approved plans, no above ground development shall commence (excluding demolition and site clearance) until a scheme for soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Details of the trees, shrubs and other planting to be undertaken in all external amenity areas, including those at and above ground level
- Details of tree pits including underground structured cell rooting systems.
- A timetable for implementation

The landscaping scheme shall be carried out in accordance with the approved details and timetable.

- 6) Any trees, shrubs or other planting which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

- 7) Notwithstanding the details shown on the approved plans, no above ground development shall take place (excluding demolition) until a hard landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Details of materials to be used in areas of hard surfacing
- Details of proposed finished levels
- Details of means of enclosure, balustrades, screens and other minor structures
- Public art and street furniture

The development shall be carried out in accordance with the approved hard landscaping scheme prior to the first occupation or use of any part of the development hereby permitted.

- 8) Before the development is first occupied or brought into use a Landscape Management and Maintenance Plan for the approved landscaped areas

shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management and Maintenance Plan shall be carried out as approved and the amenity areas shall be retained for their designated purpose for the lifetime of the development.

- 9) No above ground development shall take place (excluding demolition and ground clearance) until a lighting strategy for the external areas, including the new pedestrian link to Chertsey Road, has been submitted to and approved in writing by the Local Planning Authority. The approved lighting strategy shall be carried out before the first occupation or use of any part of the development and shall thereafter be permanently retained in accordance with the approved details.
- 10) Details of the external changes to the Victoria Way Car Park following the demolition of the footbridge shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out before the development is first occupied or brought into use.
- 11) Before the development is first occupied or brought into use the D1/D2 unit shall be constructed at least to 'shell and core' level on site in accordance with the approved plans. Thereafter this unit shall be retained for its designated purpose.
- 12) A detailed Management Plan for the D1/D2 unit and its associated external amenity area shall be submitted to and approved in writing by the local planning authority before it is first occupied. The Management Plan shall be carried out as approved and continue to operate for the duration of the D1/D2 use.
- 13) Before any residential unit is first occupied the internal amenity areas identified on the approved plans shall be made available and shall thereafter be retained for their designated purpose.
- 14) No development shall take place, including any works of demolition or ground clearance, until a Demolition and Construction Method Statement (DCMS) has been submitted to, and approved in writing by the local planning authority. The DCMS shall provide for:
 - The parking of vehicles of site operatives and visitors
 - The loading and unloading of plant and materials
 - The storage of plant and materials
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - A programme of works, including measures for traffic management
 - On-site turning facilities for construction vehicles
 - A dust management plan
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
 - delivery, demolition and construction working hours
 - Measures to control noise affecting nearby residents. This should be in accordance with BS5228:2014 *Code of practice for noise and vibration control on construction and open sites*, with particular regard to the

noisiest activities such as piling, earthmoving, concreting, vibrational rollers and concrete breaking

- Site contact details.

The approved DCMS shall be adhered to throughout the demolition and construction period for the development.

- 15) Before the development is first occupied or brought into use the modified vehicular access and new loading bay onto Church Street East shall be constructed and made available for use in accordance with the approved plans. These shall be retained for their designated purpose and the visibility splays shall be kept permanently clear of any obstruction over 0.6m high.
- 16) Details of the provision for two Car Club bays shall be submitted to and approved in writing by the Local Planning Authority. The bays shall be provided in accordance with the agreed details before the development is first occupied or brought into use and shall be retained for their designated purpose thereafter.
- 17) Before the development is first occupied or brought into use space shall be laid out within the site in accordance with the approved plans to enable vehicles to be parked and turn so that they may enter and leave the site in a forward gear. Thereafter the parking and turning areas shall be retained for their designated purpose.
- 18) Before the development is first occupied or brought into use the cycle storage facilities shall be provided in accordance with the approved plans and thereafter shall be retained for their designated purpose.
- 19) Before the development is first occupied or brought into use a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of an Information Pack to be provided to residents which details the availability and whereabouts of local public transport, sustainable transport links and the Car Club. The development shall thereafter be carried out in accordance with the approved details.
- 20) Before the development is first occupied or brought into use, details of the provisions for waste and recycling storage and a strategy for its management shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter.
- 21) Within 3 months of any above ground works (excluding demolition and ground clearance) in connection with the development hereby permitted, details of the measures for the enhancement of biodiversity on the site, a timetable for provision and a plan for future management, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained in accordance with the approved measures.
- 22) The development hereby permitted shall be carried out in accordance with the details in the Noise Impact Assessment (October 2019), including the proposed mitigation measures.
- 23) No external fixed plant or equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall

be installed on the site until details, including acoustic specifications, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

- 24) Before the development is first occupied or brought into use, the following details on or around the building and within the adjoining public realm, shall be submitted to and approved in writing by the Local Planning Authority:

- CCTV
- General external lighting
- Security lighting
- Access control measures for residential core entrances

The details shall include the location and specification of all lamps, light levels/spill, illumination, cameras (including view paths) and support structures including type, materials and manufacturer's specifications.

The details shall include an assessment of the impact of any such lighting on the surrounding residential environment and the environment of Woking Town Centre. Development shall be carried out in accordance with the approved details before the first occupation or use and shall be retained and maintained in accordance with the manufacturer's instructions for the lifetime of the development.

- 25) Before the development is first occupied or brought into use, the wind mitigation measures set out in the Wind Microclimate Report in the Environmental Statement (7/11/2019) shall be carried out. The measures shall be permanently retained for the lifetime of the development.
- 26) Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) or Article 3, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting those Orders with or without modification) the use of the unit labelled 'Community Use D1/D2' at ground and first floor level on the approved plans shall be restricted solely to uses falling within Use Classes D1 (Non-Residential Institution) and/or D2 (Assembly and Leisure) of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 27) Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) or Article 3, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting those Orders with or without modification) the use of the commercial units at ground floor level identified as Unit 1, Unit 2 and Unit 3 on the approved plans shall be restricted solely to uses falling within Use Classes A1 (retail), A2 (financial and professional services or A3 (restaurants and cafes) of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 28) Notwithstanding the provisions of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any equivalent Order revoking and re-enacting that Order, the following development shall not be undertaken without prior specific express planning permission in writing from the Local Planning Authority:

- The installation of any structures or apparatus for purposes relating to telecommunications on any part the development hereby permitted, including any structures or development otherwise permitted under Part 16 Communications of the 2015 Order (or successor thereof).
- 29) No development shall take place, including any works of demolition, until either of the following has been submitted to and approved in writing by the Local Planning Authority
- Detailed plans for the proposed buildings, demonstrating that there would be no detrimental impact upon the operation of the Heathrow H10 SSR Radar, or
 - Details of a 'Radar Mitigation Scheme', including a timetable for its implementation during construction, to mitigate any detrimental impact upon the operation of the Heathrow H10 SSR Radar.

Where a 'Radar Mitigation Scheme' has been required, no construction over 5m above ground level shall take place on site, unless the 'Radar Mitigation Scheme' has been implemented in accordance with the agreed details.

Development shall be carried out in accordance with the approved details.

- 30) No development shall take place (excluding demolition and ground clearance), until a 'Crane Operation Plan' has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 31) Within three months of the commencement of any above ground works (excluding demolition and ground clearance), details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the residential units will be designed to ensure the consumption of wholesome water by the occupiers does not exceed 110 litres per person per day. Development shall be carried out in accordance with the approved details and the fixtures, fittings and appliances shall thereafter be retained to comply with this requirement.
- 32) Within three months of the commencement of any above ground works, (excluding demolition and ground clearance) details, including timescales, of the connection of the development hereby permitted to the local Combined Heat and Power network, or details of alternative on-site provision to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall include measures to ensure compliance with good practice for connecting new buildings to heat networks by reference to CIBSE Heat Networks Code of Practice for the UK and be implemented in accordance with the approved details prior to the first occupation or use.
- 33) The non-residential units of the development hereby permitted shall achieve a minimum post-construction BREEAM 2021 (version 6) (shell and core) rating of at least 'Very Good' (or such equivalent national measure of sustainable building which replaces that scheme). Within 3 months of the completion of the development a final Certificate confirming that the development has achieved a BREEAM rating of at least 'Very Good' (or such equivalent national measure of sustainable

building which replaces that scheme) shall be submitted to the Local Planning Authority.

- 34) Within three months of the commencement of any above ground works (excluding demolition and ground clearance) a surface water drainage scheme, including construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a detailed method statement for construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved surface water drainage scheme before the first occupation or use of the development hereby permitted.
- 35) Before the development is first occupied or brought into use, a plan for the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be carried out for the lifetime of the development and shall include:
- A timetable for implementation
 - Details of sustainable drainage features, connecting drainage structures and maintenance requirements for each aspect
 - 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
 - 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.
- 36) Prior to the commencement of the development hereby permitted (excluding demolition and site clearance) and any contaminated land site investigations on site and in follow-up to the Environmental Desktop Study Report in the Ground Investigation Report (November 2018), a contaminated land site investigation proposal shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). This proposal shall provide details of the extent and methodologies of sampling, analyses and proposed assessment criteria required to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model. Following approval, the Local Planning Authority shall be given a minimum of two weeks written prior notice of the commencement of site investigation works on site. The site investigation works shall then be undertaken in accordance with the approved details.
- 37) Prior to the commencement of the development hereby permitted (excluding demolition and site clearance) a contaminated land site investigation and risk assessment, undertaken in accordance with the approved site investigation proposal, that determines the extent and nature of contamination on site and 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 British Standard BS 10175, shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may

- specify). If applicable, ground gas risk assessments shall be completed in line with CIRIA C665 guidance.
- 38) Prior to the commencement of the development hereby permitted (excluding demolition and site clearance), a detailed Remediation Method Statement shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). The Remediation Method Statement shall 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 and shall detail the information to be included in a Validation Report. The Remediation Method Statement shall 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 shall be given a minimum of two weeks written prior notice of the commencement of the remediation works on site. The development shall be carried out in accordance with the approved details.
- 39) Prior to the first occupation of the development hereby permitted, a Remediation Validation Report for the site shall be submitted to and approved in writing by the Local Planning Authority. The report shall 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 at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems shall 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.
- 40) Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site, or within a localised part of the site, 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 shall 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 development.
- 41) Prior to the commencement of the development hereby permitted (excluding demolition and site clearance), a Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall include the particulars set out in the Planning Practice Guidance on Fire safety and high-rise residential buildings. The development shall be carried out in accordance with the approved Fire Statement.

ANNEX 4: SCHEDULE OF PLANS

Existing Plans:

A-E-E1-00 Rev.P01 (Existing Elevations) received by the LPA on 21/11/2019

A-P-00-00 Rev.P03 (Existing Ground Floor Plan) received by the LPA on 11/12/2019

A-P-01-00 Rev.P02 (Existing First Floor Plan) received by the LPA on 11/12/2019

A-P-02-00 Rev.P02 (Existing Second Floor Plan) received by the LPA on 11/12/2019

A-P-03-00 Rev.P03 (Existing Third Floor Plan) received by the LPA on 11/12/2019

A-P-04-00 Rev.P03 (Existing Fourth Floor Plan) received by the LPA on 11/12/2019

A-P-05-00 Rev.P03 (Existing Fifth Floor Plan) received by the LPA on 11/12/2019

Proposed Floor Plans:

A-P-01-20 Rev.P01 (Proposed Basement Plan) received by the LPA on 21/11/2019

A-P-00-20 Rev.P02 (Proposed Ground Floor Plan) received by the LPA on 02/03/2020

A-P-01-20 Rev.P03 (Proposed 1st Floor Plan) received by the LPA on 02/03/2020

A-P-03-20 Rev.P02 (Proposed 2nd -3rd Floor Plan) received by the LPA on 11/12/2019

A-P-04-20 Rev.P02 (Proposed 4th Floor Plan) received by the LPA on 11/12/2019

A-P-05-20 Rev.P02 (Proposed 5th -21st Floor Plan) received by the LPA on 11/12/2019

A-P-22-20 Rev.P02 (Proposed 22nd Floor Plan) received by the LPA on 11/12/2019

A-P-23-20 Rev.P02 (Proposed 23-24th Floor Plan) received by the LPA on 11/12/2019

A-P-25-20 Rev.P02 (Proposed 25th Floor Plan) received by the LPA on 11/12/2019

A-P-26-20 Rev.P02 (Proposed 26th -27th Floor Plan)

received by the LPA on 11/12/2019

A-P-BP-20 Rev.P01 (Proposed Roof Plan) received by the LPA on 21/11/2019

Proposed Elevations:

A-E-S1-20 Rev.P01 (Proposed South Elevation – Chertsey Road) received by the LPA on 21/11/2019

A-E-N1-20 Rev.P01 (Proposed North Elevation – Church Street East) received by the LPA on 21/11/2019

A-E-W1-20 Rev.P01 (Proposed West Elevation – Public Courtyard) received by the LPA on

21/11/2019

A-E-E1-20 Rev.P01 (Proposed North Elevation – Private Courtyard) received by the LPA on 21/11/2019

A-S-AA-20 Rev.P01 (Proposed Section AA) received by the LPA on 21/11/2019

A-S-BB-20 Rev.P01 (Proposed Section BB) received by the LPA on 21/11/2019

A-S-CC-20 Rev.P01 (Proposed Section CC – Public Courtyard) received by the LPA on 21/11/2019

A-E-E-00 Rev.P01 (1 Crown Square – East Elevation Party Wall) received by the LPA on 11/12/2019

A-E-E2-20 Rev. P01 (Proposed Courtyard Elevations) received by the LPA on 11/12/2019

Proposed Bay Elevations:

A-E-N1-21 Rev.P02 (Proposed North Bay Elevation – Church Street East) received by the LPA on 21/11/2019

A-E-S1-21 Rev.P02 (Proposed South Bay Elevation – Chertsey Road) received by the LPA on 10/03/2020

A-E-S2-21 Rev.P02 (Proposed South Bay Elevation – Chertsey Road) received by the LPA on 10/03/2020

A-E-S3-21 Rev.P01 (Proposed South Bay Elevation – Chertsey Road) received by the LPA on 21/11/2019