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Date: 24 April 2018

## **Notice of meeting**

### **Planning Committee**

**Date:** Wednesday, 2 May 2018

**Time:** **Call Over Meeting** - 6.45 pm

The Call Over meeting will deal with administrative matters for the Planning Committee meeting. Please see guidance note on reverse

**Committee meeting** – Immediately upon the conclusion of the Call Over Meeting

**Place:** Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

### **To the members of the Planning Committee**

Councillors:

R.A. Smith-Ainsley (Chairman)	J.R. Boughtflower	M.P.C. Francis
H.A. Thomson (Vice-Chairman)	S.J. Burkmar	N. Islam
C. Barnard	R. Chandler	A.T. Jones
R.O. Barratt	S.M. Doran	D. Patel
I.J. Beardsmore	Q.R. Edgington	R.W. Sider BEM

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

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## **Call Over Meeting**

### **Guidance Note**

The Council will organise a meeting immediately prior to the Planning Committee meeting (a "Call Over") which will deal with the following administrative matters for the Committee:

- Ward councillor speaking
- Public speakers
- Declarations of interests
- Late information
- Withdrawals
- Changes of condition
- any other procedural issues which in the opinion of the Chairman ought to be dealt with in advance of the meeting.

The Call-Over will be organised by Officers who will be present. Unless there are exceptional circumstances, the meeting will be held in the same room planned for the Committee. The Chairman of the Planning Committee will preside at the Call-Over. The Call-Over will take place in public and Officers will advise the public of the proceedings at the meeting. Public speaking at the Call-Over either in answer to the Chairman's questions or otherwise will be at the sole discretion of the Chairman and his ruling on all administrative matters for the Committee will be final.

Councillors should not seek to discuss the merits of a planning application or any other material aspect of an application during the Call-Over.

## **Planning Committee meeting**

### **Start times of agenda items**

It is impossible to predict the start and finish time of any particular item on the agenda. It may happen on occasion that the Chairman will use his discretion to re-arrange the running order of the agenda, depending on the level of public interest on an item or the amount of public speaking that may need to take place. This may mean that someone arranging to arrive later in order to only hear an item towards the middle or the end of the agenda, may miss that item altogether because it has been "brought forward" by the Chairman, or because the preceding items have been dealt with more speedily than anticipated. Therefore, if you are anxious to make certain that you hear any particular item being debated by the Planning Committee, it is recommended that you arrange to attend from the start of the meeting.

### **Background Papers**

For the purposes of the Local Government (Access to Information) Act 1985, the following documents are to be regarded as standard background papers in relation to all items:

- Letters of representation from third parties
- Consultation replies from outside bodies
- Letters or statements from or on behalf of the applicant

## **AGENDA**

**Page nos.**

- |    |   |           |
|----|---|-----------|
| 1. | <b>Apologies</b><br>To receive any apologies for non-attendance.  |           |
| 2. | <b>Minutes</b><br>To confirm the minutes of the meeting held on 4 April 2018 (copy attached).   | 5 - 10    |
| 3. | <b>Disclosures of Interest</b><br>To receive any disclosures of interest from councillors under the Councillors' Code of Conduct, or contact with applicants/objectors under the Planning Code.       |           |
| 4. | <b>Planning Applications and other Development Control matters</b><br>To consider and determine the planning applications and other development control matters detailed in the reports listed below. |           |
| a) | 17/01923/FUL - Charter Square, High Street, Staines-upon-Thames, TW18 4BY   | 11 - 64   |
| b) | 17/01938/FUL - 20 Bridge Street, Staines upon Thames, TW18 4TW  | 65 - 86   |
| c) | 18/00432/T56 - Vicarage Road, Sunbury upon Thames, TW16 7UB   | 87 - 92   |
| d) | 8/00138/FUL - Wardle Dental Surgery, 68 Church Road, Ashford, TW15 2TW  | 93 - 118  |
| e) | 18/00102/FUL - Land To The East of 355 London Road, Ashford.  | 119 - 128 |
| f) | 18/00308/SCC - Shepperton Quarry, Littleton Lane, Shepperton  | 129 - 142 |
| g) | 18/00304/SCC - Shepperton Quarry, Littleton Lane, Shepperton  |           |
| 5. | <b>Planning Appeals Report</b><br>To note details of the Planning appeals submitted and decisions received between 15 February 2018 and 19 April 2018.  | 143 - 152 |
| 6. | <b>Development Management Performance</b><br>To note the report of the Planning Development Manager.  | 153 - 156 |

**7. Urgent Items**

To consider any items which the Chairman considers as urgent.

**Minutes of the Planning Committee  
4 April 2018**

**Present:**

Councillor R.A. Smith-Ainsley (Chairman)  
Councillor H.A. Thomson (Vice-Chairman)

**Councillors:**

C. Barnard	S.M. Doran	D. Patel
R.O. Barratt	M.P.C. Francis	R.W. Sider BEM
I.J. Beardsmore	N. Islam	
R. Chandler	A.T. Jones	

**Apologies:** Apologies were received from Councillor J.R. Boughtflower, Councillor S.J. Burkmar and Councillor Q.R. Edgington

**84/18 Minutes**

The minutes of the meeting held on 7 March 2018 were approved as a correct record.

**85/18 Disclosures of Interest**

**a) Disclosures of interest under the Members' Code of Conduct**

There were none.

**b) Declarations of interest under the Council's Planning Code**

Councillors R.A. Smith Ainsley, C. Barnard, R.O. Barratt, S. Doran, M. Francis, A.T. Jones, D. Patel and R.W. Sider BEM reported that they had received correspondence in relation to application 17/01365/OUT Renshaw Industrial Estate, 28 Mill Mead, Staines-upon-Thames, but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors H.A Thomson and N. Islam had received correspondence in relation to applications 17/01365/OUT Renshaw Industrial Estate, 28 Mill Mead, Staines-upon-Thames, and 17/01890/FUL Ashford Depot, Poplar Road, Ashford but had maintained an impartial role, had not expressed any views and had kept an open mind.

**86/18      17/01365/OUT - Renshaw Industrial Estate, 28 Mill Mead, Staines-upon-Thames**

**Description:**

This application sought outline planning consent for the redevelopment of the Renshaw Industrial Estate for a multi-residential development of 275 units and 250 parking spaces and publicly accessible green space.

**Additional Information:**

The Planning Development Manager informed the Committee that amendments had been made to conditions 4 and 20 of the Officer's report:

**Condition 4 (page 35)**

4. The development authorised by this permission shall not commence until the Link Road, between Fairfield Avenue and Mill Mead, to the south of the site has been constructed to an adoptable standard, and/or dedicated as public highway, in accordance with the approved drawings for the Link Road.

Reason:-.In the interests of highway safety and the free flow of traffic on the High Street and London Road.

**Condition 20 (page 40)**

20. No construction, demolition, excavation or delivery traffic shall use the junction of the A308 London Road and Mill Mead, for access to or from the application site.

Reason:-.In the interests of highway safety and the free flow of traffic on the surrounding road network.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Anne Damerell spoke against the proposed development raising the following key points:

- There were some advantages to the proposal compared with other schemes in the town centre; the flats are bigger and provide more affordable housing
- Air pollution concerns
- Concerns over floor level of the buildings and disabled access

In accordance with the Council's procedure for speaking at meetings, Shaun Moore spoke for the proposed development raising the following key points:

- Town centre is not an ideal location for the existing industrial use
- The scheme has been presented to officers, members and local people
- Scheme includes land to improve the proposed link road
- Scale steps down to Waters Drive
- 25 affordable housing units will be provided
- Playground to be provided on site or a commuted sum to improve the nearby park off-site.

**Debate:**

During the debate the following key issues were raised:

- The principle of development is acceptable
- Air quality concerns
- Pleased some affordable housing is provided on site
- Inadequate affordable housing provided
- Disability access concerns
- Concern with height of buildings
- Inadequate amenity space
- Concern with review and implementation of parking restrictions in the area
- Will be less requirement for car parking in the future
- Query over distance between buildings
- Concern with children's play area in an area with lots of flats
- Play space should be provided on site and not a contribution given to improve off site existing provision
- Query over Mill Mead closure

**Decision:**

The Application was **approved** as per the Officer's recommendation subject to the amendments to the conditions referred to above and the prior completion of a S106 agreement to include the following amendment to clause 5 on page 33 of the Officer's report:

The provision of the open space, including the play space as shown on drawing no. 071-A-11-00 (Rev 01) 'Proposed Ground Floor Plan' is to be provided prior to the first occupation of the development. This will require an application by the developers for the stopping up of the existing highway in Mill Mead.

**87/18     17/01890/FUL - Ashford Depot, Poplar Road, Ashford**

**Description:**

This application sought the demolition of the existing original warehouse buildings and the redevelopment of the site for 36 dwellings with parking, landscaping and amenity space provision.

**Additional Information:**

The Planning Officer advised the Committee that the Lead Local Flood Authority had raised no objection subject to the following two conditions and one informative:

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details should include:

a) A design that satisfies the SuDS Hierarchy and that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.

- b) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- c) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40%) allowance for climate change storm events, during all stages of the development (Pre, Post and during). Should the results of infiltration testing prove unsatisfactory then a discharge rate of 2 litres/sec should be applied.
- d) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how they will be protected from blockage.
- e) Details of how the runoff (including any pollutants) from the development site will be managed during construction.
- f) Details of Management and Maintenance regimes and responsibilities for the drainage system.
- g) A plan showing exceedance flows and how property on and off site will be protected.

**Reason:** To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

**2)** Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Drainage System has been constructed as per the agreed scheme.

**Reason:** To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

### **Informative**

If the proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent.

### **Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Ray Smith spoke against the proposed development raising the following key points:

- He was speaking on behalf of the travelling people who live opposite the site
- Pleased to see the site is being developed for housing
- Pleased that following consultation by the developers, the access to the site had been moved from Poplar Road to Feltham Hill Road
- Concerned that the pedestrian entrance to the site in Poplar Road would encourage parking on Poplar Road whilst people visit the development. This would cause a major problem for the travellers as they need to be able to access/egress the site with their equipment, i.e., dodgems.



In accordance with the Council's procedure for speaking at meetings, Suzy Wilson spoke for the proposed development raising the following key points:

- Have liaised with officers, members and residents
- Will provide 36 quality homes including 33 one and two bedroom units
- Scheme is supported by local plan policies
- Will deliver housing to address housing needs
- Construction will commence later in 2018 and aims to be completed by 2020
- Scheme will meet building regulations
- Site has vacant building credit so therefore no affordable housing can be provided.
- Sufficient car parking has been provided on site.

**Debate:**

During the debate the following key issues were raised:

- Pleased to see that the access to the site had been moved from Poplar Road to Feltham Hill Road
- Query over the secured by design award
- Concern over Surrey County Council comments over possible parking in the future on Poplar Road causing problems for the travelling show community who live opposite. Yellow lines may be required.
- Concern over lack of social housing

**Decision:**

The Application was **approved** as per the Officer's recommendation subject to the prior completion of a S106 agreement.

It was also agreed that the Planning Development Manager should write to Surrey County Council Highways expressing the concerns of the Planning Committee, which were raised by the travelling show people, over possible on-street parking at Poplar Road opposite their site and that Surrey County Council should give consideration to providing a parking order in this area.

**88/18     17/01804/FUL - 16 Springfield Road, Ashford**

This application was withdrawn by the applicant on 3 April 2018 and therefore not considered by the Committee.

**89/18     15/00048/PLNCONS - 5 New Park Road, Ashford, TW15 1EG**

**Description**

This application sought enforcement action requiring the removal of an unauthorised caravan.

**Additional**

The Planning Development Manager informed the Committee that the recommendation of the report should be amended to read "The Council is

seeking enforcement action requiring the removal of an unauthorised caravan at 5 New Park Road, Ashford and the cessation of use of the land as a caravan site.”

“The time period for compliance is within 6 months of the enforcement action taking effect.”

During the debate the following key issues were raised:

- The caravan is no longer in temporary use

### **Decision**

That enforcement action be authorised. Such Notice to be complied with within 6 months of it taking effect.

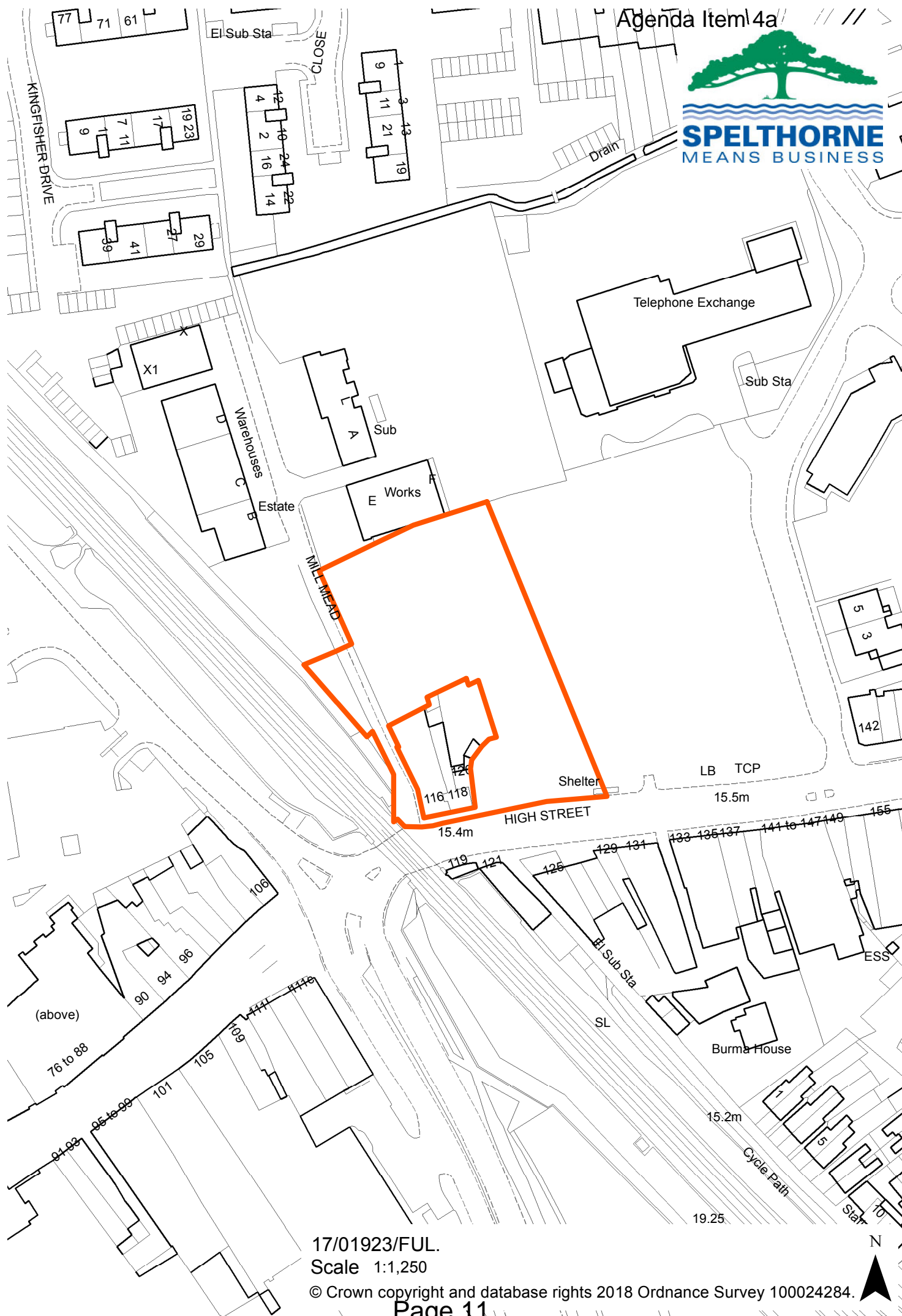
### **Reasons for Serving of Notice**

The existing caravan site has an unacceptable impact upon the character of the area, and detracts from the surrounding building pattern. The scheme introduces an incongruous feature within the surrounding area and provides opportunities for unacceptable overlooking and loss of privacy into a neighbouring garden. The scheme is therefore contrary to policy EN1 of the Core Strategy and Policies DPD 2009, and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.

### **90/18 Urgent Items**

The Chairman advised that a Members’ Seminar, aimed specifically for the Planning Committee, had been arranged on the subject of ‘Design Training’ on 30 April 2018 at 7.00pm in the Council Chamber. The focus for the seminar would be on design and high density.

The design training will be undertaken by Bob Allies of Allies Morrison, an architecture and urban planning practice.



# Planning Committee

2 May 2018



<b>Application No.</b>	17/01923/FUL
<b>Site Address</b>	Charter Square, High Street, Staines-upon-Thames, TW18 4BY
<b>Applicant</b>	London Square
<b>Proposal</b>	Redevelopment of the site to provide 104 new residential units with flexible commercial floor space (flexible A1, A2, A3 and B1 Class uses) at ground and first floor; the creation of pocket park and landscaped areas; with associated parking and highway works
<b>Ward</b>	Staines
<b>Called-in</b>	N/A

<b>Application Dates</b>	Valid:22.12.2017	Expiry: Extension of Time agreed.	Target: Under 13 weeks.
<b>Executive Summary</b>	<p>This planning application seeks planning consent for the redevelopment of Phase 1B of the Charter Square development for a multi-residential development of 104 units above commercial space on the ground floor and a separate 2 storey commercial building fronting London Road. The development would also provide 27 car parking space below grade in a basement level, 108 secure cycle spaces at grade and a pocket park with children's play space.</p> <p>It has been demonstrated that in this location there is no realistic prospect of new office development of the scale previously approved being brought forward. The principle of high density residential development is considered to be acceptable and it would represent an efficient use of land, close to the town centre, providing residential units in a sustainable location.</p> <p>The proposal would comply with the relevant policies of the Core Strategy and Policies Development Plan Document and would provide appropriate mitigation for the increased density and reduced parking provision.</p>		
<b>Recommended Decision</b>	<p>This planning application is recommended for approval, subject to the completion of a S106 agreement and the conditions as set out at Paragraph 11 of the Report.</p> <p>In the event that the S106 agreement is not completed to the satisfaction of the Local Planning Authority, and in the event that the applicant does</p>		

## MAIN REPORT

### 1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies Development Plan Document 2009 (CS&P DPD) are considered relevant to this proposal:

- SP1 - Location of Development
- LO1 - Flooding
- SP2 - Housing Provision
- HO1 - Providing for New Housing Development
- HO3 - Affordable Housing
- HO4 - Housing Size and Type
- HO5 - Housing Density)
- TC1 - Staines Town Centre.
- TC2 - Staines Town Centre Shopping Frontage.
- EM1 - Employment Development.
- CO2 - Provision of Infrastructure for New Development
- CO3 - Provision of Open Space for New Development
- SP6 - Maintaining and Improving the Environment
- EN1 - Design of New Development
- EN3 - Air Quality
- EN4 - Provision of Open Space and Sport and Recreation Facilities
- EN11 - Development and Noise
- EN15 - Development on Land Affected by Contamination)
- CC1 - Renewable Energy
- CC2 - Sustainable Travel
- CC3 - Parking Provision

1.2 Also relevant are the following Supplementary Planning Documents / Guidance:

- SPD on Design of Residential Extensions and New Residential development
- SPG on Parking Standards

1.3 The guidance set out in the National Planning Policy Framework (NPPF) is relevant to the consideration of this proposal.

### 2. Relevant Planning History

2.1 The site has been the subject of numerous planning applications,

09/00566/OUT	Outline planning application with all matters reserved except for means of access to the development comprising, or to provide up to, 39,750 sq m gross external area of built floorspace (in total) for: Class B1(a); Class C1; Class C3;	Allowed on appeal February 2011
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	Class D2; Class A1, A2, A3, A4, A5. Such development to include: Highways and public transport facilities; Pedestrian, cyclist and vehicular ways; vehicle parking; laying out open space; landscaping; ground works; drainage works; provision and/or upgrade of services and related media and apparatus; miscellaneous ancillary and associated engineering and other operations.	
15/00738/RVC	Variation of condition 5 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site to alter the form and height of the approved building envelope (S73 Application).	Grant Conditional 13.07.2015
15/00739/RVC	Variation of condition 6 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site to provide a greater amount of residential floor space up to 24,000 square metres (S73 Application).	Grant Conditional 13.07.2015
15/00753/RVC	Variation of condition 14 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site to provide a new access from the link road for car parking rather than the approved access from Mill Mead. (S73 Application).	Grant Conditional 13.07.2015
15/00754/RVC	Variation of condition 25 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site to provide retail and restaurant uses on the High Street frontage (S73 Application).	Grant Conditional 13.07.2015
15/00755/RVC	Removal of condition 18 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site relating to visibility splays required in connection with the approved access from Mill Mead (S73 Application).	Grant Conditional 13.07.2015
15/00756/RVC	Removal of condition 24 imposed on outline approval reference 09/00566/OUT allowed on appeal in 2011 for the redevelopment of the Majestic House site concerned with providing Public Art. (S73 Application).	Grant Conditional 13.07.2015

16/00179/RMA	Reserved Matters application (in respect of appearance, landscaping, layout and scale) pursuant to outline planning permission granted under 09/00566/OUT and as amended under 15/00738/RVC, 15/00739/RVC, 15/00753/RVC, 15/00754/RVC, 15/00755/RVC and 15/00756/RVC for the development of the site to provide up to 39,750sqm of floor space to comprise residential (Class C3), office (Class B1a), Class C1, Class D2, Class A1, Class A2, Class A3, Class A4 and Class A5 as well as the provision of a new link road and pedestrian routes, car and cycle parking, highways and transport facilities, public open space, landscaping and other associated works.	Grant Conditional 13.05.2016
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### **3. Description of Current Proposal**

- 3.1 The site is located to the north of the A308 London Road and comprises an area of 0.35 hectares (± 0.86 acres) currently used for construction staging and facilities.
- 3.2 The site comprises the western portion of the site formerly occupied by Majestic House and is bounded by the A308 London Road to the south, the railway to the west, Renshaw Industrial estate to the north and Charter Square Phase 1 A to the east.
- 3.3 Outline Planning Permission for up to 39,750 sqm of floorspace for Office, (B1(a)); Hotel (C1); Dwellings (C3); Leisure (D2); Retail (A1), Professional/Financial Services (A2), Restaurant (A3), Drinking Establishment (A4) and Hot food Takeaway (A5) was allowed on appeal in 2011 for the wider Charter Square site (formerly the Majestic House site).
- 3.4 A Reserved Matters application was subsequently submitted, by London Square in respect of Appearance, Landscaping, Layout and Scale and was approved on 7th June 2016.
- 3.5 The eastern portion of the site, Phase 1A, is under construction for the development of 260 new homes. The western half of the site, Phase 1B was formerly intended to be developed as a commercial office building to deliver 9,000 square metres of commercial office space. Following recent market testing, London Square has determined that there is insufficient demand for office accommodation in this location to make this portion of the redevelopment viable.
- 3.6 The proposal comprises 104 new residential units and 882 sqm of flexible commercial floorspace which would allow for a range of potential uses dependent upon market conditions at completion.

Use Class	Proposed Floorspace (sqm GIA)
Flexible (A1, A2,A3 & B1(a))	882
Residential (C3)	8,187
Basement Parking	145
Total	9,214

- 3.7 A new 13 storey (42.1m) residential building is proposed in addition to a two-storey commercial building fronting the High Street. The ground floor of the residential building to the rear of the site would comprise flexible commercial floorspace.
- 3.8 The scale of the proposed building would be broadly comparable with the approved building which comprised 8 storeys (39.7m) of office accommodation, although the building mass has been reduced to reflect the needs of the residential building with the typical floorplate being reduced by 300 square metres.
- 3.9 The entrance to the residential units would be provided through a designated residential entrance at ground floor located on the corner on Mill Mead and the new link Road. The entrance to the commercial floorspace below will be at ground floor level from within the public open space. The retail units within the front building will be accessed from the High Street.
- 3.10 The design of the commercial building fronting London Road would remain as previously approved. At 2 storeys in height and constructed of brick with large format glazed elevations to the public areas, it would step down in scale to London Road and the adjoining building to the west.
- 3.11 The residential element of the development will be provided with 27 car parking spaces within a basement car park, which will sit alongside the approved 218 spaces within Phase 1A, providing a total of 245 residential spaces on the site. The commercial office/retail element would be car free. It is anticipated that additional car parking space will be available within Phase 1A and therefore any additional demand for residential car parking will be accommodated within this car park. As such, the car parking level across the site will be provided at a level of 0.67 per dwelling.
- 3.12 Long stay cycle parking facilities will be provided, with 108 spaces provided for the residential accommodation within a designated cycle store at ground floor level. Cycle parking for the commercial element of the scheme will be provided in the form of Sheffield stands within the landscaped public space.
- 3.13 The proposals would rely on the Link Road to the north of the site which will be delivered as per the Reserved Matters Application approval for Phase 1A of the development. This will provide access to both Charter Square Phase 1A and 1B and the existing Renshaw Industrial Estate to the north. Further detail with respect to transport matters is contained within the accompanying Transport Statement.
- 3.14 As per the Reserved Matters approval the proposals include pedestrianising part of the Mill Mead Service Road. This will improve the public realm and create a high quality and safe pedestrian environment adjacent to the new proposed pocket park. Vehicular access will be redirected to the new link road



to the north. This builds on and improved upon the previously consented proposals.

#### 4. Consultations

4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
<b>County Highway Authority</b>	No Objection subject to conditions
<b>County Archaeological Officer</b>	No Objection
<b>Environment Agency</b>	No Objection
<b>Valuation Advisor</b>	No Objection
<b>CAA</b>	No response received Officer Note: The proposal does not exceed the 45m height Heathrow Safeguarding Zone.
<b>BAA</b>	No Objection
<b>Network Rail</b>	No response received
<b>Environmental Health (Contaminated land)</b>	No Objection subject to condition
<b>Environmental Health (Air Quality)</b>	No Objection subject to mitigation measures.
<b>Environmental Health (noise)</b>	No Objection
<b>Environment Services (Renewable Energy)</b>	No Objection
<b>Lead Local Flood Authority</b>	No Objection subject to conditions
<b>SCAN</b>	Objects – The development has not been designed to satisfy the principles of the Equalities Act. Few if any of the remaining units will be adaptable.
<b>Street Scene</b>	No Objection subject to condition
<b>Surrey Police</b>	No Objection
<b>Surrey Wildlife Trust</b>	No Objection subject to condition
<b>Thames Water</b>	No Objection subject to Informative
<b>Trees</b>	No Objection
<b>Staines Town Society</b>	Objects – the development is too high, the units small and awkward, there is a lack of affordable housing units, there is inadequate open space there is inadequate parking provision and the location is unsuitable for residential due to noise and pollution

#### 5. Public Consultation

5.1 Neighbouring properties were notified of the planning application, statutory site notices were displayed and the application was advertised in the local press.

5.2 However, the Local Planning Authority has received no comments regarding the proposal.

## **6. Planning Issues**

6.1 The following primary planning issues were considered in the review of this planning application:

- Principle
- Housing type, size and density
- Affordable Housing
- Access
- Parking
- Transportation Issues
- Scale, layout and impact
- Design and appearance
- Residential amenity
- Daylight and sunlight
- Waste and recycling
- Air Quality
- Archaeology
- Flooding
- Amenity Space
- Open Space
- Renewable energy
- Noise
- Contaminated land
- Local Finance Considerations

## **7. Planning Considerations**

### Need for Housing

- 7.1 When considering planning applications for housing local planning authorities should have regard to the government's requirement that they boost significantly the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent with policies set out in the National Planning Policy Framework (NPPF) para 47.
- 7.2 Relevant policies for the supply of housing cannot be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable site (para 49 of NPPF).
- 7.3 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). In September 2017, the government produced a consultation paper on planning for the right homes in the right places. The proposals included a standard method for calculating local authorities' housing need and proposed a figure of 590 per annum for Spelthorne. On the basis of its objectively assessed

housing need the Council is currently unable to demonstrate a five-year supply of deliverable sites.

- 7.4 However, the objectively assessed need figure does not represent a target as it is based on unconstrained need. Through the Local Plan review the Borough's housing supply will be assessed in light of the Borough's constraints which will be used to consider options for meeting need. Once completed, the Borough's up to date Strategic Land Availability Assessment will identify further opportunity sites for future housing development that can then be considered for allocation in the new Local Plan. This will also form the basis for a revised 5-year housing land supply figure.
- 7.5 Para 14 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay. When the development plan is absent, silent or relevant policies are out of date, permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole or specific policies in this Framework indicate development should be restricted.'* This application must be considered having regard to the above requirements of Para 14 of the NPPF.
- 7.6 Notwithstanding that the proposal falls short of addressing the assessed need for affordable housing, taking into account the above and the relevant adopted policies of the CS&P DPD, which encourage new housing development, it is considered that significant weight should be given to the use of this particular urban site for housing.

#### Principle of Development

- 7.7 Policy H01 encourages the redevelopment of poorly located employment land for housing and seeks to ensure the effective use of urban land through the application of Policy HO5 on density.
- 7.8 This is also reflected in the NPPF paragraph 58 which emphasises the importance of optimising the potential of sites to accommodate development and provides further relevant context at paragraph 23.
- 7.9 The site would benefit from access using the new Link Road required as part of the original Charter Square development and office development in this location, close to the town centre and alternative transport options could not reasonably be considered poorly located employment land.
- 7.10 However, the applicant has submitted an Office Market Report which indicates that whilst availability has increased 20% since 2016, the take up on new speculative floor space has been low, with only one transaction over 5,000 sq ft in 2017.
- 7.11 The report also identifies that since there is over 250,000 sq ft of Grade A office currently available, there is adequate space to address current and future demand at this time.

- 7.12 On the basis of the existing supply and the viability of the office development, the project is unlikely to be realised in the short to medium term. The principle of providing housing on the site as an alternative. Must therefore carry significant weight.
- 7.13 The site is not located in a high flood risk area or the Green Belt and therefore the principle of optimising the potential of the site would be in accordance with national policy.
- 7.14 It is therefore considered that the principle of the loss of the employment land and the provision of high density residential development on this site is acceptable provided all other policy requirements are met satisfactorily and would contribute towards the Borough's housing supply

#### Housing Type, Size and Density

- 7.15 Paragraph 50 of the NPPF states that in order to deliver a wide choice of high quality homes, Local Planning Authorities should plan for a mix of housing based on current and future trends and community needs.
- 7.16 Policy H04 and the Council's Supplementary Planning Document (SPD) on Housing Size and Type seeks 80% of dwellings, in developments of 4 or more units, to be 1 or 2 bed units in order to ensure the overall dwelling stock meets the Borough's identified demands.
- 7.17 The submitted layout provides for 14 x studio (13%), 42 x one bed (40%) and 48 x two bed units (47%). This housing mix would meet the requirements of the policy and assist in meeting the Borough's needs and is therefore considered acceptable.
- 7.18 The Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development (2011) sets out minimum floor space standards for new dwellings.
- 7.19 The Government has also published national minimum dwelling size standards in their "Technical Housing Standards – nationally described space standard" document (2015). These largely reflect the London Housing Design Guide on which the Spelthorne standards were also based and are arranged in a similar manner to those in the SPD.
- 7.20 All of the units shown on the submitted layout comply with the minimum standards contained in the Council's SPD and the National Technical Housing Standards and are therefore considered to be acceptable.
- 7.21 Policy HO5 of the CS&P DPD sets out general guidance on density although this must be interpreted in the context of the particular mix of dwellings proposed. The policy indicates a guide density range of 40 to 75 dwellings per hectare for this location, but acknowledges that higher densities may be acceptable where the design is appropriate and the location is accessible by non-car based modes.

- 7.22 The principle of a high density development is consistent with the Government's core planning principles are set out in paragraph 17 of the NPPF. There are 12 core planning principles, which the NPPF states should underpin both plan making and decision-making. One of these principles is:
- "Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value"*
- 7.23 In addition in February 2017, the Government issued a white paper, 'Fixing Our Broken Housing market.' This set out a number of measures intended to boost housing supply and in the long term create a more efficient housing market. One of the ways indicated to achieve this is by making better use of land for housing by encouraging higher densities where appropriate. The aim of the white paper is to optimise the proposed density of development.
- 7.24 The Draft Revised NPPF (March 2018) supports the White Paper stating that planning policies and decisions should support development that makes efficient use of land taking into account:
- the identified need for housing and the availability of land suitable for accommodating it;
  - local market conditions and viability;
  - the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
  - the desirability of maintaining an area's prevailing character, or of promoting regeneration and change; and
  - the importance of securing well-designed, attractive places.
- 7.25 This scheme proposes a density of 297 units per hectare, and being an apartment development where higher numerical densities can be achieved and in a sustainable location, adjacent to the Staines Town Centre and public transport options, it is considered to be an appropriate density.

#### Affordable Housing

- 7.26 Policy HO3 of the CS & P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. The Council seeks to maximise the contribution to affordable housing provision from each site having regard to the individual circumstances and viability with negotiation conducted on an 'open book' basis.
- 7.27 The policy also states that the provision within any one scheme may include social rented and intermediate units, subject to the proportion of intermediate units not exceeding 35% of the total affordable housing component.

- 7.28 The applicant has proposed 22 affordable housing units, based on their Viability Report which represent an affordable housing provision of 21%. Both the Viability Report and the applicant's Planning Statement indicate that the 22 units of affordable housing would be split as one x studio, nine x 1 bed units and twelve x 2 bed units. However, these would all be provided as shared ownership units.
- 7.29 This is lower than the 50% sought through the Council's policy and the tenure does not meet the requirement of Policy H03. However, the applicant's Viability Report was independently reviewed by the Council's Financial Advisor, who considered that the proposal cannot provide additional affordable housing units, above the 22 intermediate units offered without affecting the viability of the development.
- 7.30 On balance, it is considered that the level of provision of affordable housing meets the criteria set by Central Government and the tenure does meet an identified need within the Borough. The provision is therefore considered to be acceptable.

#### Access and the Link Road

- 7.31 The applicant's Transport Assessment was submitted based on vehicular access to the building being taken from the new Link Road to be constructed as part of the original Charter Square development. An internal ramp would provide access to a single level underground carpark, whilst a separate cycle parking area would be accessed from grade level.
- 7.32 Pedestrian access to the residential development would be from a lobby on Mill Mead, with access to the ground floor commercial unit within the building from both Mill Mead and from the public space within the development adjacent to Phase 1A. Access to the commercial unit fronting the London Road would be from the public space within the development.
- 7.33 The existing vehicular access at Mill Mead, adjacent to the Iron Bridge (railway bridge), is considered to be unsatisfactory, for reasons including insufficient visibility, road width, junction proximity and the impact of queueing characteristics on the wider road network. No additional traffic would be supported using this access. Mill Mead was to be closed as part of the original Charter Square application.
- 7.34 The requirements of the legal agreement associated with planning approval 09/00567/OUT require the Link Road to be practically complete at the first of three specified criteria. Since the application site includes the western part of the Link Road, a new legal agreement would be required to provide an appropriate trigger in respect of this revised development

#### Parking

- 7.35 Under the requirements of the Council's Parking Standards SPD (2011) the proposed development would require 137 parking spaces based on the following standards:

Unit Type	General Needs Housing	Affordable Housing
1 bed unit	1.25	1
2 bed unit	1.5	1.25

- 7.36 The proposal would provide 27 parking spaces in a single underground level which represents 0.25 spaces per unit this development (Phase 1B), and 0.67 spaces per unit if averaged over the whole of the Charter Square development (Phase 1A and 1B).
- 7.37 Since the building is separate and distinct from the Phase 1A building, sharing no services, facilities or physical connection, it needs to be considered in isolation since it could form a separate parcel in the future.
- 7.38 The Transport Statement acknowledges that the current proposal represents a significant reduction in parking provision over the office development. The previous office development provided 155 spaces across 4 basement levels as agreed at the outline stage, but exceeding the level in the Council's Supplementary Planning Guidance, Parking Standards 2011.
- 7.39 However, the Transport Statement justifies the reduced parking provision through the 2011 Census data that indicates that 35% of Central Staines residents are car free and by distributing the spaces across the two buildings to provide the average of 0.67 spaces per unit.
- 7.40 Although the submission indicates that the applicant would be willing to enter into a legal agreement to prevent residents from being eligible for public parking permits, such an obligation would not concern the land in which the developer has an interest and which is the subject of the planning application and would not therefore be a planning obligation within the scope of a s106 legal agreement.
- 7.41 The County Highway Authority has reviewed the application details and has raised no objection to the reduced parking provision and considers that the proposed mitigation measures indicated would support the aims of the NPPF which seeks to promote and maximise the use of sustainable transport modes.
- 7.42 These measures include the submission of a Travel Plan detailing methods of reducing of future occupier's reliance on the private car, including the provision of a car club for a minimum of 2 years and the provision of a financial contribution towards the enhancement of the public realm on Station Path to encourage walking to bus stops and the railway station.
- 7.43 The reduced parking levels on Phase 1 B are considered appropriate given the mitigation measures indicated and the desire to reduce traffic movements on the surrounding network. Improving the pedestrian network to access the rail station, together with the County's wider proposals for the London Road to improve both pedestrian and cycle access would provide viable alternatives to the private car.

#### Transportation Issues

- 7.44 The site is within 500 metres of the Staines Railway Station which offers a half hourly service to London. There are also bus stops within close proximity of the site offering services eastbound towards Ashford and Stanwell, and westbound towards Chertsey and Egham. In addition the bus station is within 500 metres. There are also both pedestrian and cycle routes within close proximity of the site, providing access to a range of facilities, services and locations.
- 7.45 The Transport Assessment examines the existing travel characteristics and local highway network, transport policy considerations and traffic generation from the development. The change from office to residential shows a reduction in trips generated by the development.
- 7.46 The NPPF promotes sustainable transport choices and to reduce the need to travel, especially by car. The draft revised NPPF reaffirms the need to promote sustainable transport and para. 109 states: *“development should only be prevented or refused on highways grounds if the residual cumulative impacts on the road network or road safety would be severe”*.
- 7.47 The applicants have submitted a Transport Assessment for the proposal and a Travel Plan Framework which have both been reviewed by the County Highway Authority.
- 7.48 The site is considered to be a sustainable location, close to both services and alternative transport options. The reduction in office space and on-site parking spaces would represent a reduction in the traffic movements generated from the site. The County Highway Authority is satisfied that the provisions outlined in the Travel Plan Framework.

#### Scale/Layout and Impact on Surroundings

- 7.49 The scale of the proposed residential development should be considered in relation to the approved commercial scheme and the surrounding approved residential developments.
- 7.50 The application proposal seeks to construct a 13 storeys (42.1m) residential tower, whilst the extant office development comprises 8 storeys (39.7m). This would result in an increase in height of 2.4 metres. However, the bulk and massing would be reduced as the residential floor plate is reduced from that of the office.
- 7.51 The highest part of the block would be located at the north-west corner with elements stepping down to the east (9 storeys) and south (6 storeys).
- 7.52 The provision of 104 units would result in a density of 297 units per hectare, which is significantly higher than that identified in policy HO5, which states that within Staines town centre development should generally be at or above 75 units per hectare, but does reflect higher density development in a sustainable location in accordance with the Government’s White Paper ‘Fixing our Broken Housing market’ and would provide a significant contribution towards the Borough’s housing supply.



- 7.53 This density would also reflect the guidance contained in the draft NPPF which states at paragraph 122 that planning decisions should support development that makes efficient use of land and at paragraph 123 that where there is an anticipated shortage of land for meeting an identified need decisions avoid homes being built at low densities.
- 7.54 It is considered that with the articulated floor plate and stepped elements, the impact on the surrounding development would be acceptable. The proposal, in terms of scale and massing would have an acceptable impact on the surrounding townscape in this part of Staines and would more generally reflect the scale of development currently emerging in the built up commercial areas of modern town centres.

#### Design and Appearance

- 7.55 Policy EN1 of the CS&P DPD states that the Council will require a high standard of design and layout of new development. Proposals should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land. Also of relevance is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011.
- 7.56 The applicant has sought to reflect the design of Phase 1A, but to create a separate identity for the new building. The visual bulk of the new development has been broken up using a stepped building form and a variation of materials which complement the colour palette of Phase 1A.
- 7.57 The materials are intended to accentuate the contrast between the tall, slender off-white corner element and the lower more horizontal elements of the building. The dark brick proposed on for the base of the building, not only links back to Phase 1A, but reinforces the idea of a strong and solid foundation.
- 7.58 Variation in the style and type of balconies help to break up the facades and add articulation, whilst a variation in window openings helps to define the elements of the building.
- 7.59 The creation of the green wall on the south facing elevation not only provides privacy to the properties to the south, but breaks up the façade further and draws the landscape into the site.
- 7.60 Particular consideration was given to the residential access on Mill Mead to ensure that it would be visually defined, with a metallic glazed brick being used to define the entrance.
- 7.61 In addition the colonnade along Mill Mead has been increased in depth to provide a more convenient, usable pedestrian route to the residential entrance.

- 7.62 It is considered that the design and appearance of the development would be appropriate in its context and make a positive contribution to the street scene in accordance with both the policy and the SPD

#### Residential Amenity

- 7.63 The nearest residential properties would be in the Phase 1A part of the Charter Square development to the east. At their closest point, the buildings would be a minimum of approximately 15m away from each other which is considered appropriate since this would represent the edge of the second floor amenity space to the closest point of Phase 1A. The closest window to window distance would be over 20metres on an oblique view.
- 7.64 The proposed development would be approximately 15.5m at its closest point to Building A of the Outline Approval for the Renshaw Industrial Estate residential development and 25m where the residential units would front each other. It would be approximately 8.5m from Building B at the north western point, although the closest residential unit would be some 16.5m away.
- 7.65 The planning system seeks to protect adjacent properties from over dominant development or inappropriate levels of enclosure. The Council's SPD 'Design of Residential Extensions and New Residential Development' provides for building distances that seek to avoid overlooking and loss of privacy. These distances do not relate to buildings taller than 3 storey development, but the immediate context of the proposal is higher density, multi residential development and the distances are considered appropriate in this particular instance.
- 7.66 Although at the inner corner of the 'L' the distances between units within the proposed development are below the guidance, given the site's location close to the town centre where suburban standards must be more flexible to optimise development, and given the orientation of buildings and type of units which mitigate any potential overlooking, it is considered that the impact on residential amenity is acceptable. The distances between the proposed development, the Renshaw Industrial Estate residential proposal and Phase 1A of the Charter Square development are considered appropriate for modern multi-residential units.

#### Daylight and Sunlight Assessment

- 7.67 The applicant has undertaken a daylight and sunlight assessment and compared this to the effects arising from the consented scheme. This assessment confirms that based on the scale and massing proposed, there is no significant adverse impact on the surrounding properties.
- 7.68 An assessment was also undertaken in relation the approved Phase 1A units that face towards the proposed Phase 1B massing. The results showed that internal daylight and sunlight levels within the rooms would experience either no alteration or improved levels of both daylight and sunlight, when compared to the consented scheme.

- 7.69 The Building Research Establishment good practice guide 'Site Layout Planning for Daylight and Sunlight' states that for large residential developments:

*'The aim should be to minimise the number of dwellings whose living rooms face solely north, northwest or north east.'*

It also states:

*'Sunlight in the spaces between buildings has an important impact on the overall appearance and ambiance of a development.'*

- 7.70 The proposed layout provides for an 'L' shaped building with primarily single aspect units. As a result of the siting and efficient internal layout, between the ground and eighth floors there are apartments whose primary windows would face north and therefore would have restricted access to sunlight.
- 7.71 Notwithstanding the constraints created by the proposed development, it is a high density proposal close to the town centre and it is considered that, on balance, the benefits of the proposal in this particular location outweigh the restricted sunlight created by the design of the central space.
- 7.72 In terms of daylight and sunlight the layout it is considered to be comparable to other similar schemes in the vicinity and would provide a satisfactory level of amenity to occupiers and users of the open spaces in accordance with the flexible approach instated in paragraph 123(c) of the draft NPPF.

#### Waste and recycling

- 7.73 The applicant's Design and Access Statement shows the location of the proposed bin store and indicates that the provision conforms to Spelthorne's Guidance.
- 7.74 The Group Head of Neighbourhood Services raised concern regarding the operational aspects of the collection of waste, indicating that a layby or pull-in may assist. However, this would restrict pedestrian access along the Link Road which only has a footpath on one side and is therefore considered to be inappropriate.
- 7.75 The space within the refuse area has been designed to allow for the manoeuvring of both the full and empty containers to allow for the efficient collection.
- 7.76 Street Scene has raised no objection subject to a condition requiring the approved area to be provided and maintained for the purpose.

#### Air Quality Assessment

- 7.77 The applicant's Air Quality Assessment states that a qualitative assessment on the construction phase has been carried out and the risk ranges from low to medium. Following the implementation of appropriate mitigation measures

indicated, the impact of emissions during construction would not be significant.

- 7.78 The suggested mitigation measures include the development of a Dust Management Plan, which is recommended as a condition.
- 7.79 Post construction, the applicant's Air Quality Assessment states that the impacts would be negligible and residual effects not significant. The assessment predicts that future occupants will not be exposed to pollutant concentrations above objectives.
- 7.80 The Council's Pollution Control Officer indicates that whilst the air quality impacts from the Phase 1B development would not be classed as negligible, the change of use from office to residential would result in a reduction in peak traffic movements and the applicant has proposed a number of mitigation measures.

#### Archaeology

- 7.81 The County Archaeologist was consulted and states that, with the exception of the small triangular piece of land to the west of the site, proposed for the pocket park and play space, the site has been fully investigated under the condition attached to the Outline Approval (09/00566/OUT).
- 7.82 Taking into account the small size of the investigated parcel and the degree of likely disturbance in this location the County archaeologist is satisfied that there is no requirement for any further archaeological work.

#### Flooding

- 7.83 The site is located in flood zone 2 which represents land having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% - 0.1%).
- 7.84 The applicant's Flood Risk Assessment (FRA) states that although the site is located in the medium flood risk area appropriate mitigation would reduce the risk of flooding. The proposed mitigation includes providing a finished floor level constructed at 16.10m AOD.
- 7.85 In line with the reserved matters application (Phase 1A), flood compensation would be provided by flooding the semi basement provided in the east portion of the site (Phase 1A) combined with the external attenuation tank provided To which Phase 1B would be connected, before discharging to the surrounding sewer system.
- 7.86 The surface water strategy and run-off rates would not be altered as part of the new submission.
- 7.87 The FRA assessed other flood risks as low and concluded the overall flood risk to be low on this site. The Environment Agency, Thames Water and the Lead Flood Authority were consulted on the proposal and raised no objection to the proposal, subject to conditions.

### Amenity Space

- 7.88 The Council's SPD, Design of Residential Extension and New Residential Development (2011) provides general guidance on minimum garden sizes (Paragraph 4.20). In the case of flats it requires 35 square metres per unit for the first 5 units, 10 square metres for the next 5 units, and 5 square metres per unit thereafter. On this basis 695 square metres would be required for the 104 flats.
- 7.89 The application indicates that it would provide a private balcony for each unit, with a minimum size of 5 square metres, and communal amenity space totalling 551 square metres on terraces on the 1<sup>st</sup> and 9<sup>th</sup> floors. Additional open space would be provided between the buildings of Phase 1A and Phase 1B, forming a landscaped courtyard. The amenity space required would therefore be exceeded.
- 7.90 In the case of higher density town centre residential development and mixed use schemes paragraphs 4.46 – 4.47 of the SPD states:
- “Such schemes will usually involve high density flatted development... The opportunities for on-site open space provision will be limited, particularly where ground floor non-residential uses and access/delivery areas occupy most of the site area. Family accommodation is therefore unlikely to be appropriate. Some amenity space can be provided in the form of large balconies as well as at roof level, subject to design and safety considerations.”*
- 7.91 The proposal does demonstrate that sufficient residential amenity space would be provided in the proposed layout.

### Open Space

- 7.92 Policy SP5 of the CS&P DPD indicates that new developments that individually or cumulatively add to the requirements for infrastructure and services will be expected to contribute to the provision of necessary improvements.
- 7.93 Policy CO3 requires that new housing development of 30 or more family dwellings (defined as any housing with two or more bedrooms) provide a minimum of 0.1ha of open space for a children's play area.
- 7.94 The proposal indicates 48 units of two beds which would create a requirement 0.16 ha to provide a children's play area. In this specific location, with the proposed multi-residential type of development, such a provision would be unrealistic and unviable.
- 7.95 A pocket park of approximately 137 square metres on a triangular piece of land on the west side of Mill Mead is proposed to incorporate a high quality children's play space. This would link into the pedestrian courtyard and adjacent plaza

- 7.96 The play space would be overlooked by the adjoining units and the commercial unit, thereby provide surveillance and creating a safe environment.
- 7.97 The proposal provides for the on-site provision of play space and is close to the Moormede play area and Staines Moor. On balance, it is considered that the proposal provides an adequate level of open space.

#### Renewable Energy

- 7.98 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 square metres to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.99 The applicant has submitted an Energy Strategy and Sustainability Statement, which proposes various active measures for the building. The report concludes that the proposed development can reduce carbon emissions by 13% through the inclusion of active and passive energy efficiency measures and the connection to the combined heat and power plant.
- 7.100 The Council's Sustainability Officer has been consulted and raises no objection.

#### Noise

- 7.101 Policy EN11 of the CS&P DPD states that the Council will seek to minimise the adverse impact of noise by:
- a) requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level; and
  - b) requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels.
- 7.102 The applicant submitted a Technical Noise Assessment which concluded that based on the submitted development layout and the measured noise and vibration levels the site is suitable for residential development. It also noted that subject to identified mitigation measures, appropriate internal noise levels can be achieved within habitable rooms.
- 7.103 The Groundborne Vibration Assessment identified that vibration levels from the rail movements are predicted to have no significant adverse impact on the proposed residential properties.
- 7.104 The Council's Environmental Health section reviewed the technical noise assessment and has raised no objection on grounds of noise or vibration.

### Contaminated Land

- 7.105 The applicant submitted Phase 1 & 2 Contamination Assessments in connection with the approved planning permission 09/00566/OUT to ascertain the level of contamination of the existing ground conditions and proposed remediation measures. This is particularly important as the proposal introduces new residential development onto the site and reflects the Council's standard precautionary approach to contamination risk.
- 7.106 The Phase 1 assessment identified several sources of contamination that require further assessment. The Phase 2 assessment provided recommendations and mitigation measures based on site exploratory investigation.
- 7.107 The Council's Pollution Control Officer and the Environment Agency have raised no objection but requested a conditions be imposed requiring remediation measures to undertaken as set out in the Remediation Strategy and Verification Plan (Dec 2017).

### Local finance Considerations

- 7.108 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are required to ensure that financial benefit information is publicly reported through the Committee process. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not
- 7.109 In consideration of S155 of the Housing and Planning Act 2016, the proposal would result in the following financial contributions:
- £10,000 to be used as a contribution towards the review of parking restrictions in the area.
  - £4,600 to be used to review the Travel Plan submitted as part of the justification for reducing the parking provision on the site and promoting alternative modes of transport.
  - £46,440 to be used to upgrade the pedestrian route to the railway station.
  - The Community Infrastructure Levy for Zone 2 (£140) will be payable on this site.

These are considered to be a material considerations in the determination of this planning application. The proposal will also generate a New Homes Bonus Business Rates and Council Tax payments which are not material considerations in the determination of this proposal.

## **8. Recommendation**

- (A) GRANT** subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 22 affordable housing units on site built in accordance with the core standards set out in the Homes England Design and quality standards (April 2007), and:
  - Prior to occupation of the affordable housing units the Registered Provider shall enter into a Nominations Agreement in respect of the affordable housing (in order that the affordable housing meets local needs).
  - Prior to the transfer of 50% of the residential units (not being the affordable units) to build and complete the affordable units and transfer these to a Registered Provider.
2. To provide a Travel Plan to include, but not restricted to, the following:
  - A financial contribution of £4,600 towards the cost of auditing the Travel Plan
  - Provision of one car club vehicle for a minimum of two years, with all costs associated with the provision of the vehicle including provision of parking space and pump priming being met by the developer. When the first car is used by residents of the development for more than 75% of the time averaged over one month then a second car shall be provided with all costs associated with the provision of the second vehicle including provision of parking space being met by the developer. If either the first or second vehicle is removed then the money that would have been invested into either vehicle should be reinvested into the travel plan in order to provide non single motorised vehicle modes of transport.
  - Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
  - Provision of one year free membership of the car club for the first occupants of each of the proposed residential units
  - Provision of one £50 sustainable travel voucher per household (equates to £5,200 for the 104 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £5200 is not spent within one year towards purchasing a public transport ticket or towards purchasing a bicycle, it shall be reinvested into other non-private vehicle modes of transport use.
3. A financial contribution of £10,000 towards the review and implementation of parking restrictions in the area following the occupation of the buildings on the site.
4. A financial contribution of £46,440 towards the site specific highway improvements between the site and the Staines railway station which would mitigate the reduced parking levels and encourage modal alternatives to the private car.
5. To enter into a S38 Agreement with Surrey County Council (SCC) for the dedication as highway and adoption of part of the application site to form part of the Link Road including the funding of the reconstruction of the area in accordance with details submitted to an approved by SCC.
6. To enter into a S278 Agreement with Surrey County Council (SCC) for the upgrading and enhancement of the footpath along the London Road at the south of the site.
7. The stopping up of Mill Mead to vehicular traffic within the site boundaries and the repaving and/or resurfacing of Mill Mead in accordance with details to be agreed by Surrey County Council (SCC), including the funding of the road closure order for vehicular traffic. Pedestrian access to be retained and allow for convenient level access.
8. Provision of a piazza within the site, in accordance with details approved by the Council, and available to the public.



### **In the event that the Section 106 Agreement is not completed**

In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Planning Development Manager in consultation with the Chairman of the Planning Committee the following:

**REFUSE** the planning application for the following reasons:

1. The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009 and the principles set out in the National Planning Policy Framework.
2. The development fails to provide adequate measures to mitigate the level of reduced parking provision proposed and increased traffic movements on the A308 London Road, contrary to Policies SP7, CC2 and CC3 of the Core Strategy and Policies DPD 2009 and the principles set out in the National Planning Policy Framework.
3. The development fails to provide a satisfactory means of access to the development, contrary to the submitted application details, and will create an unnecessary highway danger to vehicles and pedestrians using the surrounding highway network. The proposal is thereby contrary to policy CC2 of the Core Strategy and Policies DPD 2009 and the principles of the National Planning Policy Framework.

**(B)** In the event that the Section 106 agreement is completed to the satisfaction of the Local Planning Authority; **GRANT** subject to the following conditions: -

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings: A2773-208 R6, A2773-209 R5 , A2773-210 R7, A2773-211 R9, A2773-212 R7, A2773-213 R7, A2773-214 R7, A2773-215 R7, A2773-216 R7, A2773-217 R10, A2773-218 R8, A2773-219 R8, A2773-220 R11, A2773-221 R9, A2773-222 R9, A2773-223R9, A2773-224 R5, A2773-300 R4, A2773-301 R4, A2773-302 R4, A2773-303R4, A2773-400 R4, A2773-401 R4, A2773-402 R4 and A2773-403 R4.

Reason: - For the avoidance of doubt and in the interest of proper planning

3. The development hereby approved shall be carried out in accordance with the details contained in the Remediation Strategy and Verification Plan (Dec

2017) and prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

4. No development shall commence until a programme for the suppression of dust during the construction of the development [and demolition of existing buildings] has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of [demolition and] construction unless any variation has been approved by the Local Planning Authority.

Reason:- Details are required prior to commencement because insufficient information has been submitted with the application in this regard, in the interests of residential amenity and in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. Prior to the first use or occupation of the development, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. Prior to the installation of any external lighting, details including a technical specifications shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed as approved.

Reason:- To safeguard the amenity of neighbouring residential properties and in the interest of security.

7. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure.

8. Prior to the first use or occupation of the development, full details of both soft and hard landscape works have been submitted to and approved in writing by

the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

9. Prior to the first use or occupation of the development, a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

10. Prior to the first use or occupation of the development, details of the Local Equipped Area of Play (LEAP), including details of the number and type of equipment to be installed, means of enclosure, surface materials, seating, litter bins, planting and signage, shall be submitted to and approved in writing by the Local Planning Authority. The Local Equipped Area of Play shall be implemented in accordance with the approved details prior to the occupation of the buildings and thereafter maintained.

Reason:- To ensure that a satisfactory children's play area is provided on the site.

11. The public open space, piazza and children's playground hereby approved shall be made permanently available and accessible to members of the public.

Reason:- To ensure that the public open space and playground is made permanently available to the public.

12. The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:  
Bedrooms - 35dB LAeq T \*, 30 dB LAeq T † , 45dB LAFmax T \*  
Living rooms- 35dB LAeq T †  
Dining room - 40 dB LAeq T † \*  
- Night-time 8 hours between 23:00-07:00 †  
- Daytime 16 hours between 07:00-23:00.

Reason:- To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the National Planning Policy Framework 2012.

13. Prior to the completion of the Link Road, the proposed vehicular accesses to the new Link Road shall be constructed and provided with visibility zones in accordance with the approved plans, all to be permanently maintained permanently clear of any obstruction.

Reason:-.The condition above is required is in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

14. No construction, demolition, excavation or delivery traffic shall use Mill Mead, via the junction with A308 London Road, for access to or from the application site.

Reason:-.In the interests of highway safety and the free flow of traffic on the surrounding road network

15. The 108 cycle parking spaces as shown on the submitted plans shall be constructed and the cycle parking spaces shall be completed prior to the completion of the residential development and these spaces together with the means of access thereto shall be maintained thereafter as approved, and be reserved for the benefit of the occupiers of the residential development hereby permitted.

Reason:-.To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the cycle parking spaces are provided are reserved for the benefit of the development for which they are specifically required, in accordance with policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

16. The 27 parking spaces shown on the submitted plans shall be constructed and the spaces shall be completed prior to the first occupation and these spaces together with the means of access thereto shall be maintained thereafter as approved, and be reserved for the benefit of the occupiers of the residential development hereby permitted.

Reason:-.To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the parking spaces are provided are reserved for the benefit of the development for which they are specifically required, in accordance with policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

17. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:

- a) A design that satisfies the SuDS Hierarchy and that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.
- b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+CC% allowance for climate change storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a Greenfield discharge rate of 5 litres/sec applied to the whole Charter Square site inclusive of Phase 1a and 1b (as per the SuDS pro-forma or otherwise as agreed by the LPA).
- c) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how they will be protected from blockage.
- d) The drainage proposals relate to off-site infrastructure being in place to receive surface water run-off and therefore details must be submitted to confirm the infrastructure is in place prior to construction. If such infrastructure is not in place details must be submitted to show how surface water will be attenuated and managed on Phase 1b independently.
- e) Details of Management and Maintenance regimes and responsibilities.
- f) A plan showing exceedance flows and how property on and off site will be protected.

Reason:- To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

18. The development hereby permitted shall not commence until details of the proposed finished floor levels and flood compensation works for the proposed adjacent basement carpark have been submitted to and approved in writing by the planning authority. Those details shall include:

- a) As the proposed flood compensation scheme relies on off-site infrastructure (Phase 1a), these proposals can only go ahead if the compensatory measures proposed are in place to mitigate the loss of flood storage resulting from Phase 1b or alternative proposals are submitted specifically for Phase 1b.
- b) Drawings for construction confirming finished floor levels are set at 16.10m AOD (110mm above the peak flood level). The only exception to this is the entrance to the residential cycle store which would be set at 15.84m AOD to tie into external ground levels, meaning that a flood depth of up to 150mm could occur. Temporary defences such as demountable barriers are to be used to protect this entrance to a level of 16.10m AOD.
- c) Full design details and levels drawings confirming flood compensation proposals.

Reason:- To ensure occupiers are protected from fluvial flood risk.

19. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Drainage System has been constructed as per the agreed scheme.

Reason:- To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS

20. The part of the development comprising the new buildings at numbers 122-132 High Street, Staines shall not commence until the section of the highway maintainable at public expense that is enclosed by the new building has been stopped up under Section 247 of the Planning Act.

Reason:-.To ensure the public highway is not obstructed or encroached upon.

21. Prior to occupation of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, a biodiversity enhancement scheme to be implemented on the site shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme and thereafter maintained

Reason:-.To encourage wildlife on the site.

22. The measures set out in the submitted Sustainability report 13.11.17 rev 01 demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods, shall be implemented with the construction of the building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason:-.To ensure that the development is sustainable and complies with Policies SP7 and CC1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

23. No development shall be occupied until a details of Construction Management Plan to include details of:
- (a) loading and unloading of plant and materials
  - (b) provision of boundary hoarding behind any visibility zones
  - (c) HGV deliveries and hours of operation
  - (d) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway

Only the approved details shall be implemented during the construction of the development.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

24. The development hereby approved shall not be occupied until a minimum of six (6) parking spaces have been laid out with dual 7kW (fast charge) points and an additional two (2) dual rapid charge points for electric vehicles. The charging points shall be retained exclusively for their designated purpose.

Reason:-. To ensure that the development complies with policies CC2 and EN3 of the Core Strategy and Policies DPD and section 4 (Promoting Sustainable Transport) of the National Planning Policy Framework.

25. Prior to the commencement of construction of the development, above the damp proof course level, a Travel Plan to include details of targets, monitoring of the full travel plan, electric vehicle charging point use and car club vehicle use shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

#### INFORMATIVES TO APPLICANT

1. The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in bird strike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/policycampaigns/operations-safety/>)
2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
3. Thames Water recommend that petrol / oil interceptors are fitted in all vehicle parking areas to avoid oil-polluted discharges entering local watercourses.
4. A Ground Water Risk Management Permit from Thames water will be required for discharging groundwater into the public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed Thames Water's Risk Management Team 020 357 79483 or [wqriskmanagement@thameswater.co.uk](mailto:wqriskmanagement@thameswater.co.uk).

5. The applicant's attention is drawn to the information and advice to the applicant as set out in the email from Thames Water dated 21/09/09 and forwarded to the applicant's agent on the same day.
6. The applicant is advised that all gas fired boilers should meet a minimum standard of less than 40mgNO<sub>x</sub>/kWh. All gas fired CHP plant should meet a minimum emissions standard of 250mgNO<sub>x</sub>/kWh for spark ignition engine - note other limits apply for gas turbine or compression ignition engines.
7. If, during development, contamination not previously identified is found to be present at the site then no further development should be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority.
8. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings and fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld.
9. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.
10. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority.
11. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
12. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
13. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at [www.securedbydesign.com](http://www.securedbydesign.com).
14. The applicant is advised that all gas fired boilers should meet a minimum standard of less than 40mgNO<sub>x</sub>/kWh. All gas-fired CHP plant should meet a



minimum emissions standard of 50mgNO<sub>x</sub>/Nm<sup>3</sup> for gas turbines - note other limited apply for spark or compression ignition engines. Where biomass is proposed within an urban area it is to meet minimum emissions standards of Solid biomass boiler 275 mgNO<sub>x</sub>/Nm<sup>3</sup> and 25 mgPM/Nm<sup>3</sup>.

15. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

If you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development.

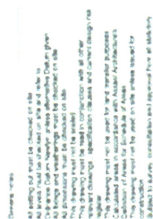
Further information on CIL and the stages which need to be followed is available on the Council's website. [www.spelthorne.go.uk/CIL](http://www.spelthorne.go.uk/CIL).

16. The Town and Country Planning (Development Management Procedure) (England) Order 2015 Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- a. Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b. Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c. Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d. Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

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Purpose of information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The purpose of the information on this drawing is for:				
Planning				
Information				
Comment				
Client approval				
Construction				

**London Square**

Charter Square Phase 1B

## Existing Location Plan

**A2773 103**

**R1**

**Dec '17**

**Care**

**1:1250**

**Grading M<sup>o</sup>**

**Gravel & Rebarbed.**

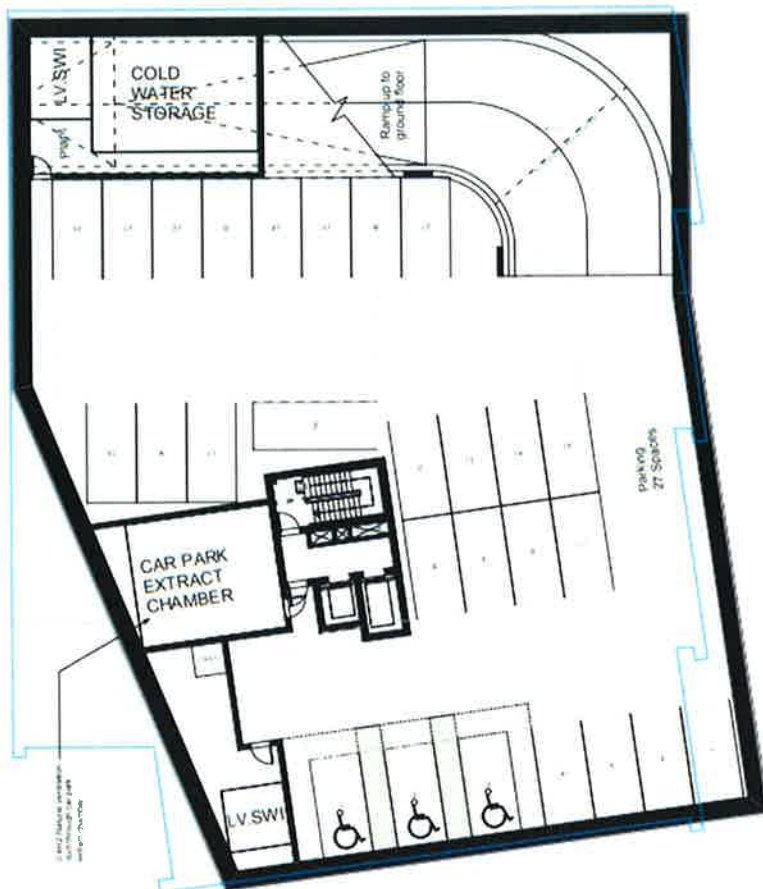
**Steps @ A2732**

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 +44 (0)20 7736 7744  
 [info@assael.co.uk](mailto:info@assael.co.uk)  
 [www.assael.co.uk](http://www.assael.co.uk)













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Table 1: Proposed Development Details	
Item	Details
1. Site Area (m <sup>2</sup> )	1,200
2. Total Floor Area (m <sup>2</sup> )	1,200
3. Number of Units	10
4. Number of Car Spaces	10
5. Number of Cycle Spaces	10
6. Number of Landscaped Areas (m <sup>2</sup> )	100
7. Number of Trees	10
8. Number of Planters	10
9. Number of Benches	10
10. Number of Light Poles	10

Table 2: Proposed Development Details	
Item	Details
1. Site Area (m <sup>2</sup> )	1,200
2. Total Floor Area (m <sup>2</sup> )	1,200
3. Number of Units	10
4. Number of Car Spaces	10
5. Number of Cycle Spaces	10
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Table 3: Proposed Development Details	
Item	Details
1. Site Area (m <sup>2</sup> )	1,200
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4. Number of Car Spaces	10
5. Number of Cycle Spaces	10
6. Number of Landscaped Areas (m <sup>2</sup> )	100
7. Number of Trees	10
8. Number of Planters	10
9. Number of Benches	10
10. Number of Light Poles	10

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1. The proposed development is a 10-storey office building with a total floor area of 10,000 sqm. The building is located on a plot of 1,000 sqm. The proposed development is a 10-storey office building with a total floor area of 10,000 sqm. The building is located on a plot of 1,000 sqm.

Storey	Area (sqm)	Use
1	1,000	Office
2	1,000	Office
3	1,000	Office
4	1,000	Office
5	1,000	Office
6	1,000	Office
7	1,000	Office
8	1,000	Office
9	1,000	Office
10	1,000	Office

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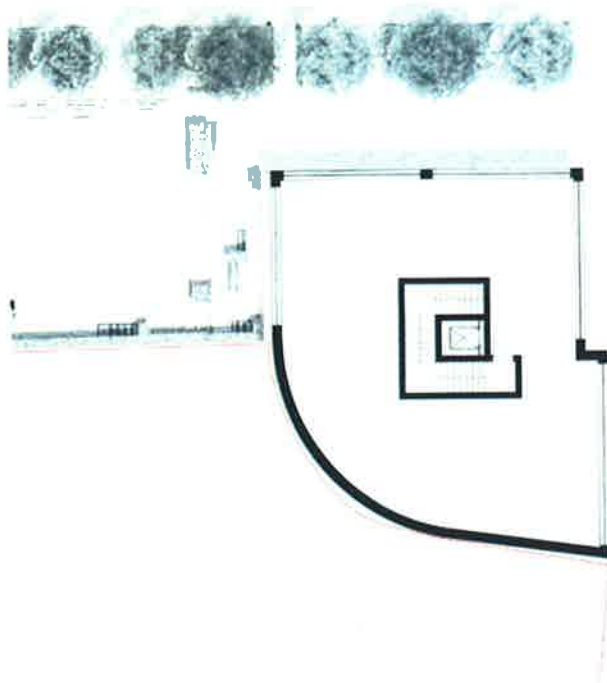
London Square  
 Charter Square Phase 1B  
 Proposed Twelfth Floor Plan  
 1:100 1:200 1:400  
 A37713 223 R9

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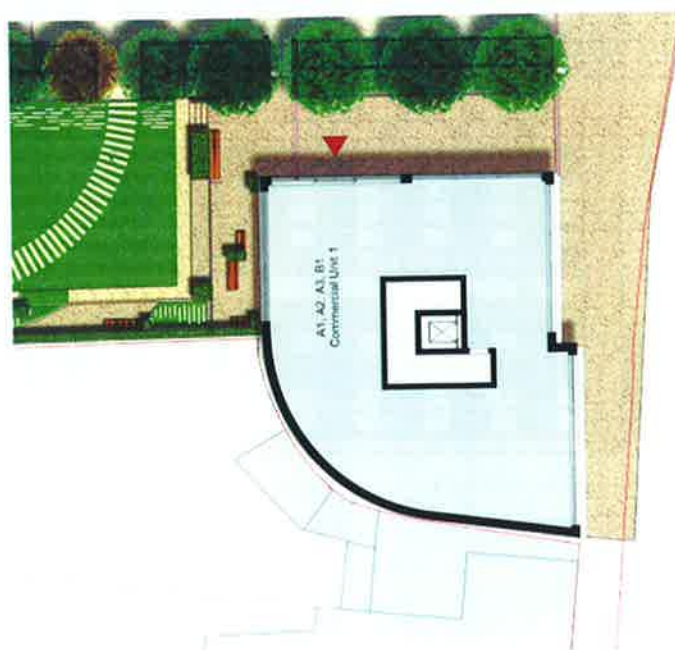


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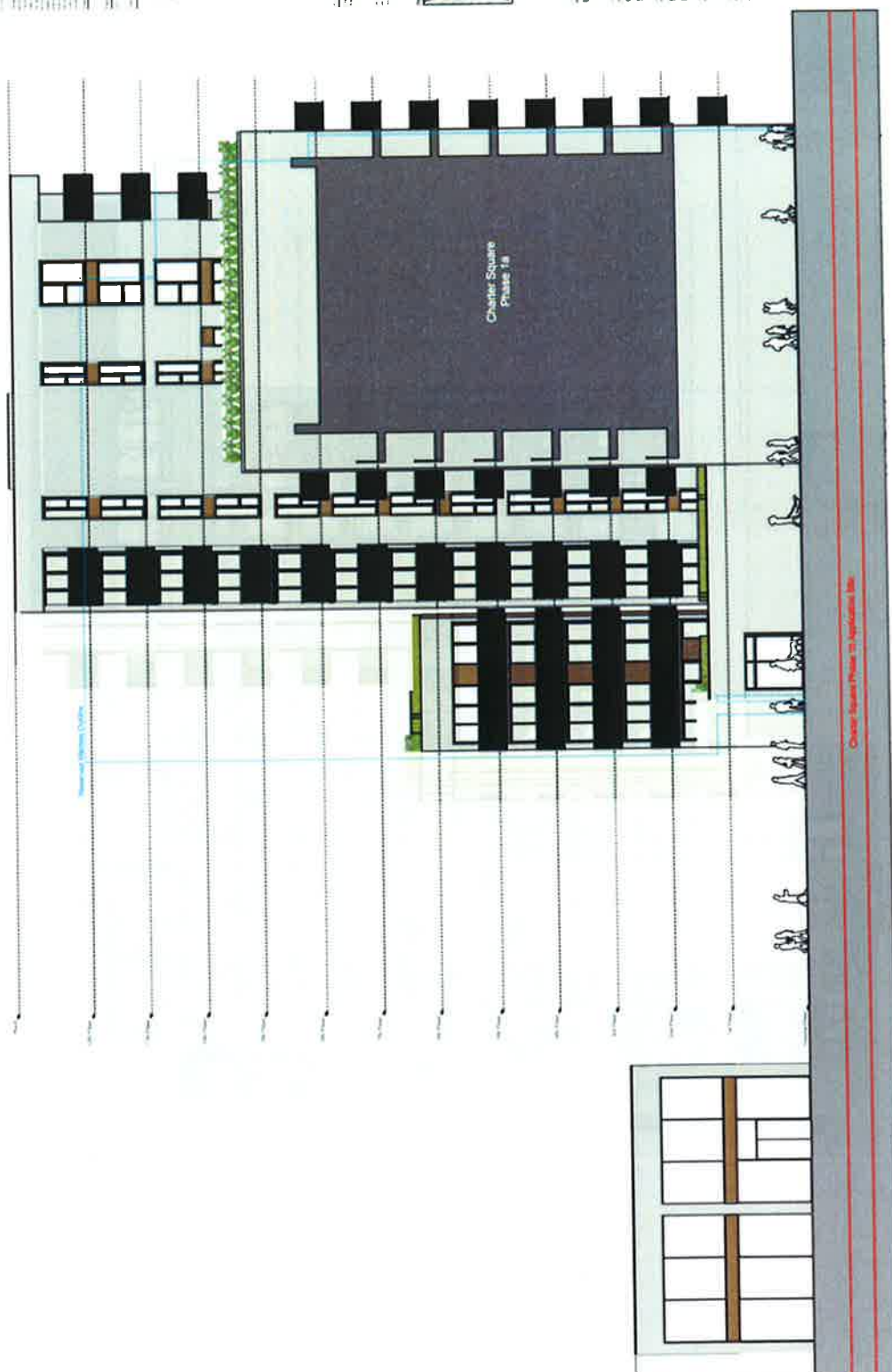
First Floor Plan of Commercial Unit 2  
Scale 1/100

7



Ground Floor Plan of Commercial Unit 1  
Scale 1/100









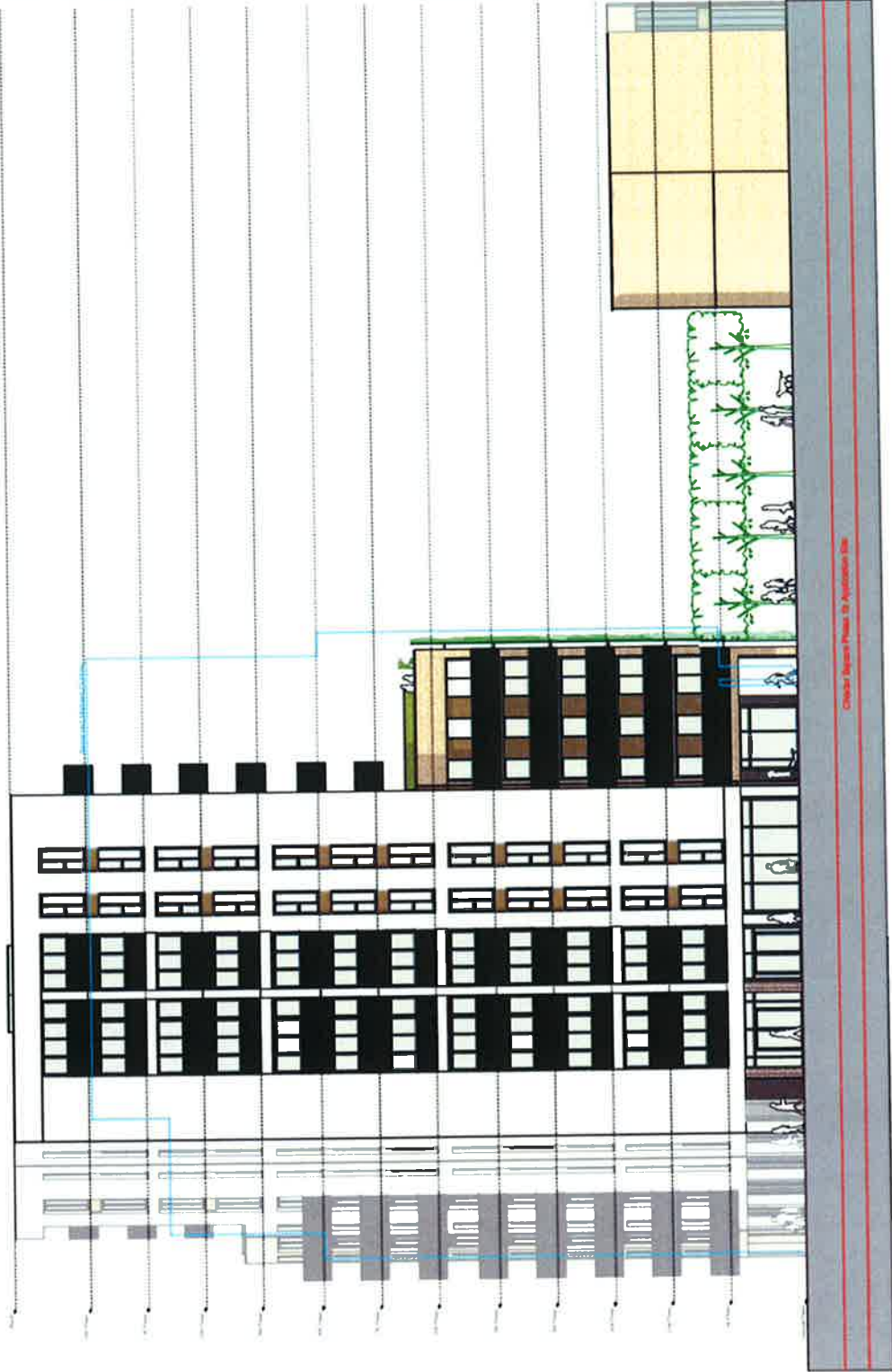
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4. Project Description	5. Project Status	6. Project Date
7. Project Manager	8. Project Engineer	9. Project Architect
10. Project Designer	11. Project Draftsman	12. Project Checker
13. Project Approver	14. Project Reviewer	15. Project Sign-off
16. Project Notes	17. Project Comments	18. Project Actions
19. Project History	20. Project Changes	21. Project Updates
22. Project Details	23. Project Specifications	24. Project Requirements
25. Project Constraints	26. Project Risks	27. Project Opportunities
28. Project Challenges	29. Project Solutions	30. Project Outcomes
31. Project Lessons	32. Project Feedback	33. Project Evaluation
34. Project Metrics	35. Project KPIs	36. Project Benchmarks
37. Project Goals	38. Project Objectives	39. Project Results
40. Project Impact	41. Project Value	42. Project ROI
43. Project Benefits	44. Project Costs	45. Project Budget
46. Project Resources	47. Project Team	48. Project Stakeholders
49. Project Partners	50. Project Suppliers	51. Project Vendors
52. Project Clients	53. Project Customers	54. Project End-users
55. Project Competitors	56. Project Allies	57. Project Opponents
58. Project Neighbors	59. Project Community	60. Project Society
61. Project Government	62. Project Industry	63. Project Market
64. Project Economy	65. Project Culture	66. Project Values
67. Project Beliefs	68. Project Attitudes	69. Project Behaviors
70. Project Habits	71. Project Patterns	72. Project Trends
73. Project Movements	74. Project Directions	75. Project Paths
76. Project Journeys	77. Project Experiences	78. Project Memories
79. Project Stories	80. Project Legacies	81. Project Futures
82. Project Dreams	83. Project Hopes	84. Project Wishes
85. Project Desires	86. Project Needs	87. Project Wants
88. Project Goals	89. Project Objectives	90. Project Results
91. Project Impact	92. Project Value	93. Project ROI
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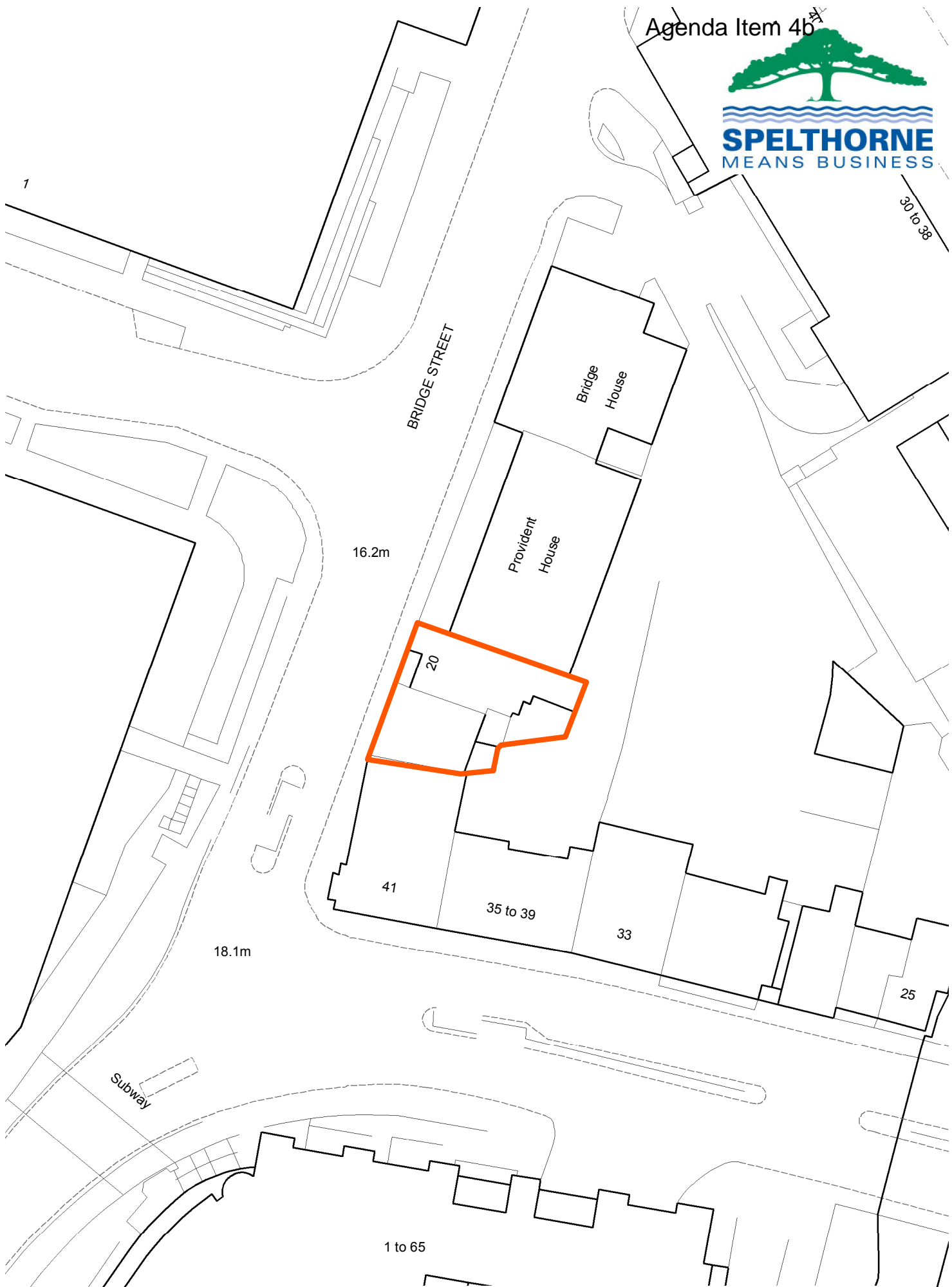
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17/01938/FUL – 20 Bridge Street.

Scale 1:500

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# Planning Committee

2 May 2018



<b>Application No.</b>	17/01938/FUL
<b>Site Address</b>	20 Bridge Street, Staines upon Thames, TW18 4TW
<b>Applicant</b>	CDP Staines Ltd
<b>Proposal</b>	Erection of a five storey building of 9 self-contained flats comprising 3 no. 1 bed flats, 5 no. 2 bed flats and 1 no. 3 bed flats with associated cycle parking following demolition of existing two storey building.
<b>Ward</b>	Staines
<b>Called-in</b>	N/A
<b>Officer</b>	Matthew Clapham

<b>Application Dates</b>	Valid: 2/1/2018	Expiry: 27/2/2018	Target: Over 8 weeks
<b>Executive Summary</b>	<p>This application seeks the demolition of the existing building and the creation of a new residential development comprising 9 flats.</p> <p>The site is located within the urban area, within a designated Employment and Shopping Area and the Staines Conservation Area. The principle of demolishing the existing buildings and redeveloping the site for residential purposes is considered acceptable. Whilst the proposed building will be up to 5-storeys in height, it is not excessively taller than surrounding properties and it is located directly opposite the Bridge Street Car Park site which has planning permission for a 13 storey development. The Council's Heritage Advisor has not raised any objections to the proposal.</p> <p>It is not considered that the proposal would have any significant adverse impacts upon the residential amenity of adjoining properties and notwithstanding the fact that limited amenity space is provided in the form of some balconies and terraces in view of the town centre location and proximity to open spaces, together with the satisfactory size of floorspace for each unit, it is considered that the proposals are acceptable for future occupiers.</p> <p>There is no on-site parking proposed but given the site's location within the town centre, it is not considered it is not considered that the proposal should be refused on parking grounds. The County Highway Authority have raised no objection on highway safety or parking grounds. There are also no concerns regarding flooding.</p>		

<b>Recommended Decision</b>	This planning application is recommended for approval, subject to conditions.
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## **MAIN REPORT**

### **1. Development Plan**

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- LO1 (Flooding)
- HO1 (Providing New Housing Development)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN5 (Buildings of Architectural and Historic Interest)
- EN6 (Conservation Areas, Historic Landscapes, Parks and Gardens)
- EN11 (Development and Noise)
- EN15 (Development on Land affected by Contamination)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

### **2. Relevant Planning History**

2.1 Historical planning history relating to the use of the site as a restaurant and associated advertisements and there are no recent applications.

### **3. Description of Current Proposal**

3.1 The application site comprises 217sq m in area and is located on the eastern side of Bridge Street, close to the junction with Clarence Street and Staines Bridge.

3.2 The site is currently occupied by a two storey building that was formerly a Chinese Restaurant although this is no longer operating.

3.3 To the north is Provident House, a four storey building that was formerly an office block, but has recently been converted to flats under the Prior Approval procedure. To the south is a part single storey / part two storey Listed Building fronting Clarence Street. Opposite is an office block known as the Ashby House and the Bridge Street Car Park.

- 3.4 The proposal seeks to demolish the existing buildings on the site and provide a block of 9 flats with some small terrace/amenity areas. No on-site parking is provided.
- 3.5 The building would extend across the entire width of the site for the first three floors, with the fourth floor set back from the front and southern side and the fifth floor set back from the front and northern side. Amenity space would be provided in the form of balconies and terraces, with a mixture of brick balustrades and metal railing on the upper floor terrace.
- 3.6 The roof height would be approximately 3.5m higher than the adjoining Provident House.
- 3.7 Copies of the proposed site layout and elevations are provided as an appendix.

#### **4. Consultations**

- 4.1 The following table shows those bodies consulted and their response.

<b>Consultee</b>	<b>Comment</b>
<b>Head of Neighbourhood Services</b>	No response to date.
<b>Staines Town Society</b>	Raised Objections. On the grounds of excessive density, impact upon adjoining properties (in particular the listed building 41 Clarence Street), no parking or landscaping, loss of sunlight and overshadowing and views.
<b>Environment Agency</b>	No response to date.
<b>Environmental Health (contamination)</b>	No objection but requests conditions.
<b>Environmental Health (air quality)</b>	No objection but made comments to applicant.
<b>County Highway Authority</b>	No objection but recommends conditions and informatives to be attached.

#### **5. Public Consultation**

- 5.1 20 letters of notification were sent out to neighbouring properties. In addition, a statutory notice has been displayed outside the site and a notice was placed in the local newspaper. Four letters of objection have been received, Reasons for objecting include:
- Overbearing impact
  - Loss of light
  - Overdevelopment
  - Impact on Conservation Area
  - Overshadowing
  - Lack of parking

#### **6. Planning Issues**

- Principle

- Need for housing
- Housing density
- Impact on Conservation Area
- Design and appearance
- Amenity space
- Impact on neighbouring properties
- Parking
- Flooding

## **7. Planning Considerations**

### Principle

- 7.1 The site is located within the urban area and is occupied by a currently vacant commercial building. The site is located within a designated Employment Area. And one side of it is located with the Staines Town Centre Shopping Area. The property is located on the periphery of the Employment Area and evidence in the form of a Marketing Assessment has been submitted which concludes that the premises is *'unsuited to continued Class A retail use due partly to economic issues related to the declining sector made even more difficult by the trading position, the poor condition of the property and irregular layout. These conspire to render the premises beyond both a practical and economic life'*. The adjoining property at Provident House has been converted to residential use. The building was used as a restaurant with ancillary accommodation above, which would have provided limited employment opportunities. Therefore, on balance, the principle of demolishing the existing commercial building and replacing it with a new residential development is considered acceptable.

### Need for Housing

- 7.2 In terms of the need for housing, it is relevant to have regard to paragraph 47 of the National Planning Policy Framework (NPPF) which states: "When considering planning applications for housing local planning authorities should have regard to the government's requirement that they boost significantly the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent with policies set out in the National Planning Policy Framework (NPPF) para 47'.
- 7.3 The government also requires housing applications to be considered in the context of the presumption of sustainable development. Relevant policies for the supply of housing cannot be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable site (para 49 of NPPF).
- 7.4 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). On the basis of its objectively assessed housing need the Council is unable to demonstrate a five-year supply of deliverable sites.
- 7.5 Para 14 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay. When the development plan is absent, silent or

relevant policies are out of date, permission should be granted unless ‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole or specific policies in this Framework indicate development should be restricted.’ This application must be considered having regard to the above requirements of Para 14 of the NPPF.” In addition, the draft NPPF (March 2018) also states that ‘where the policies which are most important for determining the application are out-of-date, granting permission unless: i). the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’

- 7.6 Having regard to the proposed development and taking into account the above and adopted policy HO1 which encourages new development, it is considered that the principle of housing on this site is acceptable and particular weight should be given to the merits of this development.

#### Housing Density

- 7.7 Policy HO5 of the CS & P DPD states that within Staines Town Centre, development should be at or above 75 dwellings per hectare (dph). Higher density development may be acceptable where it is demonstrated that the development complies with Policy EN1 on design, particularly in terms of its compatibility with the character of the area and is in a location that is accessible by non car-based modes of travel.
- 7.8 The application site area is 0.0217 hectares. The proposed density is therefore 414 dwellings per hectare (dph), which is above the 75 dph range stipulated in Policy HO5. It is important to note that any mathematical density figure, is in part, a product of the mix of units proposed. In this case all of the units are either 1 bed or 2 bed and accordingly it is possible to accommodate many more small units within a given floorspace and an acceptable numerical density can be much higher. Moreover, the site is in a location that is well served by public transport and is within the town centre.
- 7.9 The NPPF requires in paragraphs 122 and 123 that in achieving appropriate densities:
122. Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for housing and other forms of development, and the availability of land suitable for accommodating it;
  - b) local market conditions and viability;
  - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
  - d) the desirability of maintaining an area’s prevailing character (including residential gardens), or of promoting regeneration and change; and
  - e) the importance of securing well-designed, attractive places.
123. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and

decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;
- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and
- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site<sup>37</sup>.

Accordingly the proposed housing density is considered acceptable, subject to it complying with Policy EN1 on design.

#### Design and Appearance and impact on Heritage Assets

- 7.10 The proposed building is contemporary in terms of design, with the upper floors being recessed to the front and sides. These set-backs and the parapet being achieved by a low run of railings to the front is considered to help 'break up' the appearance of the building. Those parts of the building that are slightly set back from the main elevation also help to reduce the apparent scale of the building.
- 7.11 Policy EN1 of the Core Strategy and Policies Development Plan Document 2009 requires a high standard in the design and layout of new development. It states that new development should '*create buildings... that respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land*'. The area is mixed in terms of the scale and height of buildings, although it should be noted that there are a number of town centre developments that are proposed or under construction that are significantly higher than the 5 storeys proposed on this site. Provident House, next door is 4 storeys in height and therefore this proposal would not appear out of character within the street scene to the north. To the south a single storey rear projection to a two storey listed building, although this buildings appears three storey in height terms due to its distinct design.
- 7.12 In Heritage terms, Policy EN6 of the CS&P DPD, requires that proposals preserve and enhance the character and appearance of the Area. Policy EN5(f) also requires that development proposals for any sites affecting the setting of a listed building should pay special regard to the need to preserve its setting. While there is a listed building to the south, there are a number of other modern

styles of buildings in the vicinity. The Council's Heritage Advisor has not raised any concerns. He commented that:

*'the massing concept was sensitive in relation to the robustly detailed facade to the north and more importantly, the smaller listed corner building on the other side which forms the junction of Bridge Street and Clarence Street.*

*The design defers to the scale of the listed No.41 with a tiered effect at the upper two stories. The straight-on Bridge Street elevation does not illustrate the subtle effect of this as well as a view from higher up Bridge Street looking towards the corner of the two streets.*

*I think the scale of the proposal is successful in townscape terms and will introduce residential vitality into this part of the conservation area'.*

Small amendments were recommended which have been implemented and the Heritage Advisor commented that these alterations:

*'would help this building to enhance the character of the conservation area as well as relate well with other modern designs in the vicinity'.*

- 7.13 Therefore, overall, the design and appearance of the scheme is considered acceptable. It would also not impact upon the setting of the adjoining listed building and would preserve and enhance the character and appearance of the Conservation Area.

#### Amenity of Future Residents

- 7.14 It is considered that the proposal would provide an acceptable level of residential amenity for the future occupiers of the development. The Department for Communities and Local Government's 'Technical housing standards' (March 2015) sets out minimum floor areas for new dwellings which each unit would comply with or exceed.
- 7.15 It is proposed that each unit would have a small external terrace/balcony area. While the level of amenity space provided is below that prescribed in the SPD, in view of the sustainable location and the wider benefits of the proposal in terms of the provision of housing, the level of amenity provided to the future occupiers is considered acceptable.

#### Impact on Neighbouring Properties

- 7.17 Policy EN1 of the CS & P DPD states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.18 The Council's Supplementary Planning document (SPD) on the Design of Residential Extensions and New Residential Development 2011 also provides guidance on these matters. Paragraph 123 of the draft NPPF is of particular significance in assessing this matter. It states that:

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:



a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.

7.19 Careful consideration has been given to the occupiers of Provident House. In terms of the 3-storey element (the original office building), the 45 degree horizontal angles to these windows would not be infringed by the proposals. It is noted that the 45 degree vertical angles taken from the first and second floors of the first set of windows nearest to the proposed building would be infringed. However, these windows do have a clear outlook directly to the front and the proposed building only extends 1m further forward than Provident House. Therefore, it is considered, in view of the relationship between the two properties and the outlook and light afforded to the neighbouring properties windows, that any loss of light and outlook would be minimal and would not justify refusal on loss of light or visual outlook terms. The site is located in a town centre location and therefore the guidance contained in the SPD is more flexible.

7.20 With regard to the additional floor that has been added to the adjoining property at Provident House, assessment has been given to the impacts upon both the windows and also the balconies to the two units on this floor. From the windows themselves, the 45 degree angles would not be infringed by the proposal, however it is acknowledged, as stated in a third party representation, the balconies/terraces do extend closer to the proposed building, reducing separation distances. Third party representations have raised concerns regarding the potential impacts upon the top floor units with regard to loss of light and also visual intrusion. The original proposal has been amended to move the upper floor further away from the adjoining balcony to both reduce any visual intrusion and also to meet BRE standards and minimise any loss of light. As stated earlier, both units have clear outlook to the front/rear and therefore, on balance, it is considered that the impacts upon these two units are mitigated by the amended plans and with the remaining visual outlook, on balance, it is not considered that there is sufficient harm to justify refusal of planning permission on visual impact or outlook grounds.

7.21 In terms of overlooking, the applicant has agreed to the use of privacy screens to the sides of the upper floor balconies/terraces. The remaining external

amenity areas do not look out onto residential uses or are sufficient distance not to result in any overlooking concerns.

#### Parking Provision

- 7.22 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.
- 7.23 On 20 September 2011 the Council's Cabinet agreed a 'Position Statement' on how Policy CC3 should now be interpreted in the light of the Government's parking policy changes. The effect of this is that the Council will give little weight to the word 'maximum' in relation to residential development when applying Policy CC3 and its residential parking standards will generally be applied as minimum.
- 7.24 The supporting text to the Parking Standards and associated 'Position Statement' stipulates a number of exceptional situations where a reduction in parking will be allowed. One of these situations includes town centre locations where the reduction in parking will be assessed against, amongst other transport considerations, the range and quality of facilities within reasonable walking distance.
- 7.25 The County Highway Authority has not raised an objection regarding the lack of parking provision nor on highway safety grounds and noted that  
*'the County Highway Authority considers that, due to the parking restrictions that are in operation in all of the roads in the vicinity of the site, it is unlikely that vehicles would park anywhere that would materially compromise safety or capacity of the highway. In addition, it is feasible in this sustainable location to occupy the proposed residential units without access to a private car'.*
- 7.26 The application site is located within a town centre and in an area that is well served by public transport and facilities for retail and entertainment. There is also a large supermarket within walking distance over Staines Bridge. In addition, cycle parking is provided to the satisfaction of the County Highway Authority. Therefore, in this context, it is considered that the site is in an accessible location and I consider that there are sufficient grounds to justify refusing the proposals on the lack of any parking.

#### Flooding

- 7.27 The site is located partly within Zone 3a and partly within Zone 2 Flood Risk Areas. The Environment Agency have not responded to date and any comments will be reported orally to the Committee. However, the footprint remains largely unchanged and therefore no significant flood risks are considered to arise from the construction. In terms of the safety and welfare of future occupiers, it is considered that there is safe access and egress over Staines Bridge and onto the Causeway.

#### Local Finance Considerations

- 7.1 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the

Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.

- 7.2 In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

#### Other Matters

- 7.3 A condition has been imposed requiring details of the refuse storage arrangements.
- 7.4 All of the proposed units will be either one or two bedroom in size and the development therefore complies with the Council's smaller dwellings policy (HO4 of the CS & P DPD).
- 7.5 The Council's Pollution Control Officer has raised no objection on air quality grounds, although have suggested that the applicant include ventilation measures to protect the health of future occupiers.

### **8. Recommendation**

- 8.1 GRANT subject to the following conditions: -

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

17006 [EX] 001; 100; 101; 102; 103; 104; 201; 202; 203 300 received  
2/1/2018.

17006[GA] 101 rev C; 102 rev C; 103 rev B received 2/1/2018

17006[GA] 200 rev C; 203 rev C; 300 rev D received 26/2/2018

17006 [GA] 104 rev E; 105 rev F; 200 rev D; 201 rev D 202 rev E received  
16/3/2018

Reason:- For the avoidance of doubt and in the interest of proper planning

3. Prior to the construction of the building hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the buildings and surface material for parking areas be submitted to and approved by the Local Planning Authority.

Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. No development shall take place until:-

- a) A comprehensive desk-top study was submitted and completed at the application stage.
- b) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.
- c) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances

#### NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected By Contamination: Guidance to Help Developers Meet Planning Requirements" providing guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk).

In accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 5. Prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

- 6. Prior to the construction of the building hereby permitted is first commenced a report shall be submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of the building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason:- To ensure that the development is sustainable and complies with Policy SP7 and CC1 of the Spelthorne Development Plan Core Strategy and Policies DPD.

7. The development hereby approved shall not be first occupied unless and until the facilities for the secure, covered parking of bicycles has been provided in accordance with the approved plans. Thereafter, the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:- The above condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy Framework 2012 and policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

8. That within 3 months of the commencement of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

9. Notwithstanding the approved plans, prior to the construction of the building hereby permitted details of the balustrades for the balconies on the northern elevation to include measures to prevent overlooking towards to the neighbouring properties in Provident House Road shall be submitted to and approved in writing by the Local Planning Authority. The agreed balustrades shall be implemented prior to the occupation of the building and thereafter maintained as approved.

Reason:- To safeguard the amenity of neighbouring properties.

10. No development shall commence until a Construction Transport Management Plan, to include details of:

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones
- f) vehicle routing
- g) measures to prevent the deposit of materials on the highway has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

11. No demolition shall take place, including any works of demolition or site clearance, until a demolition method statement detailing the proposed methodology for demolishing the existing structures and the mitigation measures to be implemented has been submitted to and approved in writing by the Local Planning Authority. The DMS shall include submission of a Pre-Demolition Asbestos Survey. The agreed methodology and mitigation measures shall be implemented in accordance with the approved details.

Reason:- To safeguard the amenity of neighbouring properties

## INFORMATIVES

1. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

If you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development.

Further information on CIL and the stages which need to be followed is available on the Council's website. [www.spelthorne.go.uk/CIL](http://www.spelthorne.go.uk/CIL).

2. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
3. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
4. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highways Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

- a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
- b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
- c) Deliveries should only be received within the hours detailed in (a) above;
- d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsters and wheel washes;
- e) There should be no burning on site;
- f) Only minimal security lighting should be used outside the hours stated above; and
- g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme ([www.ccscheme.org.uk/index.php/site-registration](http://www.ccscheme.org.uk/index.php/site-registration)).

7. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:
  - a. how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
  - b. how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
  - c. the arrangements that will be in place to ensure a reasonable telephone response during working hours;
  - d. the name and contact details of the site manager who will be able to deal with complaints; and
  - e. how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

The Town and Country Planning (Development Management Procedure) (England) Order 2015

8. Working in a positive/proactive manner

| In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.



20 BRIDGE STREET

STAINES, TW18 4TW


CLIENT

CDP STAINES LTD

PROJECT NUMBER

17006

KIRKWOOD MCCARTHY

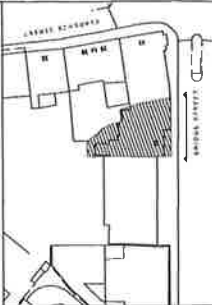


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LEGEND

- 01 White render
- 02 White metal privacy screen
- 03 White metal privacy screen
- 04 Entrance door
- 05 Entrance door with double glazed doorset
- 06 Metal framed double glazed doorset
- 07 Permeable surface
- 08 Dwarf wall with garden lead
- 09 Secure fence
- 10 Bin store - recycling
- 11 Bin store - waste
- 12 Skip island
- 13 Rain garden roof
- 14 Shaded balcony
- 15 Roof terrace

D	16.03.18	PLANNING REV'S	FK
C	07.02.18	PLANNING REV'S	FK
B	20.12.17	PLANNING	FK
A	28.10.17	PRE APPLICATION ADVICE	FK
A	19.10.17	FLOOD RISK ASSESSMENT	FK
J	23.08.17	FLOOD RISK ASSESSMENT	FK
REV	DATE	DESCRIPTION	BY

DRAWING TITLE

GENERAL ARRANGEMENT

ELEVATION 01

BRIDGE STREET

DRAWING NO

17006 [GA] 201

SCALE

1:100 @ A3

REVISION

D

DATE

16.03.18

STAGE

STAGE 2

Page 81

20 BRIDGE STREET

STAINES, TW18 4TW

CLIENT

ODP STAINES LTD

PROJECT NUMBER

17006

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LEGEND:

01 White render

02 White metal guirading

03 White metal privacy screen

04 Double glazed door

05 Metal framed double glazed doorset

06 Metal framed double glazed casement

07 Permeable surface

08 Diver wall with garden bed

09 Scarer wall

10 Bin store - waste

11 Bin store - recycling

12 Blue stand

13 Rain garden roof

14 Rain garden

15 Roof terrace

REV

DATE

DESCRIPTION

BY

20.12.17

PLANNING

FK

28.10.17

PRE APPLICATION ADVICE

FK

19.10.17

FLOOD RISK ASSESSMENT

FK

23.08.17

FLOOD RISK ASSESSMENT

FK

DRAWING TITLE

GENERAL ARRANGEMENT

GROUND FLOOR PLAN

DRAWING NO

17006 [GA] 100

SCALE

1:100 @ A3

REVISION

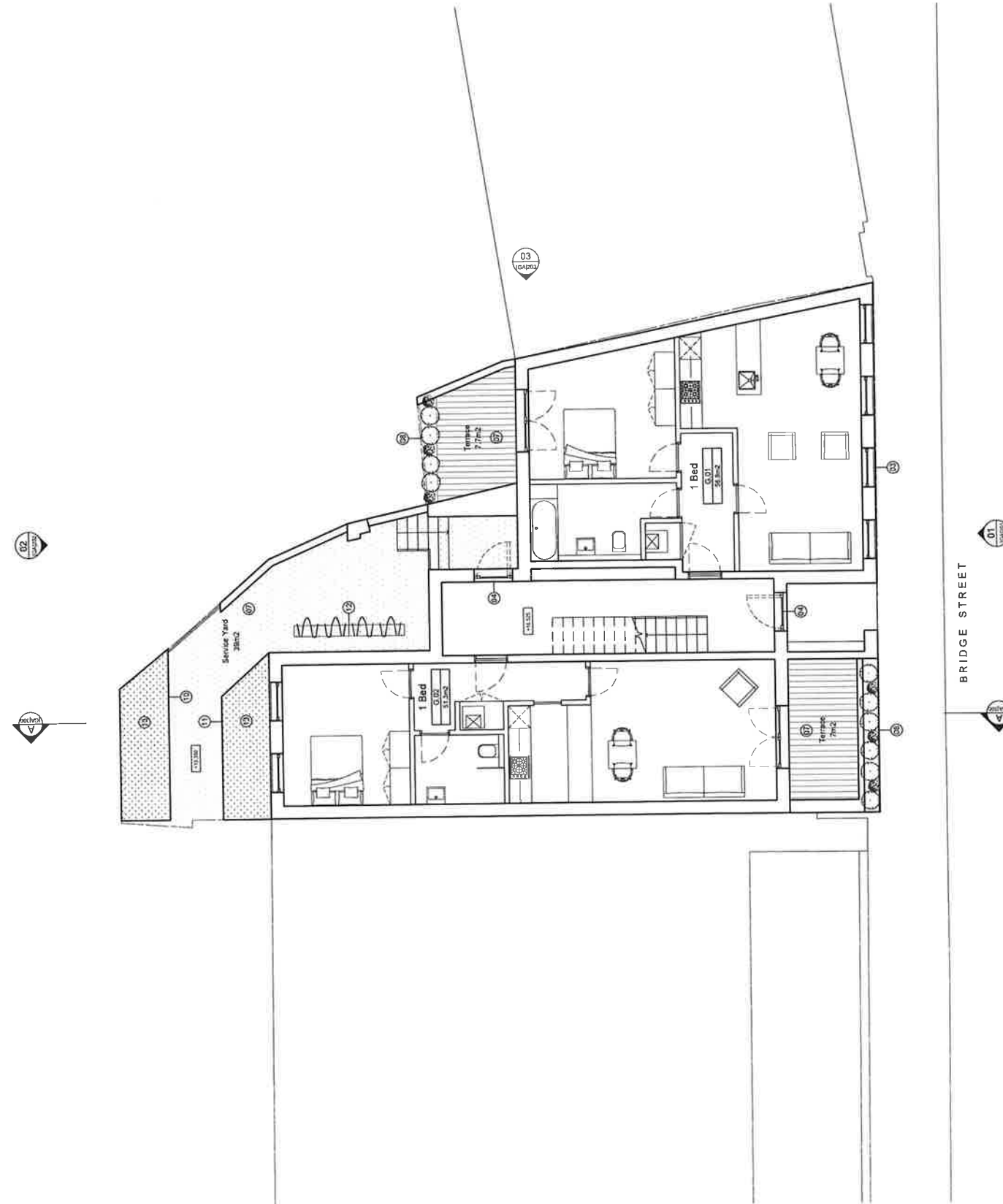
B

DATE

20.12.17

STAGE

STAGE 2



20 BRIDGE STREET

STAINES, TW18 4TW

CLIENT

CDP STAINES LTD

PROJECT NUMBER

17006

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LEGEND

01 White render

02 White metal guarding

03 White metal privacy screen

04 Metal framed double glazed doorset

05 Metal framed double glazed doorset

06 Metal framed double glazed doorset

07 Permeable surface

08 Over wall with garden bed

09 Storage shed

10 Bin store - waste

11 Bin store - recycling

12 Blue stand

13 Rain garden roof

14 Stair up to roof

15 Roof terrace

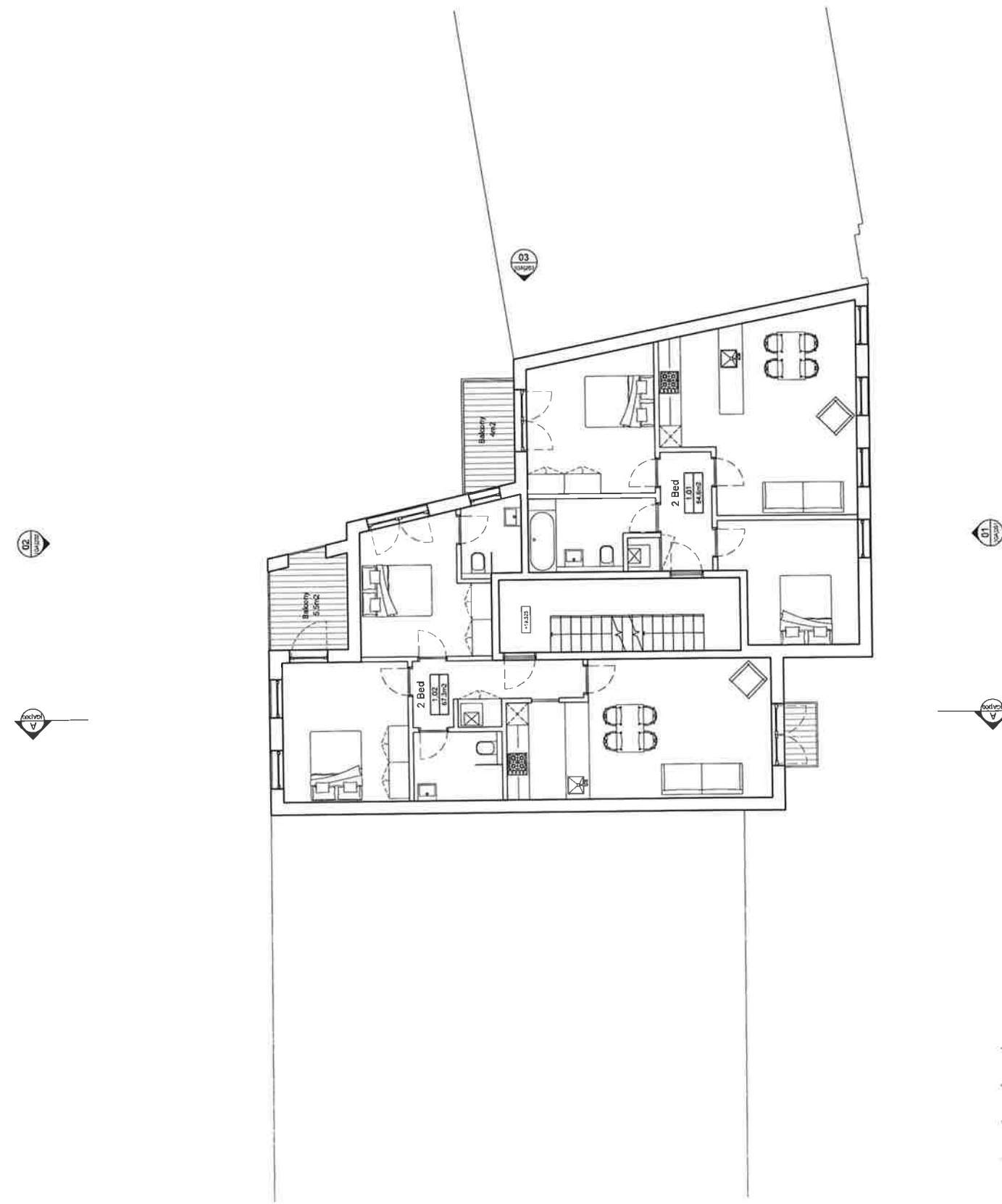
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B	28.11.17	PLANNING	FK
A	26.10.17	PRE APPLICATION ADVICE	FK
A	19.10.17	FLOOD RISK ASSESSMENT	FK
I	23.08.17	FLOOD RISK ASSESSMENT	FK
REV	DATE	DESCRIPTION	BY

DRAWING TITLE

GENERAL ARRANGEMENT

FIRST FLOOR PLAN

DRAWING	SCALE
17006 [GA] 101	1:100 @ A3
REVISION	DATE
C	20.12.17
	STAGE
	STAGE 2



20 BRIDGE STREET

STAINES, TW18 4TW

CLIENT

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3. Dimensions govern. Do not scale off drawing.

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LEGEND

01 White render

02 White metal guarding

03 White metal privacy screen

04 Metal framed double glazed door

05 Metal framed double glazed door

06 Metal framed double glazed door

07 Permeable surface

08 Dwarf wall with garden bed

09 Garden bed

10 Bin store - waste

11 Bin store - recycling

12 Blue stand

13 Rain garden pool

14 Rain garden pool

15 Roof terrace

C	20.12.17	PLANNING	FK
B	28.11.17	PLANNING	FK
A	28.10.17	PRE APPLICATION ADVICE	FK
A	19.10.17	FLOOD RISK ASSESSMENT	FK
I	23.08.17	FLOOD RISK ASSESSMENT	FK
REV	DATE	DESCRIPTION	BY

DRAWING TITLE

GENERAL ARRANGEMENT

SECOND FLOOR PLAN

DRAWING NO	17006 [GA] 102	SCALE	1:100 @ A3
REVISION	C	DATE	20.12.17
		STAGE	STAGE 2

Page 84

20 BRIDGE STREET

STAINES, TW18 4TW

CLIENT

CDP STAINES LTD

PROJECT NUMBER

17006

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1. Dimensions are in millimetres unless stated otherwise.

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3. Dimensions given. Do not scale off drawing.

4. All discrepancies to be notified in writing to Kirkwood McCarthy.

LEGEND:

01 White render

02 White metal guarding

03 White metal driveway screen

04 Entrance door

05 Metal framed double glazed doorset

06 Metal framed double glazed casement

07 Permeable surface

08 Concrete garden bed

09 Secure fence

10 Bin store - waste

11 Bin store - recycling

12 Blue stand

13 Hot water tank

14 Stained balcony

15 Roof terrace

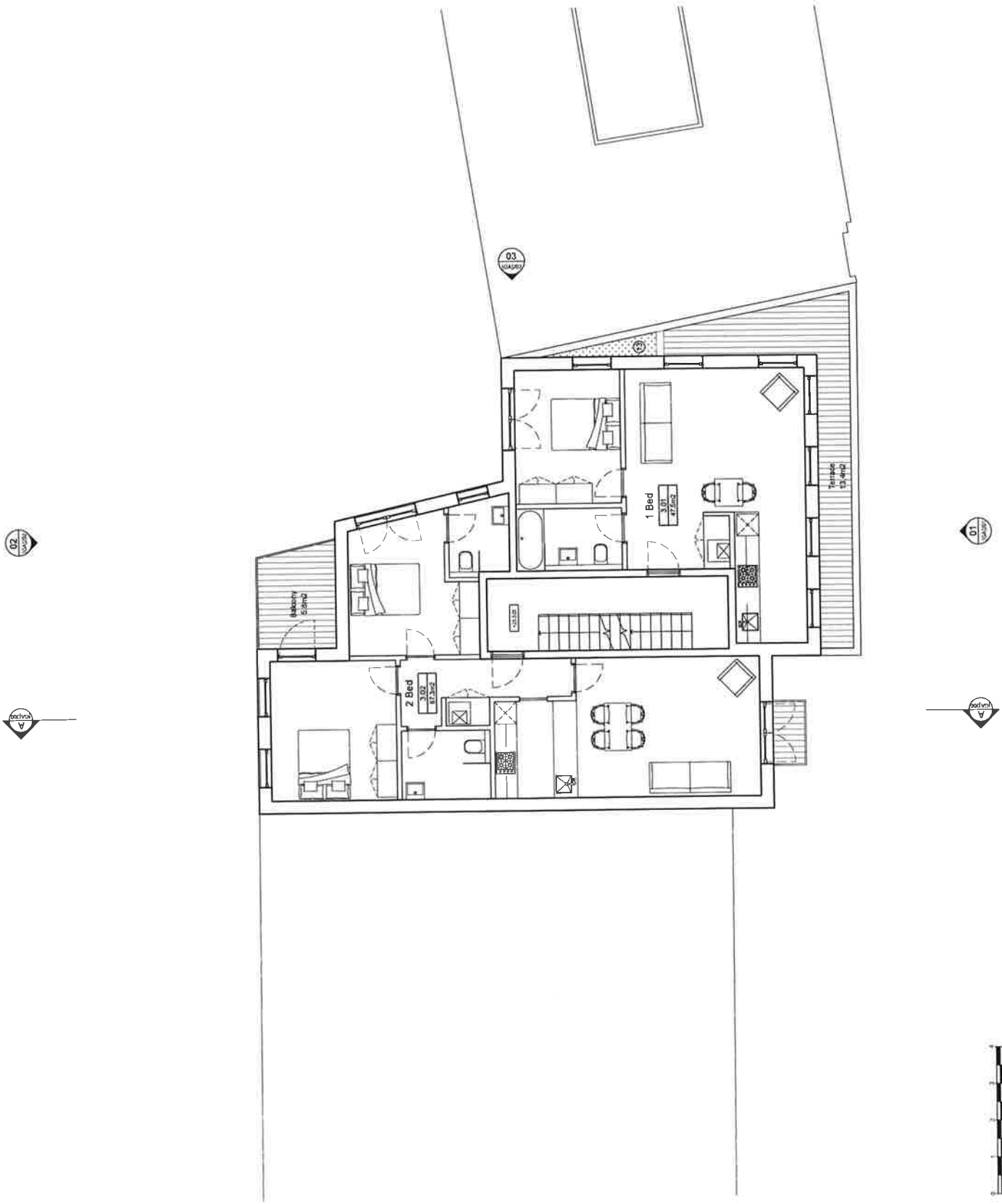
B	20.12.17	PLANNING	FK
A	26.10.17	PRE APPLICATION ADVICE	FK
A	19.10.17	FLOOD RISK ASSESSMENT	FK
J	23.08.17	FLOOD RISK ASSESSMENT	FK
REV	DATE	DESCRIPTION	BY

DRAWING TITLE

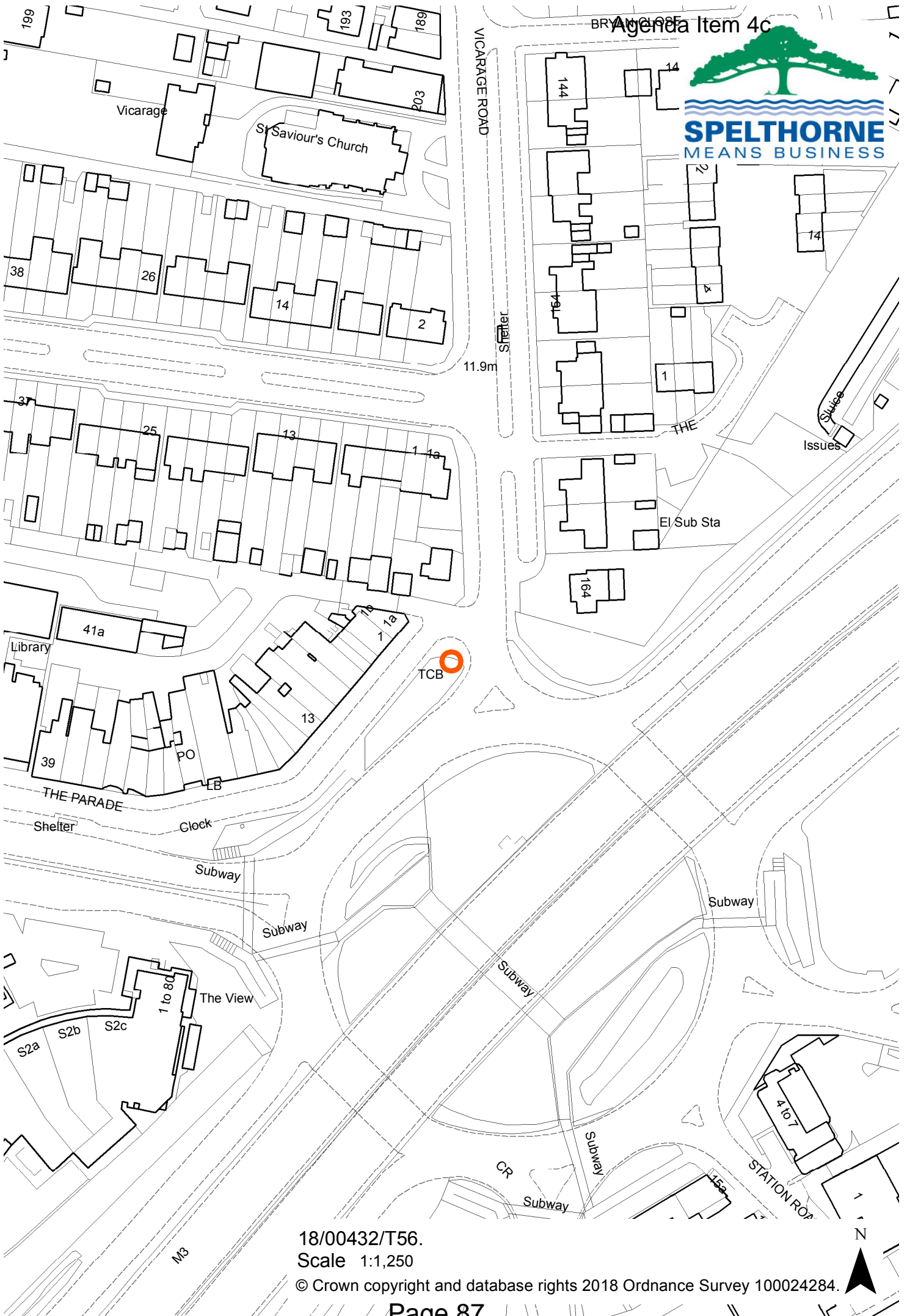
GENERAL ARRANGEMENT

THIRD FLOOR PLAN

DRAWING NO	SCALE
17006 [GA] 103	1:100 @ A3
REVISION	DATE
B	20.12.17
	STAGE
	STAGE 2







18/00432/T56.

Scale 1:1,250

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# Planning Committee

2 May 2018



<b>Application No.</b>	18/00432/T56		
<b>Site Address</b>	Vicarage Road, Sunbury upon Thames TW16 7UB		
<b>Applicant</b>	Vodafone Ltd		
<b>Proposal</b>	Installation of a 17.5m Shrouded High Jupiter Street Pole (Grey); 1 x 0.3 Microwave Dish; 3 x equipment cabinets (Green) and ancillary equipment		
<b>Ward</b>	Sunbury Common		
<b>Called-in</b>	This has been called into Committee by Cllr Griffiths on the grounds of impact upon the character and appearance of the area on an existing grass verge and where the mast could be located elsewhere.		
<b>Officer</b>	Matthew Clapham		
<b>Application Dates</b>	Valid: 23/3/2018	Expiry: 18/5/2018	Target: Under 8 weeks
<b>Note</b>	This application cannot be deferred as under the regulations, a decision has to be reached by 18/5/2018 or the proposal receives deemed consent for approval.		
<b>Executive Summary</b>	<p>This application seeks the installation of a 17.5m high mobile phone mast with associated equipment.</p> <p>The site is located within the Sunbury Cross Shopping Centre on a grass verge adjoining the junction with Vicarage Road and the Sunbury Cross Roundabout.</p> <p>The principle of a mast in this location is considered acceptable. Whilst the proposed mast would be slightly taller than the adjoining building to the north, the area has a number of tall buildings; street furniture and the A316 flyover in close proximity.</p> <p>Government Guidance supports the provision of telecommunications equipment where acceptable on planning grounds.</p> <p>No concerns are considered to arise with regard to Parking, Highway Safety or Trees. However, we await consultation responses from the County Highway Authority and the Arboricultural Consultant and any comments will be reported orally at the Committee. Therefore, the proposal is considered acceptable.</p>		
<b>Recommended Decision</b>	<b>This planning application is recommended for approval, subject to conditions.</b>		



## MAIN REPORT

### 1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

➤ EN1 (Design of New Development)

### 2. Relevant Planning History

- 2.1 None.

### 3. Description of Current Proposal

- 3.1 The application site is a grass verge on the junction where Vicarage Road meets the Sunbury Cross Roundabout. To the north is an access road that runs to the front of the Sunbury Cross Shopping Parade, which comprises a three storey terraced building, with ground floor commercial/retail units with flats/maisonettes above. To the south is the Roundabout and the A316 Great Chertsey Road flyover. The site is currently occupied by a two storey building that was formerly a Chinese Restaurant although this is no longer operating.
- 3.2 The proposal seeks to install a 17.5m high monopole with a shroud at the top to house the required antenna and also a microwave dish. The mast would be grey in colour. There would also be 3 equipment cabinets in green colour and other ancillary equipment. .
- 3.3 Copies of the proposed site layout and elevations are provided as an appendix.

### 4. Consultations

- 4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
Environmental Health (contamination)	No response to date
Tree Officer	No response to date
County Highway Authority	No response to date

### 5. Public Consultation

- 5.1 17 letters of notification were sent out to neighbouring properties. 20 letters of objection have been received, Reasons for objecting include:
- Impact on Character and appearance of the area
  - Impact on residential amenity
  - Trees
  - Health concerns

### 6. Planning Issues

- Siting and appearance

### 7. Planning Considerations

### Government Guidance

- 7.1 The National Planning Policy Framework (NPPF) states that '*advanced, high quality communications infrastructure is considered essential for sustainable for economic growth*'. In addition, the draft revised NPPF, March 2018 states that '*Advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing. Planning policies and decisions should support the expansion of electronic communications networks.*'
- 7.2 Furthermore, the NPPF confirms that '*Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for a telecommunications system, or set health safeguards different from the International Commission guidelines for public exposure*'.

### Siting and Appearance

- 7.3 It is accepted that the 17.5m high mast is taller than most mobile phone masts and the proposed column would be taller than the adjacent buildings and other immediate features. However, the area clearly contains a number of street furniture items within the highway area and so the presence of slim and vertical structures is considered to be a feature of this area. The presence of a number of tall buildings in the locality and the raised flyover of the A316 which has street furniture that more than exceeds the height of this mast should also be recognised. Therefore, it is considered that, even though it would be taller than other features in the immediate vicinity, the mast would not be unacceptably dominant within the street-scene and would be seen as one of a much greater number of varying features.
- 7.4 Whilst the proposed mast would be visible from some residential properties, taking into account its relatively slim line appearance, the other street furniture and the separation distances to the nearest residential dwellings above the commercial properties in the Sunbury Cross Parade and other properties adjoining Vicarage Road. Therefore, it is not considered that there would be any significant loss of outlook for the occupiers of the neighbouring properties.
- 7.5 With regard to the equipment cabinets, they are considered necessary for the effective function of the mast and are further additions of equipment within the existing street and would not be out of keeping at this major road junction. As such, the cabinets are considered acceptable.
- 7.6 The applicant has provided supporting information in relation to need and the other sites which have been examined. This information conveys a demonstrable need to supplement coverage in the area and that other options have been considered. Within the context of the Governments encouragement for high quality communications infrastructure as set out in the NPPF, this carries some weight in favour of the proposal.
- 7.7 In terms of Highways, the site is under the ownership of Surrey County Council. No response has been received from the County as yet and any response will be reported orally to the Committee. However, as the landowner, notice was served on Surrey County Council and as far as I am aware, no objections were raised within the 21 day notice period. There are not considered to be any significant parking issues.

### Other Matters

- 7.8 Concerns have been raised regarding the health implications of the telecommunications equipment. However paragraph 46 of the NPPF states that local planning authorities should not determine health safeguards if the proposal meets International Commission guidelines for public exposure to non-ionising radiation. In addition, the draft NPPF (March 2018) states that Local Planning Authorities should not set health safeguards different from the International Commission guidelines for public exposure. Confirmation that the proposal would meet these guidelines has been provided and there are therefore no health reasons for rejecting the proposed scheme.
- 7.9 The Councils Tree Officer's comments are awaited and will be reported orally at the meeting. The adjoining trees are not subject to any Preservation Orders and are located on County Highway land. The nearest adjoining tree is not considered to be of any significant merit and in view of the other trees in the vicinity, does not make a significant contribution to the character and appearance of the area that is viewed from the public realm.

### Conclusion

- 7.10 For the reasons set out above, it is considered that the proposal would be acceptable in terms of its siting and appearance. Accordingly, it would not have a detrimental impact upon the character and appearance of the area and would therefore accord with the design and amenity aims of Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009 and guidance contained in the National Planning Policy Framework.

## **8. Recommendation**

- 8.1 GRANT subject to the following conditions: -
1. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:  
100; 300 and 301 received 23.3.2018  
Reason:- For the avoidance of doubt and in the interest of proper planning

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18/00138/FUL.

Scale 1:500

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## Planning Committee

02 May 2018



<b>Application No:</b>	<b>18/00138/FUL</b>		
<b>Site Address:</b>	Wardle Dental Surgery, 68 Church Road, Ashford, TW15 2TW		
<b>Proposal:</b>	Erection of a roof extension including front and side dormers and the raising of the ridge height, the erection of a part two storey, part single storey rear extension with habitable space in the roof, the provision of parking space, and the creation 4 no. 1 bedroom flats.		
<b>Applicant:</b>	Mr Amit Dodia		
<b>Ward:</b>	Ashford Town		
<b>Call in details:</b>	The application has been called in by Councillor Gething, over concerns relating to overdevelopment and the impact upon the street scene close to Ashford War Memorial.		
<b>Case Officer:</b>	Matthew Churchill		
<b>Application Dates:</b>	Valid: 14.02.2018	Expiry: 11.04.2018	Target: Over 8 weeks (Extension of time until 08.05.2018)
<b>Executive Summary:</b>	<p>This planning application is seeking a roof extension that would include the installation of front and side dormers and the raising of the ridge height, the erection of a part two storey, part single storey rear extension with habitable space in the roof form, together within the provision of parking space, which would create 4 no. 1 bedroom flats. The proposal would also incorporate the existing dental surgery within the ground floor, which would contain 4 rooms, a reception and waiting room area, and a kitchen.</p> <p>There is an existing planning permission for the site, which was granted planning consent in September 2017, under the reference 17/00758/FUL. This permission is similar to the present proposal externally, although the rear element of the scheme would be sited in a different position (some 0.75 metres to the east) and the present</p>		

	<p>scheme proposes an additional doorway within the western flank elevation. Internally, the existing consent would provide 3 residential units, and notwithstanding the entrance to the upper floor flats, would contain the dental surgery on the whole of the ground floor. Within the proposal presently under consideration, the first and second floor flats contain similar (almost identical) layouts to the upper floor flats previously granted consent, although an additional 1 bedroom flat would be contained on the ground floor, and the floor space of the dental surgery would be reduced in comparison to the scheme previously granted consent.</p> <p>The proposal would provide 6 parking spaces at the rear of the site, which the applicant has confirmed would be allocated to the residential use. The site is located within a sustainable town centre location and the scheme would contribute to the borough's housing supply.</p> <p>The proposal would comply with the relevant core strategy and Development Plan Document and is considered to be acceptable.</p>
<b>Recommended Decision:</b>	The application is recommended for approval.

## MAIN REPORT

### 1. **Development Plan**

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- EN1 (Design of New Development)
  - CC2 (Sustainable Travel)
  - CC3 (Parking Provision)
  - CO1 (Providing Community Facilities)
  - EM1 (Employment Development)
  - HO1 (Housing)
  - HO5 (Density of Housing Development)
  - TC3 (Development in Ashford, Shepperton and Sunbury Cross Centres)
  - EN6 (Historic Landscapes)
- 1.2 Also relevant is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011, and the National Planning Policy Framework (NPPF), 2012

## **2. Relevant Planning History**

93/00312/FUL	Erection of single storey rear extension to provide a store	Grant Conditional 09.08.1993
11/00733/OUT	Construction of new building comprising 2 no commercial units (shops / offices, 2 no 2 single bedroom flats and 2 no 1 bedroom flats to rear of the site address, with parking for 4 vehicles.	Grant Conditional 01.12.2011
14/01258/OUT	Outline application for the erection of a block of 4 flats on land at rear of 68 Church Road.	Application Refused 27.11.2014  Appeal Dismissed 10.06.2015
17/00758/FUL	Erection of roof extension including front and side dormer windows, the erection of a two storey rear extension and a single storey rear addition and provision of car parking spaces in connection with the extension of the dental surgery and the provision of 3 x 1 bedroom flats.	Grant Conditional 14.09.2017

## **3. Description of Current Proposal**

- 3.1 The application site is occupied by a two storey building, which contains Wardle Dental Surgery, set across both floors. The site is located within a prominent corner plot location, and is situated on the northern side of Church Road, which is the main shopping street in Ashford, and the eastern side of Brownrigg Road. A single storey outbuilding is also contained within the rear of the site, as well as an area of hardstanding used for parking. The buildings immediately adjoining the Dental Surgery within Church Road, contain 3 storeys through the incorporation of dormer windows within the roof space. Brownrigg Road is residential in character and predominantly contains detached and semi-detached dwellings. The site is located some 35 metres to the east of Ashford War Memorial, which is a Listed Building, and is located within the Ashford Commercial Area, the Ashford Employment Area and the Ashford Shopping Area.



- 3.2 The application proposes the erection of a roof extension including front and side dormers and the raising of the ridge height, the erection of a part two storey, part single storey rear extension with habitable space in the roof, the provision of parking space and the creation of 4 no. 1 bedroom flats. The site would contain a bin and cycle storage area, together with 6 parking spaces at the rear. The plans have been amended since the scheme was originally submitted, with trees removed from between parking spaces 1 and 2, and spaces 4 and 5, to make them more accessible. The applicant has also included parking stops within the parking spaces to avoid damage to a neighbouring fence, and a neighbouring building has been redrawn to reflect the existing situation. The revised plans were re-advertised to the occupiers of neighbouring and adjoining dwellings on the 12<sup>th</sup> of April 2018.
- 3.3 The site benefits from an existing planning permission which was granted planning consent on the 14<sup>th</sup> of September 2017, under the reference 17/00758/FUL. This permission has not been implemented to date and relates to the “*Erection of roof extension including front and side dormer windows, the erection of a two storey rear extension and a single storey rear addition and provision of car parking spaces in connection with the extension of the dental surgery and the provision of 3 x 1 bedroom flats*”.
- 3.4 Copies of the site layout and elevations are provided as an Appendix.

#### 4. **Consultations**

- 4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
Environmental Health	No objection subject to conditions relating to contamination.
County Highway Authority	The County Highway Authority having assessed the application on safety, capacity and policy grounds, recommends that 5 conditions and 3 informatives are attached to the decision notice.
The Council's Arboricultural Consultant	No objections on the grounds of the adjacent ornamental plum tree within no.1 Brownrigg Road, which is not worthy of a TPO. The car parking partially falls within the Root Protection Area of the plum however, the ground levels have been previously lowered and it is unlikely that the installation of the parking surface will be detrimental to the tree.
Heritage Consultant	Raised no concerns over the impact upon Ashford War Memorial.

## **5. Public Consultation**

The occupiers of 57 neighbouring properties were notified of the planning application, and at the time of writing seven letters of representation have been received, objecting to the proposal on the following grounds:

- Concerns over car parking generated by the residential and dental use of the building.
- There is already a large number of cars parked in Brownrigg Road, by those using shops and offices nearby.
- Concerns over parking space size, turning space and the location of trees within the parking area.
- After 9am there is little chance in finding parking spaces in surrounding roads.
- The site should provide a parking area similar to the Studholme Medical Facility, located within Church Road.
- Concerns over the future of the nearby multi-storey car parking facility, and parking for the elderly and disabled.
- The scheme is overdevelopment of a small site, and should not protrude beyond the building line of Brownrigg Road.
- The pavement is not suitable for entrances to the dental practice or flats.
- Concerns over the description of the proposal and waste disposal.
- Health concerns over the use of X-rays within the dental practice. (Officer note: this is not a planning matter)
- The proposal is inappropriate for a residential road.
- There is likely to be a need for an extra 20-30 cars generated on site.
- The scheme would introduce a dense concentration of competing land uses.
- Front doors fronting on to Brownrigg Road will be out of character, with neighbouring front doors set much further back.
- The new entrance changes the aspect of the building.
- The plans are not detailed enough, withhold information and do not show two neighbouring flats (Officer Note: the neighbouring flats have been added).
- There will be a loss of four 'on the road' parking spaces.
- The junction of Brownrigg/Church Road is already dangerous, which will get worse with the loss of car parking for dental surgery staff and patients.
- Concerns that a previous application did not go before Planning Committee (Officer note: there was no requirement to).
- Trucks delivering to shops in Church Road, stop in Brownrigg Road blocking access.
- Staff parking in the existing parking spaces at the rear of the site.
- Measurements on the floor plans are missing and these plans conflict with building regulations (Officer Note: the plans are to scale and measurements within the plans are correct).

The Council has also received one letter in support of the application on the following grounds:

- The proposal makes good use of the space, and many residents of flats in town centre locations no longer use cars, preferring public transport.
- The rear section of the building is further away from 70 Church Road than the previous application and will have a better relationship with this building.
- The slightly closer position to the footpath in Brownrigg Road is not significant.
- There is a local and national need for new housing.
- Concerns over the first floor front bedroom.

The applicant submitted revised plans on the 11<sup>th</sup> of April 2018, which were 're-advertised' to the occupiers of neighbouring and adjoining dwellings on the 12<sup>th</sup> of April 2018. At the time of writing two further letters of representation have been received, which object to the amended proposal on the following grounds:

- Concerns over car parking space numbers not being mentioned.
- The new information does not alter previous objections.

The occupiers of neighbouring properties are able to comment on the amended plans until the 26<sup>th</sup> of April 2018, and if any further letters of representation are received they will be reported to Committee.

## **6. Planning Issues**

- Design and appearance.
- Layout for future occupiers.
- Density
- Housing Supply.
- Amenity of the occupiers of neighbouring and adjoining residential properties.
- Parking provision.
- Listed Building (Ashford War Memorial).

## **7. Planning Considerations**

### **7.1 Design and Appearance**

7.2 Policy EN1 of the CS & P DPD states that the Council will require a high standard of design and layout of new development. Proposals should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land. Also of relevance is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011.

7.3 When considering the design and appearance of the scheme, it is important to give significant weight to scale and design of the existing planning consent at the site (17/00758/FUL). Externally, the present proposal would measure the same height as the previous scheme, measuring 8.731 metres to the ridge over the front element of the building, and 5.752 metres to the ridge over the rear element. The present scheme would also measure the same

depth as the existing planning permission, projecting approximately 14.15 metres beyond the existing single storey rear element of the building. The main external differences between the present proposal and the existing planning consent, relate to the location of the rear element of the scheme, which would be sited approximately 0.75 metres to the west (some 0.75 metres closer to Brownrigg Road). The rear element of the scheme would also be sited approximately 0.75 metres further from the eastern boundary in comparison to the existing permission (1.153 metres). The present scheme also proposes an additional doorway, serving the ground floor flat, within the western flank elevation.

- 7.4 Internally, the previous planning consent (17/00758/FUL) incorporated two, one bedroom flats on the first floor, with a further studio flat located on the second floor. Notwithstanding the entrance to the upper floor flats, within the existing planning permission the dental surgery would occupy the whole of the ground floor, and would incorporate 5 surgery rooms, a hygienist room, a kitchen, together with a reception and waiting area. The present scheme also proposes two, one bedroom flats on the first floor, which contain an almost identical layout to the first floor flats approved within the existing permission. The first floor flats would also incorporate the same level of internal floor space (50 m<sup>2</sup> and 58.3 m<sup>2</sup>) as those within the existing permission. The present scheme also proposes a studio flat on the second floor, which again would contain an almost identical layout to the existing permission, and would also incorporate the same level of internal floor space (45 m<sup>2</sup>). The main alteration internally between the present proposal and the existing planning permission, relates to the ground floor of the scheme, which in addition to the re-siting of the rear element, would result in a reduction in the proposed floor space of the dental surgery, and the incorporation of an additional ground floor one bed flat. The dental surgery within the present proposal would incorporate 4 rooms (as opposed to 5 surgery rooms and a hygienist room in the existing consent) together with a waiting area, reception and kitchen.
- 7.5 The overall massing and height of the scheme is viewed to be compatible with other development within the surrounding locality, and is not considered to result in overdevelopment of the site, particularly given the scale and design of the existing permission, which the applicant is able to implement. The roof would incorporate a gable design, which is considered to be acceptable in the context of the site and the wider street scene. The proposed dormers would largely be compliant with the Council's guidelines on dormer design, although the dormers within the rear element would be set down 0.35 metres from the ridge rather than the Council's 0.5 metre guideline set down distance. However, given the overall scale and design of the dormers, together with the existing planning permission, this is not considered to be reason to recommend the application for refusal on design grounds. A number of other dormers were also observed within Church Street at the time of the site visit and as such the scheme would not be unduly out of character in this regard. The roof lights proposed within the eastern elevation are also considered to be acceptable by virtue of siting and scale.
- 7.6 The Council has received a number of letters of representation raising objections to the proposal on the grounds of the impact upon the prevailing

building line. It is accepted that properties within Brownrigg Road, are generally set back significantly from the highway and contain driveways and/or front gardens. It is also accepted that the present proposal would be located some 0.75 metres closer to the highway of Brownrigg Road than the existing permission at the site. However, given that the existing building already projects up to the west boundary of the site, and is some 0.75 metres closer to the boundary than the proposed rear element of the scheme, it is not considered that an objection could be sustained on the grounds of the impact upon the prevailing building line, particularly as the scheme would not project beyond the western elevation of the host building, and would have a marginally better relationship with the adjoining buildings at no.70 Church Road. The Council has also received a letter of representation objecting to the proposal, as the doorway would open out onto Brownrigg Road rather than Church Road. It is not considered that this would be reason to recommend the application for refusal from a design perspective as this would not harm the overall character of the area and complies with policy EN1.

7.7 Layout and future occupiers

- 7.8 The ground floor flat would contain 1 bedroom and would incorporate an internal floor area measuring 56.83 m<sup>2</sup>. The nationally described *Technical Housing Standards* (March 2018) and the Council's SPD on the Design of Residential Extensions and New Residential Development (April 2011), both state that a 1 bedroom unit, occupied by 2 people, and contained over a single storey, should incorporate a minimum internal floor area of 50 m<sup>2</sup>. The proposed ground floor flat would be in adherence to this guidance, and as such, is considered to be acceptable in this regard.
- 7.9 The first floor flats would also both contain 1 bedroom, and would each be in adherence to the minimum requirements within the *Technical Housing Standards* and SPD on design, as highlighted above. The Council has received a letter of representation raising concerns over the layout of the first floor front bedroom and the compliance of this bedroom with Building Regulations. However, as this bedroom would be laid out almost identically to the previously approved bedroom in the first floor flat (17/00758/FUL), it is not considered that an objection could be sustained in this regard in planning terms and adherence to Building Regulations is not a planning matter. The second floor flat would incorporate a studio style layout, and would contain an internal floor space measuring 45 m<sup>2</sup>. Whilst this would fall some 5 m<sup>2</sup> short of the 50 m<sup>2</sup> minimum requirement set out within the Council's SPD on design and the *Technical Housing Standards* for a one bed flat, given the studio layout, together with the layout approved within the existing permission at the site, it is not considered that a recommendation for refusal could be justified on the basis of this relatively minor shortfall, and as the first floor flat within the existing permission incorporates the same level of floor space (45 m<sup>2</sup>). The flats are also considered to provide an acceptable level of outlook and light for future occupiers and would be acceptable in this respect.
- 7.10 The Council would normally require an appropriate level of amenity (garden) space for new residential development. However, the site is located within

a town centre site and partly involves the conversion of an existing building. The value of providing residential development in town centres, as well as the need to provide more dwellings to meet housing needs is such, that it could not reasonably be argued in this case that the shortfall would cause demonstrable harm overall, and this would not be reason to recommend the application for refusal.

7.11 Density

7.12 Policy HO5 indicates that when considering proposals for new residential units, other than in the case of the conversion of existing buildings, development within Ashford centre should generally be in the range of 40 to 75 dwellings per hectare. However, the policy also states that higher density development may be acceptable where it is demonstrated that the scheme complies with policy EN1 on design, particularly in terms of its compatibility with the character of the area and is in a location that is accessible by non-car-based modes of travel.

7.13 The scheme would provide a density of 100 dwellings per hectare. However, the proposal would be in adherence with policy EN1 in design and layout terms and is located within an area accessible by non-car based travel. It would also provide housing on brownfield land within a sustainable location in accordance with government policy and it is not considered that a recommendation for refusal could be justified on this basis. The draft revised NPPF (paragraph 123) is also relevant as outlined within paragraph 7.23 below.

7.14 Housing Supply

7.15 When considering planning applications for housing local planning authorities should have regard to the government's requirement that they boost significantly the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent with policies set out in the National Planning Policy Framework (NPPF) para 47.

7.16 Relevant policies for the supply of housing cannot be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable site (para 49 of NPPF).

7.17 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). In September 2017, the government produced a consultation paper on planning for the right homes in the right places. The proposals included a standard method for calculating local authorities' housing need and proposed a figure of 590 per annum for Spelthorne. On the basis of its objectively assessed housing need the Council is unable to demonstrate a five-year supply of deliverable sites.

- 7.18 However, the objectively assessed need figure does not represent a target as it is based on unconstrained need. Through the Local Plan review the Borough's housing supply will be assessed in light of the Borough's constraints which will be used to consider options for meeting need. Once completed, the Borough's up to date Strategic Land Availability Assessment will identify further opportunity sites for future housing development that can then be considered for allocation in the new Local Plan. This will also form the basis for a revised 5-year housing land supply figure.
- 7.19 Para 14 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay. When the development plan is absent, silent or relevant policies are out of date, permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole or specific policies in this Framework indicate development should be restricted.'* This application must be considered having regard to the above requirements of Para 14 of the NPPF.
- 7.20 For the reasons outlined within this report, it is considered that the proposal would accord with the Council's development plan.
- 7.21 In March of this year, the Government launched the draft revised NPPF, consultation proposals. This reaffirms the presumption in favour of sustainable development for plan making and decision taking (with some amended wording) and focuses on delivering housing through a plan led system.
- 7.22 It should be noted paragraph that 122 of the draft revised NPPF states:
- "Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for housing and other forms of development, and the availability of land suitable for accommodating it;
  - b) local market conditions and viability;
  - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
  - d) the desirability of maintaining an area's prevailing character (including residential gardens), or of promoting regeneration and change; and
  - e) the importance of securing well-designed, attractive places".
- 7.23 Paragraph 123 of the draft revised NPPF also states: Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:
- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be

tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site”.

7.24 Furthermore policy HO1 states that the Council will ensure that provision is made for housing by encouraging housing development, including redevelopment, infill, and conversion of existing dwellings and the change of use of existing buildings on all sites suitable for that purpose taking into account all other policy objectives. For the reasons outlined within this report, the proposal is considered to be in adherence to the objectives of the Council’s planning policies.

#### 7.25 Employment and Commercial Space

7.26 Policy TC3, states that within the defined employment area of Ashford, the Council will encourage mixed use development combining offices with residential and other uses that contribute positively to the centre, where development can take place in an acceptable manner, and where the existing amount of employment space is retained. Policy EM1 also states the Council will allow mixed use schemes in town centres where there is no net loss of employment space.

7.27 The existing dental surgery has an internal floor space that measures approximately 125 m<sup>2</sup>. The dental surgery within the proposed scheme would contain an internal floor area measuring some 95 m<sup>2</sup>. The proposal would therefore result in a loss of some 30 m<sup>2</sup> of dental surgery space within Ashford Town Centre (and some 58 m<sup>2</sup> less dental surgery floor space in comparison to planning permission 17/00758/FUL). However, the dental surgery use would be maintained at the site and the dental surgery would contain 4 rooms with a more efficient layout. The value of providing additional residential space within this town centre location, which would contribute to the vibrancy and vitality of this town centre location, and would provide dwellings to meet the borough’s housing needs, would on balance outweigh the loss of 30 m<sup>2</sup> of dental surgery floor space, particularly when a dental surgery of some 95 m<sup>2</sup> would be maintained at the site.



7.28 Policy CO1 states that the Council will seek to ensure community facilities are provided to meet local needs by amongst other things, resisting the loss of existing facilities. Whilst dental surgery floor space would be lost, the dental surgery would be maintained at the site with a more efficient use. Consequently, the proposal is acceptable in terms of policy CO1.

7.29 Amenity of neighbouring and adjoining properties

7.30 The proposal is considered to have an acceptable impact upon the residential amenity of all neighbouring and adjoining dwellings, particularly in view of the existing planning permission at the site. The rear elevation of the scheme would be situated some 19.5 metres from the boundary with no.1 Brownrigg Road, and as such the scheme would be in adherence to the Council's 13.5 metre minimum 'back to side' distance. Furthermore as a result of this distance, it is not considered that the scheme would have an adverse impact upon the light or privacy of this property. In addition, the rear window, serving the second floor flat would be some 33 metres from the boundary with no.1 Brownrigg Road and also complies with the Council's guidance.

7.31 The scheme is further considered to have an acceptable impact upon no.1 and 2 Janae Court located to the east of the application site, at the rear of no.70 Church Road, and would be situated slightly further from these properties than the existing planning permission. There is a wall between the application site and this property, which is considered to mitigate any adverse impacts upon light and privacy. Furthermore the rear element of the scheme would measure a height of approximately 3.6 metres at the eaves, which is not considered to be overbearing. The rear element would also be set in 1.153 metres from the eastern boundary, slightly further than the existing permission. The proposed roof lights are also considered to have an acceptable impact upon this property owing to their siting within the roof form.

7.32 The proposal is also considered to have an acceptable impact upon no.70A and 70B Church Road, situated to the east of the site, particularly given the existing planning consent. The scheme is also considered to have an acceptable impact upon the amenity of all further properties within the immediate locality.

7.33 Parking Provision

7.34 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals, in accordance with its maximum parking standards.

7.35 The scheme proposes 6 parking spaces that would be located at the rear of the site. The parking spaces within the original plans incorporated trees between spaces 1 and 2, and spaces 3 and 4. The siting of such trees would have reduced the width of such parking spaces, to below the minimum 2.4 metre width and 4.8 metre minimum depth requirements, as set out within the Council's Parking Standards. This was drawn to the applicant's attention, and amended plans were submitted on the 11<sup>th</sup> of April 2018, which removed

these trees. The revised layout of the parking spaces is therefore considered to be acceptable when assessed against the Council's minimum dimension requirements. The applicant has also incorporated parking stops within the proposed plans, after concerns were raised in relation to a neighbouring fence.

- 7.36 The Council has received a number of letters of representation objecting to the proposal on the grounds of parking. The Council's Parking Standards, the proposals for one bedroom dwellings should incorporate 1.25 car parking spaces per dwelling. As such the residential element of the scheme would be required to incorporate 5 car parking spaces. However, the Council's Parking Standards state a reduction of parking requirements will normally be allowed within the 4 town centres defined in the Core Strategy, where public transport accessibility is generally high. Ashford Railway Station is located approximately 600 metres from the site, and Church Street is well served by buses, being the main shopping street in Ashford. The applicant also confirmed in an email dated 03 April 2018, that all 6 of the parking spaces would be allocated to the flats, although in any event the County Highway Authority has not raised objections were the spaces to be also utilised by dental surgery staff.
- 7.37 The dental surgery would contain 4 rooms. The Council's Parking Standards state that clinics, including dental clinics, should provide 3 car parking spaces per consulting room (meaning a total of 12 spaces). However, the Parking Standards also state, and as outlined above, parking provision below such standards may be acceptable in areas well-served by public transport, particularly in town centres. The application site is located within a sustainable town centre location, with good public transport links. There is also an existing planning consent on site (17/00758/FUL) that could be implemented by the applicant. This would contain 5 surgery rooms and 1 hygienist room (which outside of an area well served by public transport would require a total of 18 parking spaces), although the previous consent would have only contained 3 residential units, meaning there would be a requirement for that scheme to incorporate 1.25 less residential parking spaces than the present scheme. Whilst a number of letters of representation have been received on the grounds of parking provision, the Council must give significant weight to the existing planning permission and the town centre location of the site, which is well served by public transport. It is not therefore considered that an objection could reasonably be sustained on parking grounds. The below table summarises the parking space requirements when assessed against the Council's Parking Standards, had the application site been located outside of a Town Centre location, which was not well served by public transport.

	<b>Planning Permission 17/00785/FUL (Approved)</b>	<b>Present Application 18/00138/FUL</b>
Residential Car Parking Spaces (1.25 spaces per 1 bedroom dwelling)	3.75 Spaces	5 Spaces
Dental Surgery Parking Spaces (3 spaces per consulting Room)	18 Spaces	12 Spaces
Total Car Parking Spaces Required	21.75 Spaces	17 Spaces

7.38 It is important to note that as the application site is located within a town centre location, which is well served by public transport, the minimum requirements outlined in the above table are not applicable in this instance. However, it does demonstrate that the present proposal, would generate a requirement for less parking spaces (in a non-town centre location) than the existing planning permission, which the applicant is able to implement on site.

7.39 The County Highway Authority (CHA) was consulted and assessed the application of safety, capacity and policy grounds, and did not raise any objections, recommending that 5 conditions and 4 informatives are attached to the decision notice. The Council also requested further comments on the parking arrangements and parking within the immediate vicinity of the site. The CHA commented:

“Six parking spaces are shown on the submitted drawings. It is acknowledged that this parking area will be tight, and that manoeuvring into spaces numbered 3 and 6 will not likely be achieved in one movement. However, it is considered that adequate space has been provided to make all of the spaces usable. 4.8m by 2.4m is the standard dimensions requested for parking spaces, and 6m clearance behind each bay is the standard requirement for perpendicular spaces”

In regards to the residential spaces the CHA commented:

“the guidance does allow for reduced provision in sustainable locations where it’s reasonable that residents could live without a car. It is considered that the location of this site meets this criteria, as it is within easy walking distance of local shops, bus services and Ashford Rail Station.

It is understood that the spaces provided will not be available for staff of the dental practice. This will likely lead to a small increase in off-site parking demand. However, this is unlikely to cause a highway safety concern, as parking restrictions in the vicinity of the site prohibit parking in areas that could cause an issue. Public car parking areas are available in the vicinity of the site”.

7.40 Given the comments of the County Highway Authority, and the existing planning permission at the site, which the applicant is able to implement, whilst the concerns of neighbouring residents are noted, and in the event that

the spaces are used by residents of the flats and dental surgery staff, it is not considered that a recommendation for refusal could be justified on this basis.

7.41 It is also worth noting the Inspector's comments within an appeal decision at the site in June 2015, which related to the proposed erection of 4 flats at the rear of the site, and would have incorporated 3 off-street parking spaces. Whilst each application is determined on its own planning merits, and while the appeal was dismissed (as a result of the impact upon the character of the area), in that instance the Inspector commented that the proposed development would have generated little traffic and would have had an insignificant effect on the local highway network. The Inspector also commented that any overspill parking on street could be adequately accommodated in the immediate surrounding network without harm to either highway safety or the appearance of the area.

#### 7.42 Finance Considerations

7.43 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.

7.44 In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development rate of £140 per sq metre of new floor space. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

#### 7.45 Ashford War Memorial

7.46 The application site is situated some 35 metres to the east of Ashford War Memorial, which is a Listed Building. Section 66 of the Listed Building Act 1990 requires authorities when considering whether to grant planning permission affecting a Listed Building to have special regard to the impact upon the Listed Building and its setting. The NPPF (Paragraph 132) also states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Council's Heritage Consultant was notified of the application, and has raised no concerns in terms of the impact upon this Heritage Asset. Given the distance of the scheme to the War Memorial, and in view of the existing planning consent at the site, it is not considered that an objection could be sustained on the grounds of the impact of the War Memorial and its setting. As such it is not considered that the scheme would detract from the character and appearance of the War Memorial, and the scheme would be in accordance with policy EN6 in this regard.

#### 7.47 Other Matters

- 7.48 It was noted during the site visit that conifer trees were located within the application site. These trees are not subject to a Tree Preservation Order and are not located within a Conservation Area. Therefore the removal of such trees would not be a breach of planning control. It was also evident during the site visit that an Ornamental Plum Tree was located within the front garden area of no.1 Brownrigg Road, which would be situated in close proximity to the proposed parking area. As such the Council's Tree Officer was notified of the application and undertook a site visit. The Tree Officer commented:

*"The ornamental plum adjacent to the site is considered to be a low grade tree of no particular merit. It has a dense congested crown and has been unsympathetically pruned in the past, it will never develop into a good tree and is not worthy of a TPO. The car parking partially falls within the Root Protection Area of the plum however, the ground levels have been previously lowered and it is unlikely that the installation of the parking surface will be detrimental to the tree. Ground disturbance has already occurred on the other side of the fence that is likely to be more detrimental to the tree as it would appear that a trench has been dug close to the tree".*

- 7.49 The Council's Head of Neighbourhood Services initially raised concerns over access to the bins from Brownrigg Road as there was no provision for a dropped kerb at the front of the bin storage area. Such concerns were brought to the applicant's attention and the dropped kerb in front of the bin storage area was annotated on the revised plans.
- 7.50 In total the Council has received 7 letters of representation in objection to the original plans and 2 letters in objection to the amended plans. Of the objections not already covered within this report, the plans have been amended to accurately reflect the layout of no.70 Church Street and Janae Court, and trees have been removed from the proposed parking spaces. Furthermore, the letters of representation raised concerns that the previous planning permission did not go before Planning Committee (17/00758/FUL). This planning consent was determined under delegated powers and was not 'called in' to Committee for a decision. The Council has also received a letter of representation raising health concerns over the use of X-Rays within the dental surgery in close proximity to the residential units. This would not be a planning reason to recommend the application for refusal and would be covered by other legislation outside of planning.

#### 8. Recommendation

- 8.1 GRANT subject to the following conditions:-
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans; JSD-16-57/100 Rev A, JSD-16-57/102 Rev A (Received 03.04.2018), JSD-16-57/101 (Received 11.04.2018)

Reason:- For the avoidance of doubt and in the interest of proper planning.

3. No construction above damp proof course level shall take place until details of the materials to be used for the external surfaces of the building(s) and surface material for any parking areas have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to the site has been constructed in accordance with the approved plans, Drawing No. JSD-17-68/101.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

5. Notwithstanding the dropped kerb area in front of the bin store, prior to occupation of the development, the rest of the existing access from the site to Brownrigg Road (D3251) that is made redundant as a result of the development shall be permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, and a plan shall be submitted of the retained kerb area in front of the bin store that is to be agreed in writing with the Local Planning Authority.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

6. Notwithstanding the submitted plan the development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Brownrigg Road, the depth measured from the back of the footway and the widths outwards from the edges of the access. No obstruction to visibility

between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

7. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 8 The development hereby approved shall not be first occupied unless and until the facilities for the secure covered parking of bicycles have been provided in accordance with the approved plans. Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:- The above condition is required in order to encourage sustainable travel and in recognition of Section 4 "Promoting Sustainable Transport "in the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 10 No development shall take place until:-
- (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.
  - (ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.
  - (iii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology. The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

**NOTE**

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected by Contamination - Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk).

- 11 Prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

**NOTE**

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected by Contamination - Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk).

**Informatives**

1. Article 2 (3) Development Management Procedure (Amendment) Order 2012 Working in a positive/proactive manner  
In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-
- (a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - (b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.



2. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
5. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
6. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

If you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development.

Further information on CIL and the stages which need to be followed is available on the Council's website. [www.spelthorne.go.uk/CIL](http://www.spelthorne.go.uk/CIL).

7. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
  - a) A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
  - b) Site perimeter automated noise and dust monitoring;
  - c) Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
  - d) Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)

- e) A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;
- f) To follow current best construction practice BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- g) BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration,
- h) BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- i) Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999,
- j) Relevant CIRIA practice notes, and
- k) BRE practice notes.
- l) Site traffic – Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- m) Site waste Management – Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.
- n) Noise mitigation measures employed must be sufficient to ensure that the noise level criteria as outlined in BS8233:2014 and WHO guidelines is achieved.

- 8 The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at [www.securedbydesign.com](http://www.securedbydesign.com).

Legend



Proposed planting



Concrete block paving



Parking stops to be installed to protect boundary fences see adjacent picture

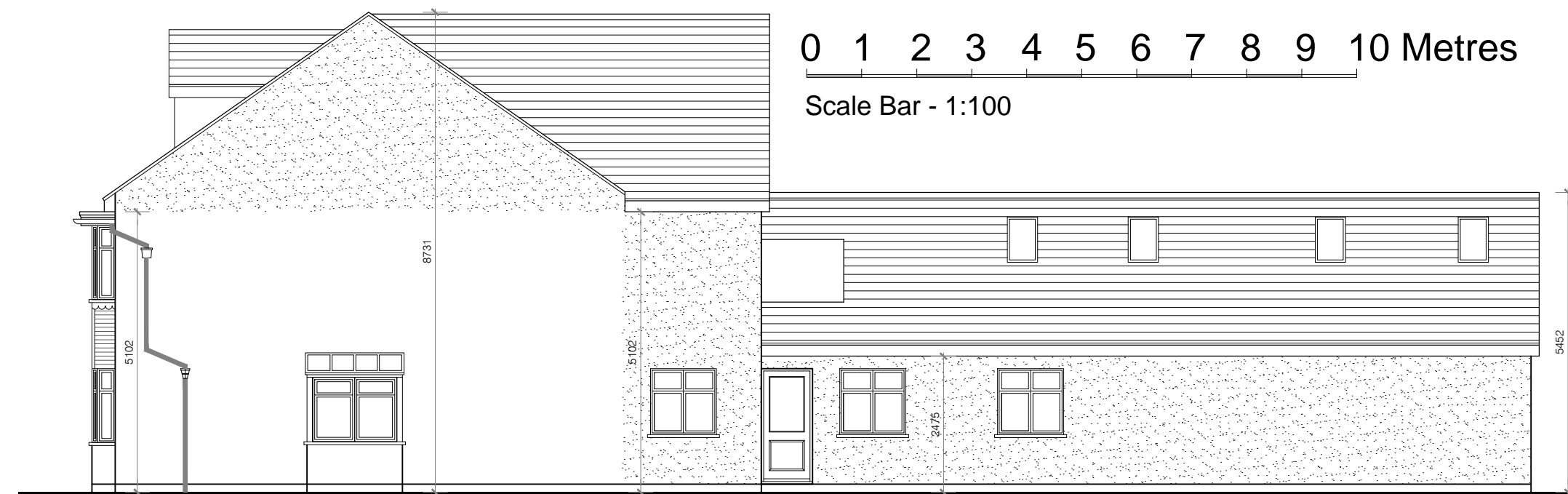
# Wardle Dental Surgery, 68 Church Road, Ashford, TW15 2TW



Proposed Front Elevation



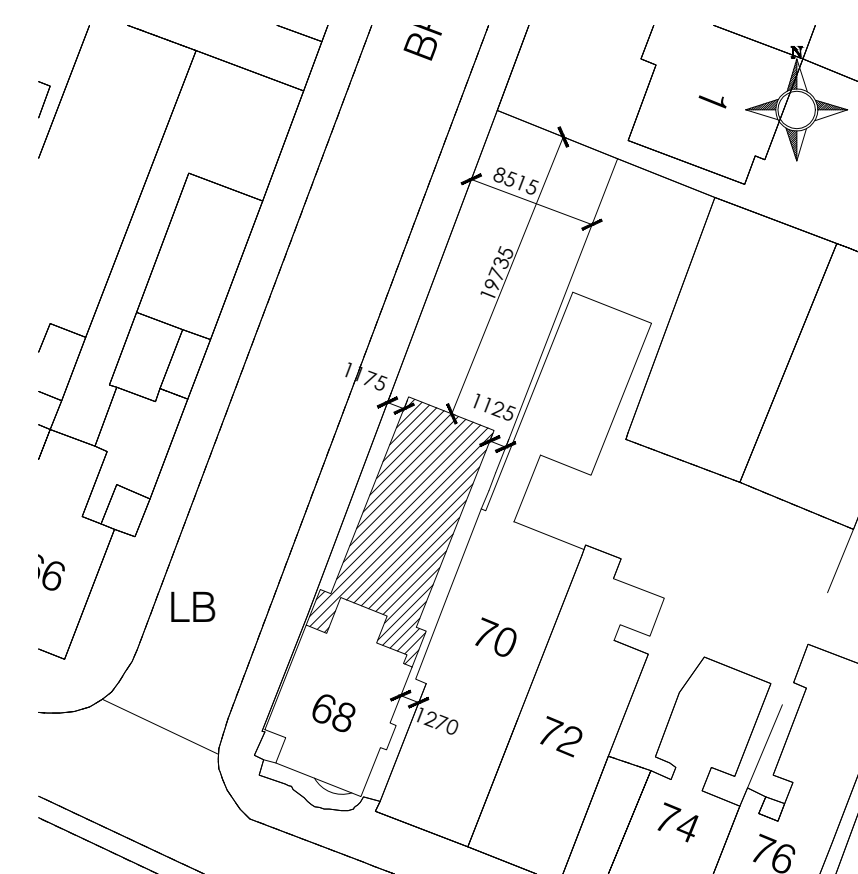
Proposed Side Elevation



Proposed Side Elevation



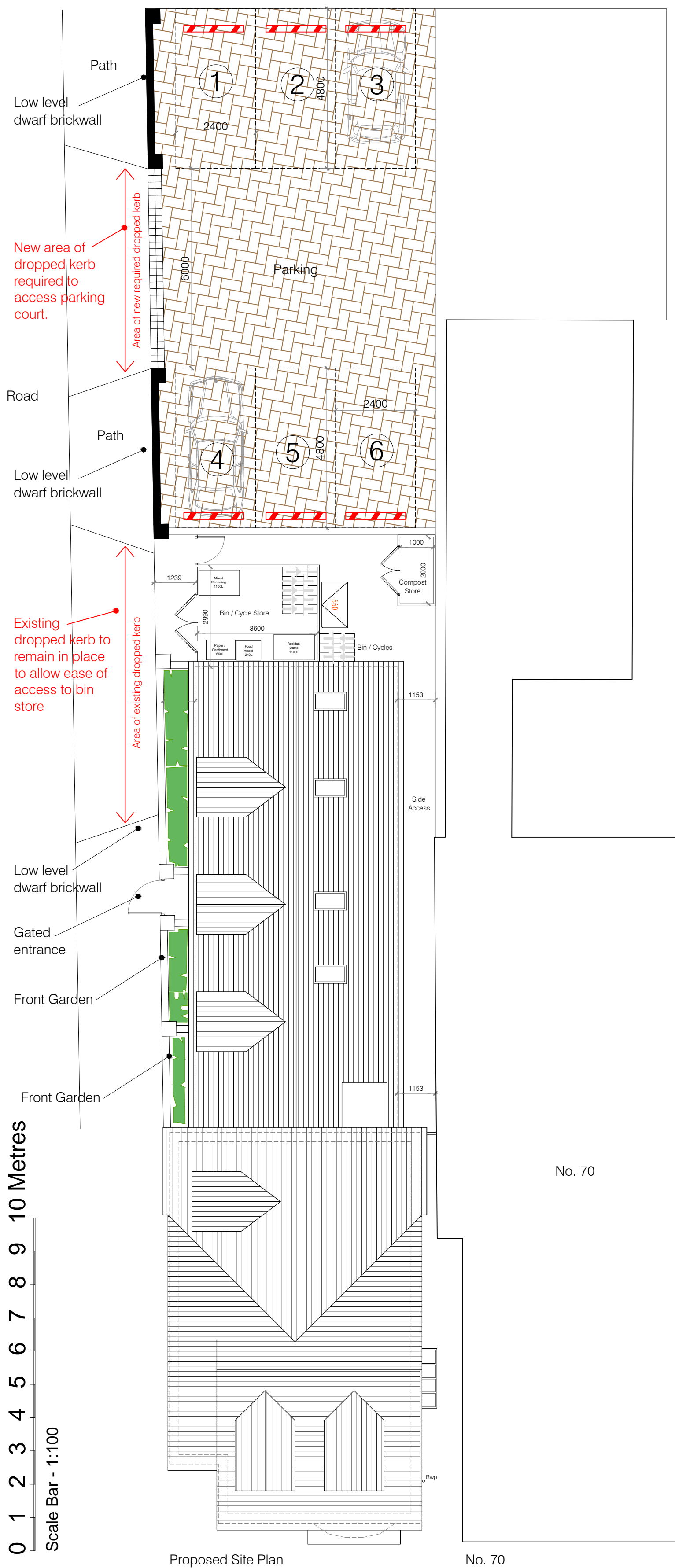
Proposed Rear Elevation



Block Plan 1:500 Scale

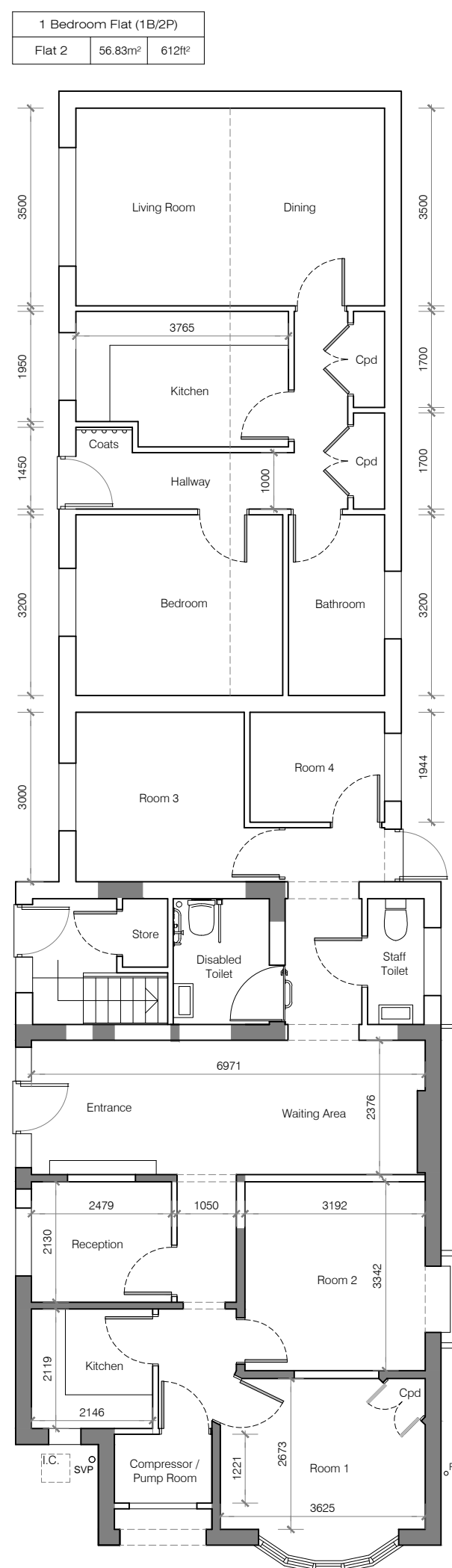
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Scale Bar - 1:500



Proposed Site Plan

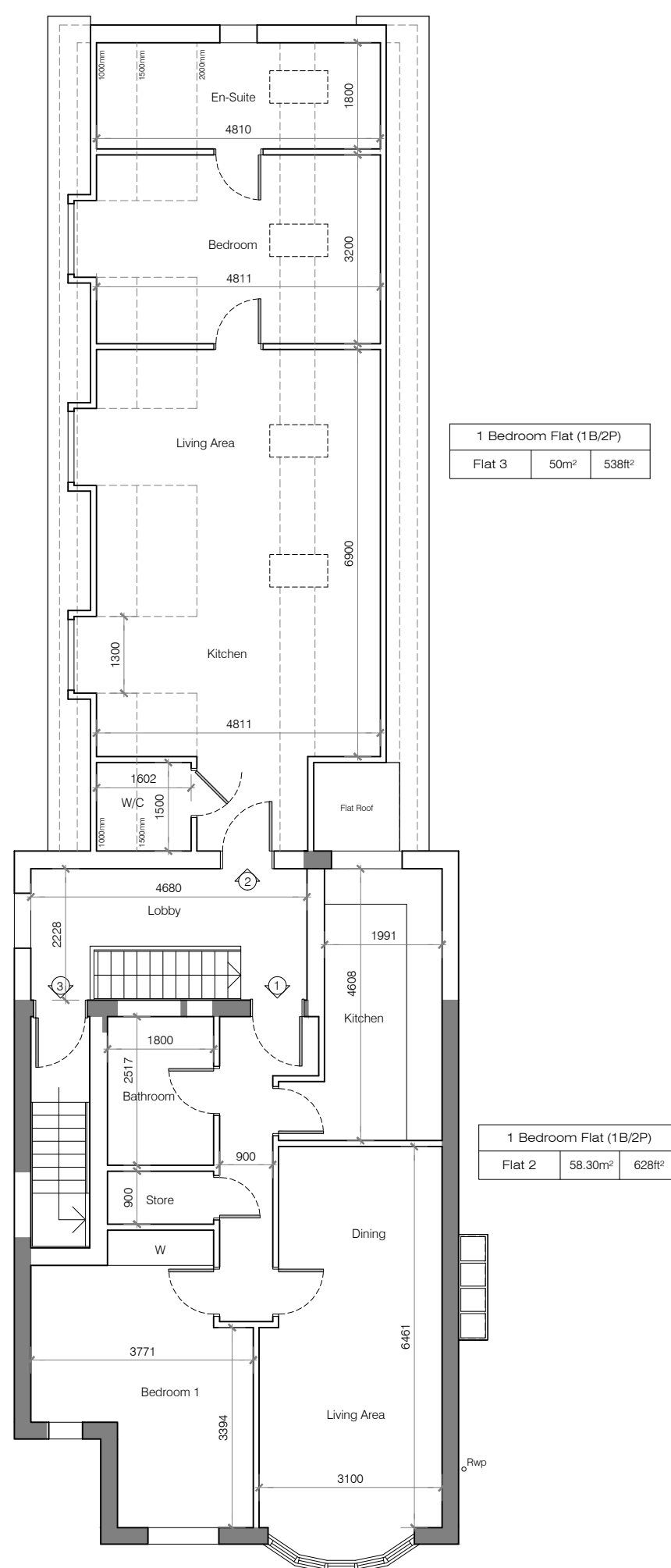
No. 70



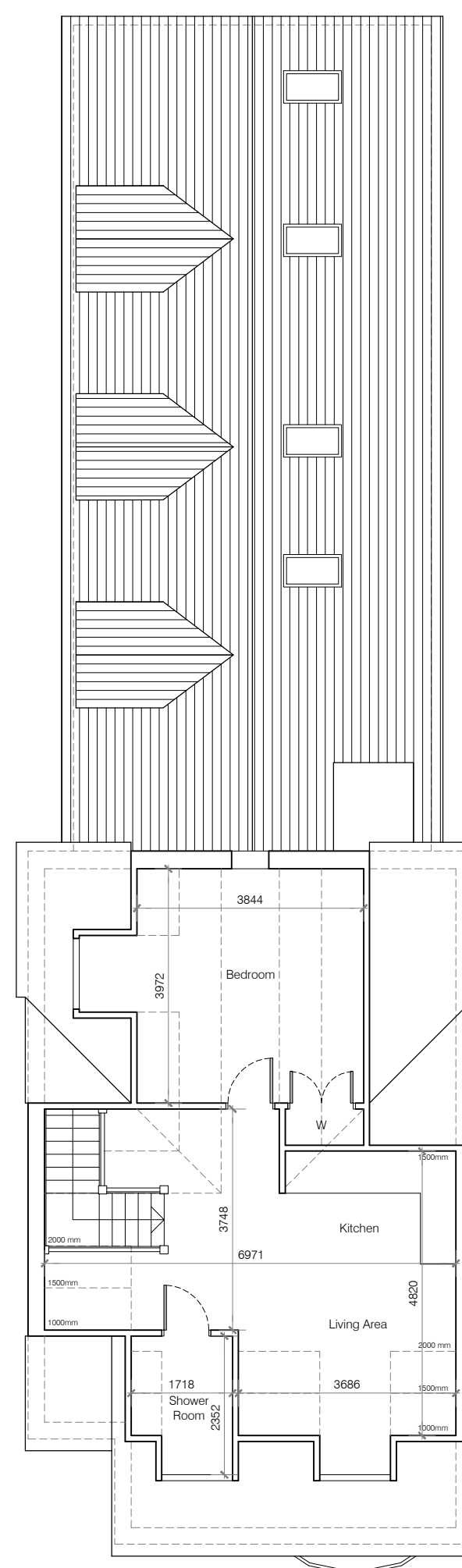
Proposed Ground Floor Plan



No. 70



Proposed First Floor Plan



Proposed Second Floor Plan

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Unable to survey the Loft as no access was available during the Survey.

C	20.04.18	Flat 1 renamed 1 bedroom	JPS
B	10.04.18	Dropped kerb added to parking court	JPS
A	03.04.18	Planning officers comments added.	JPS

Rev	Date	Details
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Dr Mayuran Nathan

Client:

Wardle Dental Surgery  
68 Church Road, Ashford  
TW15 2TW

Address:

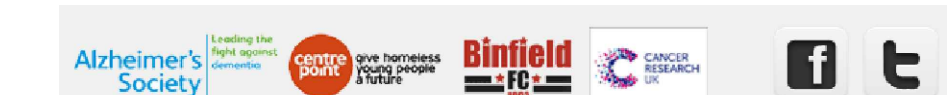
Proposed Elevations,  
Floor Plans & Location Plan

Checked by: JEP  
Drawing Number: JSD-17-68/101

Stage of Project: PLANNING

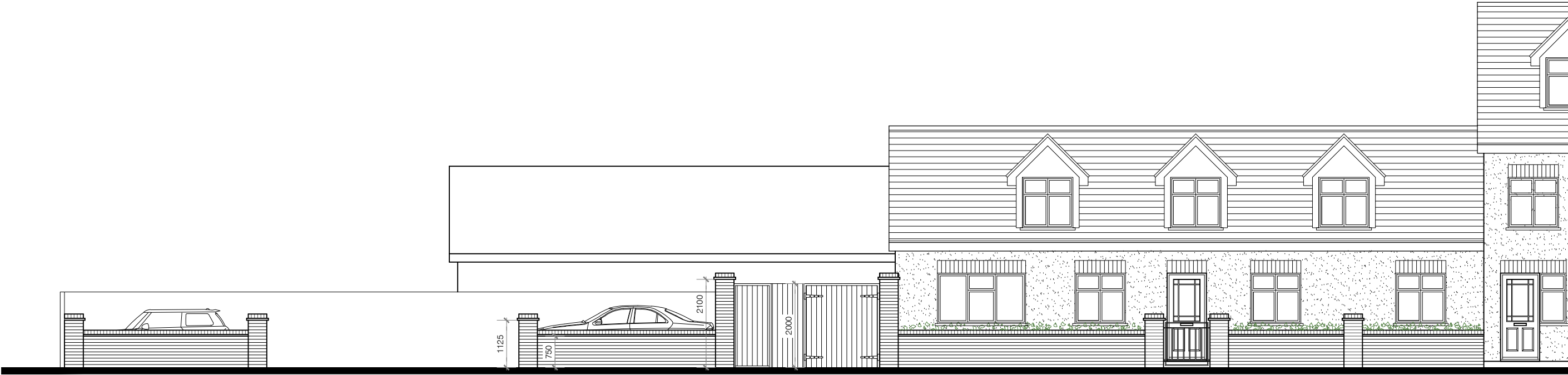
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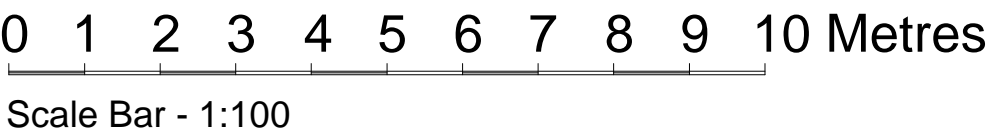




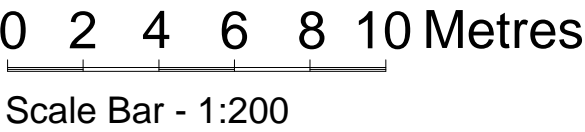
# Wardle Dental Surgery, 68 Church Road, Ashford, TW15 2TW



Proposed Side Elevation / Street Scene  
1:100



Proposed Side Elevation / Street Scene  
1:200



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A 03.04.18 Planning officers comments added. JPS

Rev Date Details

Client: Dr Mayuran Nathan

Address: Wardle Dental Surgery  
68 Church Road, Ashford  
TW15 2TW

Existing Elevations Date: December 2017  
Scale: As Shown | Paper Size: A3  
Checked by: --- Drawn by: JEP

Drawing Number: JSD-17-68/102 Revision: A

Stage of Project: PLANNING

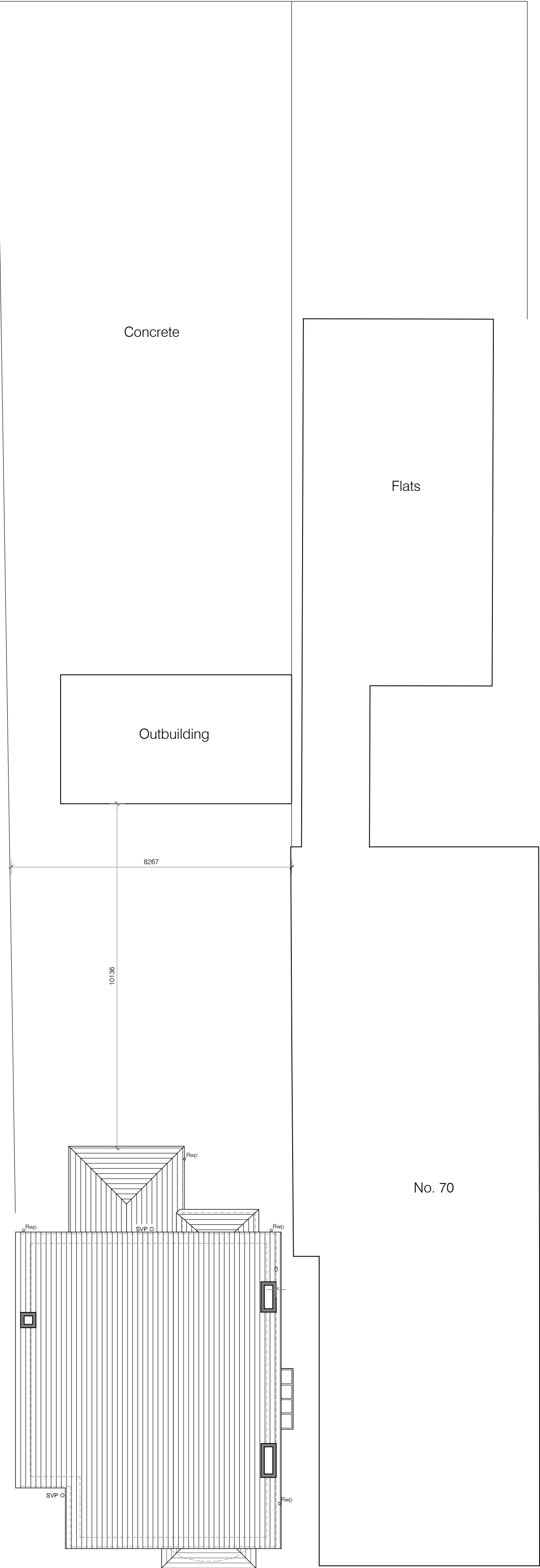
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# Wardle Dental Surgery, 68 Church Road, Ashford, TW15 2TW

Page 117



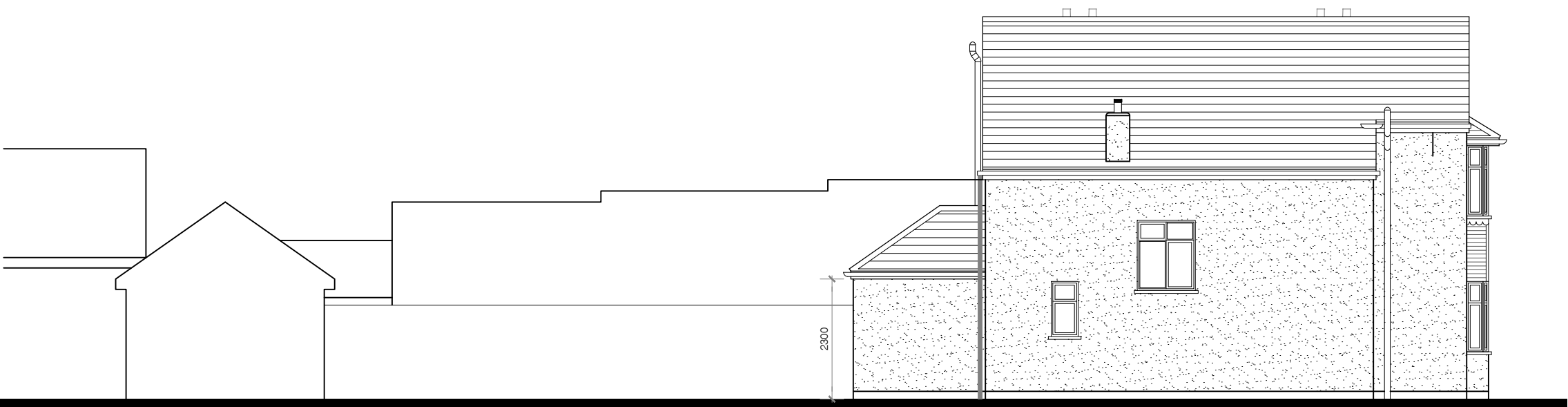
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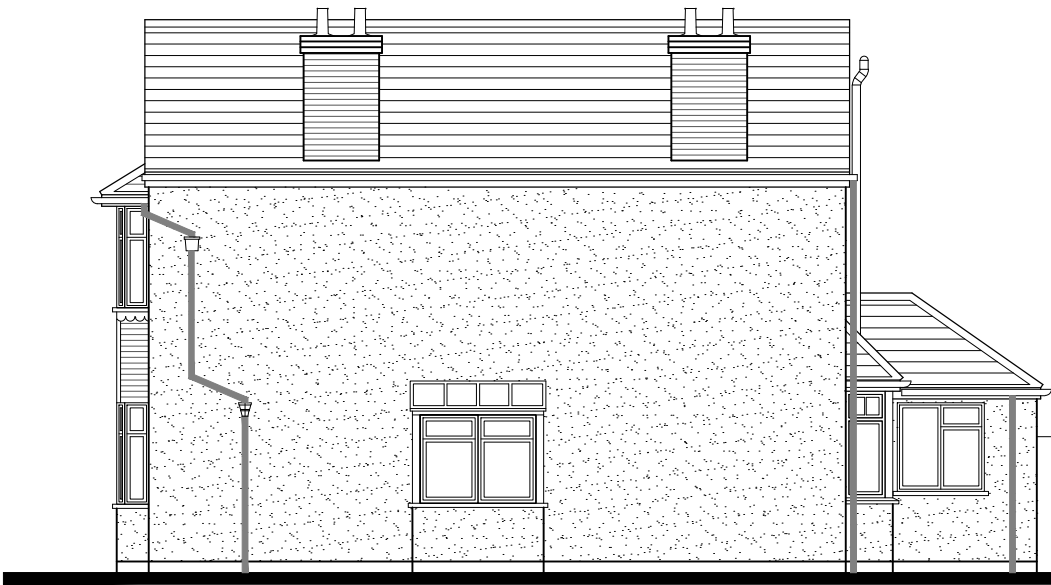


Existing Front Elevation

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Scale Bar - 1:100



Existing Side Elevation

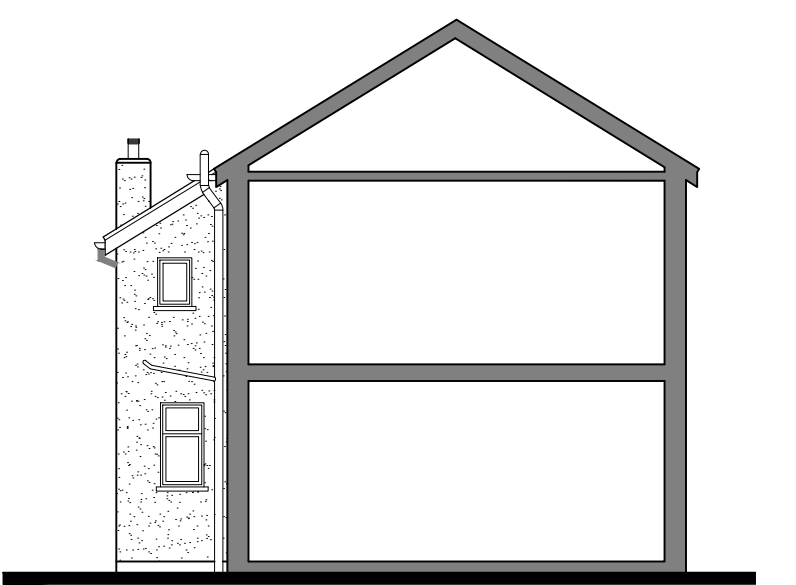


Existing Side Elevation

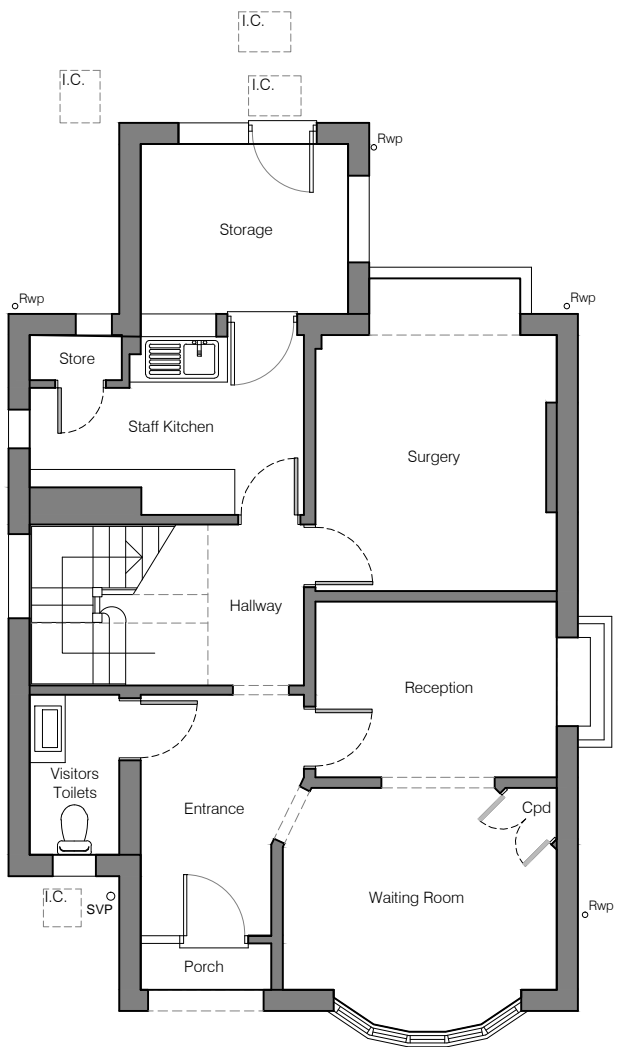
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Existing Rear Elevation

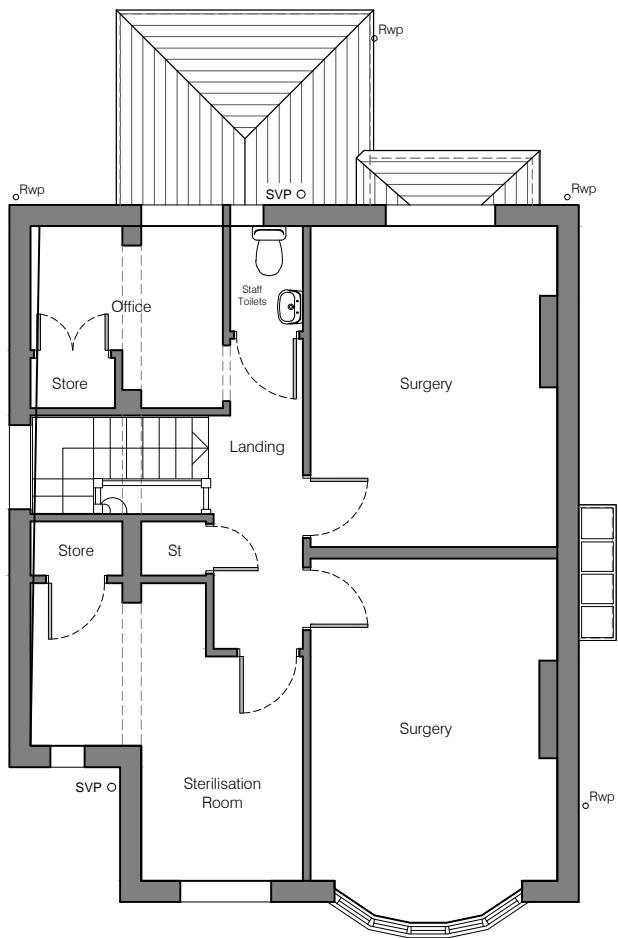


Existing Front Elevation / Section



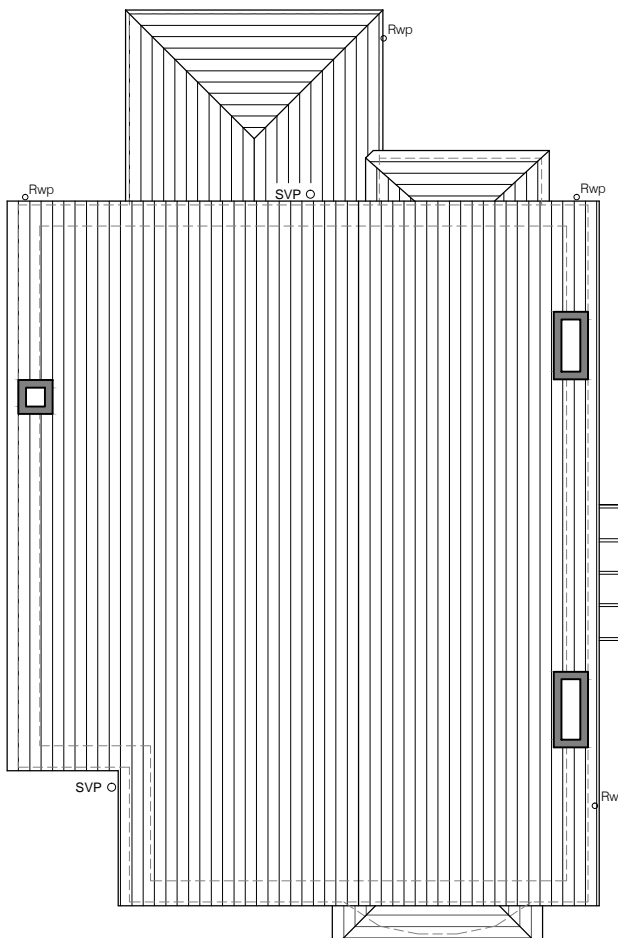
Existing Ground Floor Plan

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Scale Bar - 1:100



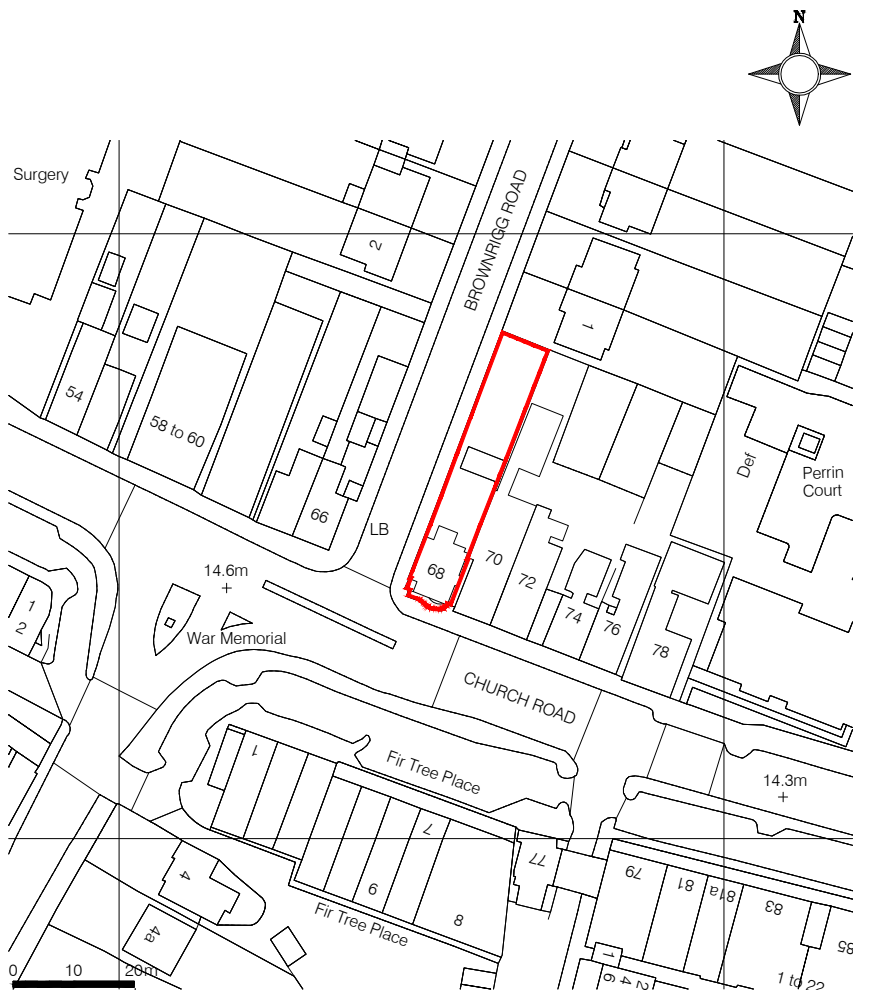
Existing First Floor Plan

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Scale Bar - 1:100



Existing Roof Plan

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Scale Bar - 1:100



Location Plan 1:1250 Scale

0 10 20 30 40  
Scale Bar - 1:1250

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Unable to survey the Loft as no access was available during the Survey.

Rev	Date	Details	
A	03.04.18	Planning officers comments added.	JPS

Dr Mayuran Nathan

Client:

Wardle Dental Surgery  
68 Church Road, Ashford  
TW15 2TW

Address:

Existing Elevations,  
Floor Plans & Location Plan  
Date: December 2017  
Scale: 1:100 @ | Paper Size: A1  
Checked by: JPS Drawn by: JEP  
Revision: A

Stage of Project: PLANNING

**js designs**  
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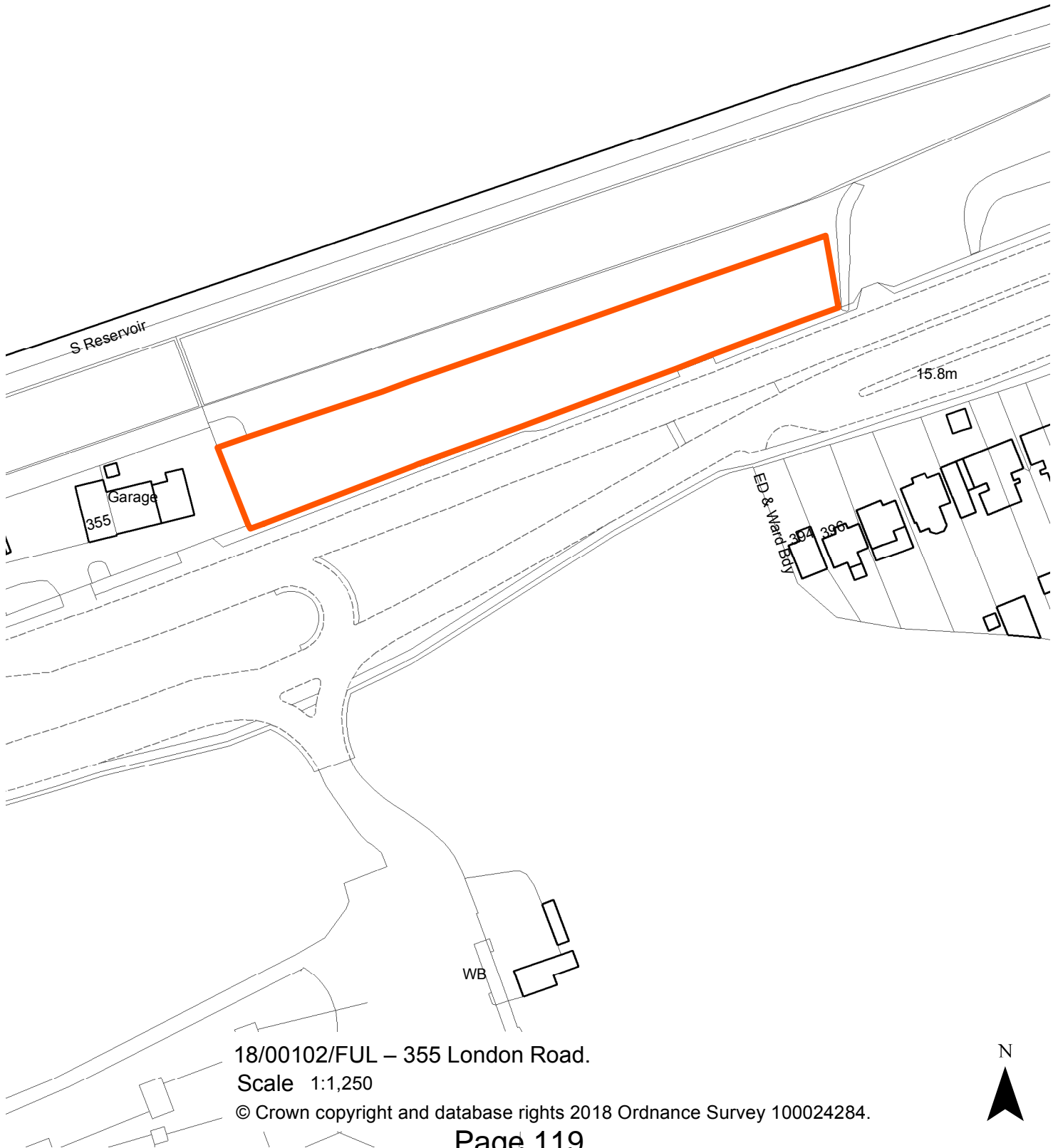
BERKSHIRE OFFICE:  
50 Frog Lane  
Bracknell  
Berkshire  
RG12 7AD  
Tel: 07850 765491

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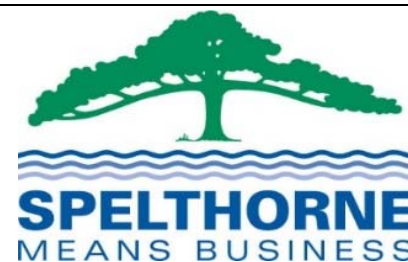


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## Planning Committee

02 May 2018



<b>Application Nos.</b>	18/00102/FUL		
<b>Site Address</b>	Land To The East of 355 London Road, Ashford		
<b>Proposal</b>	Erection of 1.8 metre high palisade-style fencing and gates along the southern boundary.		
<b>Applicant</b>	Spelthorne Borough Council		
<b>Ward</b>	Staines		
<b>Call in details</b>	The application is being referred to the Planning Committee as Spelthorne Borough Council is the applicant.		
<b>Case Officer</b>	Vanya Popova		
<b>Application Dates</b>	Valid: 01/02/2018	Expiry: 29/03/2018	Target: Extension of time agreed.
<b>Executive Summary</b>	<p>The proposal seeks planning permission for the erection of a 1.8 metre high palisade style fence and access gates to replace an existing chain link style fence along the southern boundary of the application site.</p> <p>The proposed fence can be considered acceptable in the Green Belt providing the openness of the Green Belt is preserved and it does not conflict with the purposes of including land within the Green Belt. The land behind the fencing will remain open and the style of the fencing is also open and it is not considered that the fence would result in a material loss of openness of the Green Belt. Therefore would not conflict with the NPPF and saved Local Plan Policy GB1.</p> <p>It is considered that the proposed scheme would have an acceptable impact upon the character of the area and would not cause a significant adverse impact on the visual amenities when viewed from the street scene. Overall, it is considered that the proposal will make a positive contribution to the street scene and in this respect accords with Policy EN1.</p> <p>In terms of residential amenity, it is considered that the proposed Palisade style fence would have an acceptable impact upon all neighbouring and adjoining properties, and is not viewed to be overbearing, or result in adverse impact upon light and privacy.</p> <p>Highways England has recommended that a condition and informative are attached to the decision notice requesting the submission of a Construction Method Statement.</p>		



	It is considered that the proposed scheme will have no adverse impacts on the water reservoir as the proposed development would be with an acceptable distance from the Staines Reservoirs.
<b>Recommended Decisions</b>	This planning application is recommended for approval.

## **MAIN REPORT**

### **1. Development Plan**

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- EN1 (Design of New Development)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- SP6 (Maintaining and Improving the Environment)
- CC2 (Sustainable Travel)

1.2 It is also considered that the following saved Local Plan policy is relevant to this proposal:

- GB1 (Green Belt)

1.3 Also relevant is the National Planning Policy Framework (NPPF) 2012.

### **2. Relevant Planning History**

2.1 No relevant planning history.

### **3. Description of Current Proposal**

3.1 The application site relates to land owned by Spelthorne Borough Council, located to the east of London Road (A30). The site is located within the Green Belt and the Colne Valley Park. In addition, the southern boundary of the land is identified as an area of High Archaeological Importance. The application site currently contains temporary Heras style fencing some 2m high on the southern boundary and a chain link fence with a height of 1.38 metre above ground level behind this, both fronting the A30.

3.2 To the west of the site is a two-storey building which is part of JB Enterprises Motor Engineers, a vehicle repair and maintenance site with available ancillary parking and hardstanding areas to the front, side and rear. To the west of the garage is an attached two-storey dwelling, no. 355 London Road which has its own separate residential curtilage to the rear and side. The southern boundary of the application site is adjacent to the footway and A30 whereas the eastern side is adjacent to open space land similar to the application site. Beyond the northern boundary of the application is one of the Staines Reservoirs, an area

designated as a Site of Special Scientific Interest (SSSI) and part of the South West London Waterbodies Site a Special Protection Area (SPA) and RAMSAR site due to its wintering wildfowl. To the south of the application site on the opposite side of London Road is Hengrove Farm and also residential properties.

- 3.3 The proposal comprises the erection of 1.8 metre high Palisade style fencing and gates along the southern boundary of the application site and would run approximately 190 metres from east to west parallel with the London Road (A30). The proposed palisade style fence and double access gates would replace an existing chain link style fence and the removal of the temporary Heras Fence Panels.
- 3.4 Copies of the site location plan, proposed site layout and elevations are provided as an Appendix.

#### **4. Consultations**

- 4.1. The following table shows those bodies consulted and their response.

<b>Consultee</b>	<b>Comment</b>
Highway England	After a re-consultation, it has been requested a condition and informative to be attached to the decision notice.
Thames Water	No comments have been received.
Arch Importance (Nigel Randall)	The proposed development is located in an Area of High Archaeological Potential defined around the known route of the London to Silchester Roman road. However, the below ground impacts would be small in scale and therefore, there are no archaeological concerns.
Environmental Health	No comments.

#### **5. Public Consultation**

- 5.1 5 properties were notified of the planning application and no comments have been received.

#### **6. Planning Issues**

- Green Belt
- Design and appearance
- Impact on neighbouring properties
- Highway matters
- Staines Reservoirs

## **7. Planning Considerations**

### Green Belt

- 7.1. The site is located within the Green Belt. Section 9 of the NPPF sets out the Government's policy with regard to protecting Green Belt land. It states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The policy is similarly reflected in the Council's Saved Local Plan Policy GB1.
- 7.2. It is considered that the erection of a Palisade-style fencing and gates which replaces an existing chain link fence would be considered to be acceptable provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt.
- 7.3. The land behind the fencing will remain open and the style of the fencing is open and similar to fencing on the adjoining land. It is not considered that the replacement fence would result in a material loss of openness of the Green Belt or conflict with the purposes set out in para.80 of the NPPF and therefore would not be contrary to the NPPF and saved Local Plan Policy GB1.

### Design and Appearance

- 7.4. Policy EN1 of the CS & P DPD states that the Council will require a high standard in the design and layout of new development. Proposals for new developments should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
- 7.5. It is considered that the proposed fence would have an acceptable impact upon the character of the area and would not cause a significant adverse impact on the visual amenities when viewed from the street scene. The proposed 'palisade' fence would be constructed on the southern boundary of the site and would replace an existing 'chain link' fence.
- 7.6. It is not considered that the proposed scheme would be unduly out of character of the locality as the proposed fence would appear similar to the neighbouring palisade style fences to east of the site and also further to the west beyond the existing buildings. Given the design, height, scale and location of the existing neighbouring fences, it is considered that the proposed design and appearance will be in keeping with the character of the surrounding area and complies with the requirements of Policy EN1.

#### Impact on neighbouring properties

- 7.7. In terms of residential amenity, it is considered that the proposed Palisade-style fence would have an acceptable impact upon all neighbouring and adjoining properties, and is not viewed to be overbearing, or result in adverse impact upon light and privacy.

#### Highway Matters

- 7.8. With regard to the submitted documents showing the location and style of the proposed fencing, Highways England (HE) have requested additional information from the applicant including a method statement, risk assessment, and details on the service delivery management for the proposed work due to the proximity of the fencing to the Strategic Road Network (SRN).
- 7.9. According to the submitted Method Statement, all the working area will be secured from the public access with barrier/security fencing. In addition, warning signs will be erected in place to direct the public to designated areas.
- 7.10. After re-consulting HE, a Construction Method Statement has been requested which should be submitted prior to the commencement of the development in order to ensure that there are no highway implications during construction time. This can be dealt with by means of a condition.

#### Staines Reservoirs

- 7.11 It is considered that the proposed scheme will have no adverse impacts on the SSSI, RAMSAR and SPA water reservoir as the proposed fence would be an acceptable distance from the Staines Reservoirs and accords with policy EN8.

### **8. Recommendation**

- 8.1 GRANT subject to the following conditions: -

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings: 17075-01, Site Location Plan and Site Layout Plan Received on 01.02.2018.

Reason:- For the avoidance of doubt and in the interest of proper planning

3. Prior to the commencement of development a Construction Method Statement, to include details of:
  - (a) Parking for vehicles of site personnel, operatives and visitors
  - (b) Loading and unloading of plant and materials
  - (c) Storage of plant and materials
  - (d) Programme of works (including measures for traffic management)
  - (e) Provision of boundary hoarding behind any visibility zones

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of highway safety and the free flow of traffic and to ensure that the A30, Ashford, Surrey operates as an effective part of the national system of routes for through traffic in accordance with section 10 of the Highway Act 1980.

#### INFORMATIVES TO APPLICANT

1. The applicant is advised to contact Juliet Umeibekwe of Connect Plus Services (Juliet.umeibekwe@connectplusm25.co.uk) to discuss the details of the Construction Method Statement.
2. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPFF. This included the following: -

Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Proposed 1.8 metres High Palisade Fencing

Proposed 1.8 metres High Palisade Gates

Title: Site Layout Plan  
Land adj 355 London Road  
Palisade Fencing

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Scale 1:1,250



Hengrove Farm

LONDON ROAD

ROMAN ROAD

Garage  
355

S Reservoir

Sloping Masonry

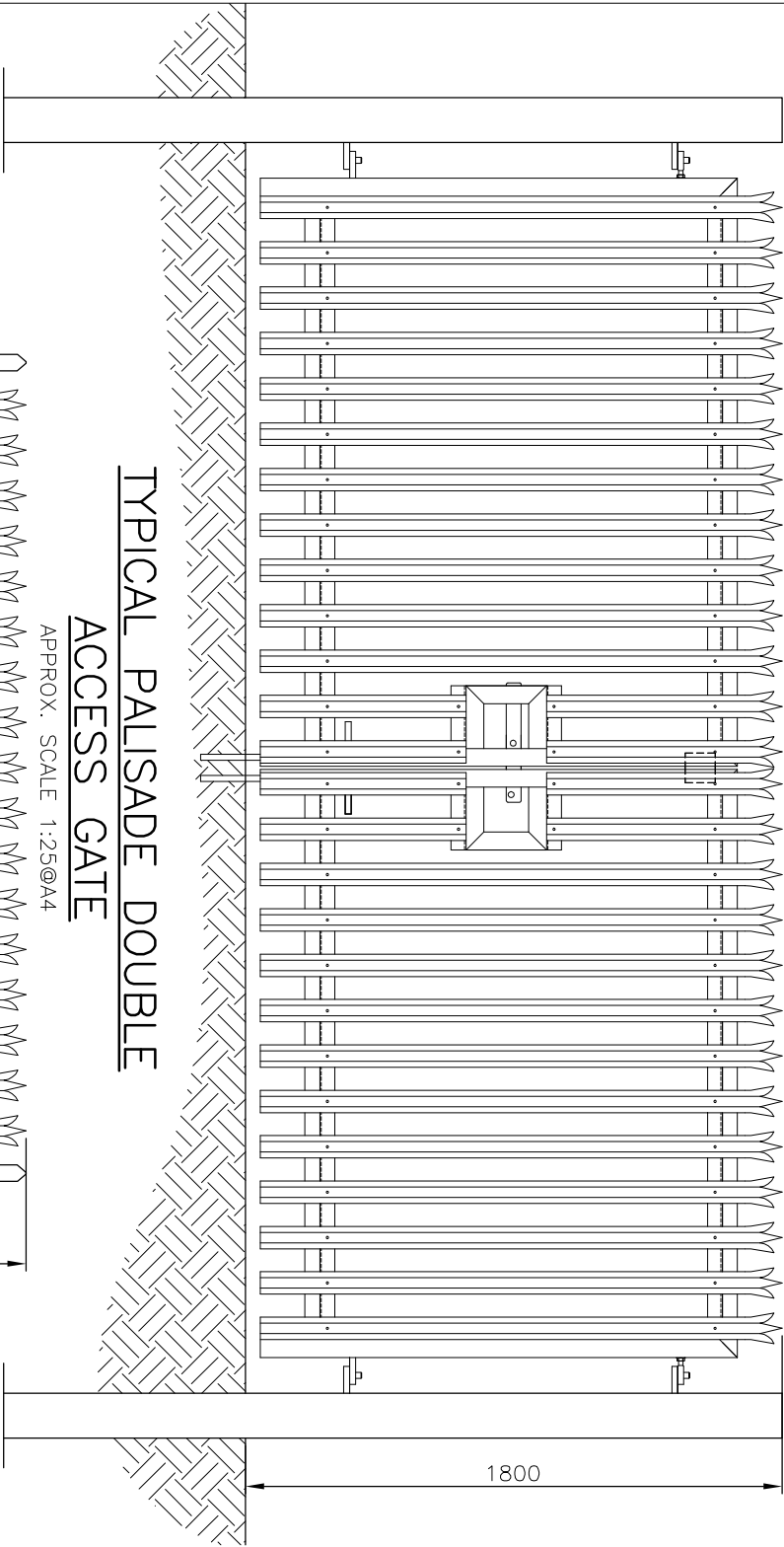
ED & Ward Bdy

ED & Ward Bdy

15.8m

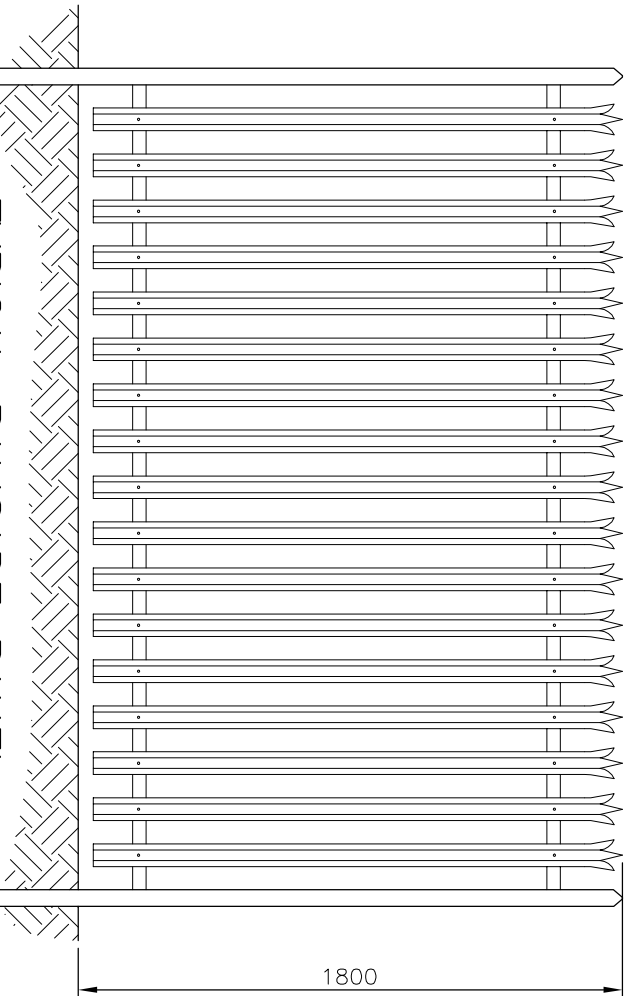
16.2m

Weirbridge



**TYPICAL PALISADE DOUBLE  
ACCESS GATE**


APPROX. SCALE 1:25@A4



**TYPICAL PALISADE PANEL**

APPROX. SCALE 1:25@A4

REV	DESCRIPTION
DATE	
The Contractor must check and confirm all dimensions and materials used in the construction of the gate and fence against the drawings and specifications. Any discrepancies must be reported to the Engineer immediately, prior to any work commencing. This drawing is copyright. ©	



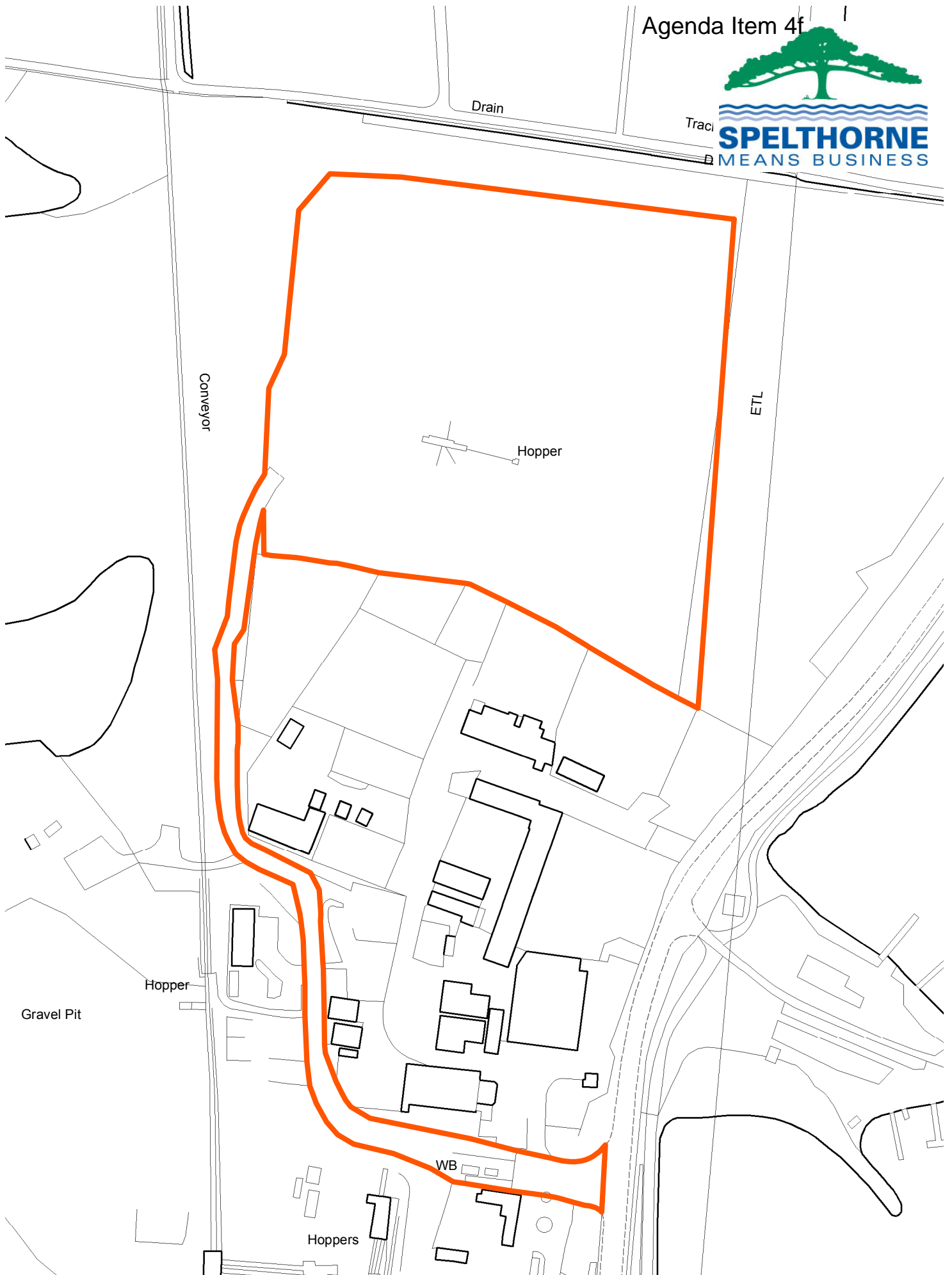
**Chamberlain  
consulting LLP**  
*consulting structural and civil engineers*

1 Bromley Lane, Chislehurst, Kent, BR7 6LH  
www.ccllp.com info@ccllp.co.uk

<b>Client:</b>	RUNNEMEDE COUNCIL
<b>Architect:</b>	355 LONDON ROAD STAINES UPON THAMES
<b>Project:</b>	TYPICAL EXAMPLE OF PALISADE FENCE AND GATE
<b>Drawing Title:</b>	
<b>Date:</b> Jun-18	<b>Drawn By:</b> JB
<b>Scale:</b> AS NOTED	<b>Checkd By:</b> LJ
<b>Drawing Number:</b>	<b>17075-01</b>
<b>Rev:</b>	

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18/00308/SCC and 18/00304/SCC – Shepperton Quarry, Littleton Lane.

Scale 1:2,000

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## Planning Committee

2 May 2018



<b>Application Nos.</b>	18/00308/SCC		
<b>Site Address</b>	Shepperton Quarry, Littleton Lane, Shepperton		
<b>Proposal</b>	Surrey County Council consultation for the use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products. Importation of waste material for recycling and retention of screen bunding, two storey site office and two storey weighbridge office for a temporary period until 30 September 2019 (retrospective)		
<b>Applicant</b>	Killoughery Waste Management (Surrey County Council Application)		
<b>Ward</b>	Laleham and Shepperton Green		
<b>Call in details</b>	Cllr Attewell called the application in due to concerns by local residents		
<b>Application Dates</b>	Valid: 27.02.2018	Expiry: N/A	Target: N/A
<b>Case Officer</b>	Kelly Walker		
<b>Executive Summary</b>	<p>The application seeks to continue the recycling use and retain the two-storey office and weighbridge for a further period of over two years until 30 September 2019. (However, given the application is retrospective almost 1 year has already been carried out). The proposal also includes the importation of material to the site for recycling which was not part of the most recent permission.</p> <p>Previous time extensions have been allowed for the continued recycling of materials that were being extracted as part of the final phase of works for this site, which have been delayed by the extension of the working and restoration of the Home Farm extension on Laleham Nurseries and Shepperton Studios land. This proposal also includes the importation of material to the site for recycling, however, the imported material will not come from local mineral sites as it has done in the past and is not required for the restoration of the site. As such although the site is already being used for recycling, it is not considered that the need for recycled materials justifies very special circumstances to allow importation of materials to the site which will be likely to further delay the restoration of the site and further extend the time frame of this temporary site in the Green Belt.</p> <p>It is recommended that an objection is raised to the importation of material for recycling at the site.</p>		
<b>Recommended Decision</b>	It is recommended that Spelthorne Council Objects to this proposal.		

<b>Application Nos.</b>	18/00304/SCC		
<b>Site Address</b>	Shepperton Quarry, Littleton Lane, Shepperton		
<b>Proposal</b>	Surrey County Council Consultation for the use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility and the site for a temporary period until 30 September 2019 (Retrospective).		
<b>Applicant</b>	Killoughery Waste Management (Surrey County Council Application)		
<b>Ward</b>	Laleham and Shepperton Green		
<b>Application Dates</b>	Valid: 26.02.2018	Expiry: N/A	Target: N/A
<b>Case Officer</b>	Kelly Walker		
<b>Executive Summary</b>	<p>The application seeks to continue the use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility and the site for a temporary period of a further period of over two years until 30 September 2019.</p> <p>In view of the existing use of the site, previous decisions and the previous approval for extended works at the Home Farm Quarry, it is recommended that no objection is raised to this proposal.</p>		
<b>Recommended Decision</b>	No objection.		

## MAIN REPORT

### 1. Development Plan

#### 1.1 The following policies are considered relevant to this proposal:

##### Surrey Minerals Plan Core Strategy DPD 2011

- MC1 (Spatial Strategy – Location of Mineral Development in Surrey)
- MC3 (Spatial Strategy – Mineral Development in the Green Belt)
- MC4 (Efficient use of Mineral Resources)
- MC6 (Safeguarding Mineral Resources and Development)
- MC7 (Aggregate Minerals Supply)
- MC11 (Green Belt)
- MC14 (Reducing the Adverse Impacts of Mineral Development)
- MC15 (Transport for Minerals)
- MC17 (Restoring Mineral Workings)

## Surrey Minerals Plan Primary Aggregates DPD 2011

- MA1 (Aggregates Supply)
- MA2(Preferred Areas for Concreting Aggregate)

## Minerals site Restoration SPD 2011

## Core Strategy and Policies DPD 2009

- SP1 (Location of Development)
- LO1 (Flooding)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (Development and Noise)

## Saved Local Plan 2009

- GB1 (Green Belt)
- RU11 & RU14 – (Sites of Nature Conservation Importance)

## National Planning Policy Framework, March 2012

## Draft Revised National Planning Policy Framework, March 2018

## National Planning Practice Guidance – Minerals updated 2014

## **2. Relevant Planning History**

- 2.1 A detailed description of the site and its history is set out in the "Neighbour Information Note" from Surrey County Council, which is attached as Appendix. A brief summary is outlined below.
- 2.2 In May 1998, permission for a recycling operation was refused (ref. SP/98/0205) for Green Belt and flooding reasons. Temporary permission was granted on appeal (ref. T/APP/8360/A/98/1013164) for a period of five years expiring on 21 May 2004.
- 2.3 In January 2003, permission was granted (ref. SP/02/1149) to retain a two-storey portacabin on the site. This was used ancillary to the recycling use for office purposes and was limited by condition to the same end date as the recycling operation.
- 2.4 In January 2005, permission was refused (ref. 04/00750) to renew the temporary recycling facility permission for an additional five years. Temporary permission was granted on appeal (ref. APP/B3600/A/05/1175072) for a period of five years expiring on 21 May 2009.
- 2.5 In January 2011 permission was granted (ref. 09/00371) for the continued use of land as a temporary recycling facility for construction and demolition waste using crushing and screening plant to produce secondary aggregates and recycled soils, stockpiling of waste and recycled products until 21 May 2014.
- 2.6 In 2014, a further two year extension was granted (ref. 14/00835) for the continued use of the land as a temporary recycling facility.

- 2.7 In 2016, a further one year extension of time was granted (ref. 16/00662/SCC) for the continued use of the land as a temporary recycling facility, expiring 21 May 2017. This permission did not allow the importation of waste for recycling and required the aggregate recycling area to be restored by 21 May 2017.
- 2.8 In May 2017 the applicants submitted an application to extend the time frame of the operations at the site (ref 17/00501/SCC) until May 2019. However the application fee was not received by SCC before the planning permission expired and as such SCC did not validate the application. Nevertheless, SBC was consulted and the application was referred to Planning Committee for determination. No objection was raised to the proposal subject to a number of points including that Surrey County Council encourage Brett's to work the land under the existing industrial buildings for minerals and to finish working the site. It is important to note that this application submitted by Bretts, did not include the proposal to import material to the site for recycling.
- 2.9 In addition permission has been given for the siting of two container units for employee welfare purposes under ref 12/00386/SCC. These have been subsequently extended a number of times alongside the extension of time of the recycling facility with the most recent application ref 16/00663/SCC until 21 May 2017.

Surrey County Council are the determining authority and are due to consider these applications at their May Committee.

### **3. Description of Current Proposal**

#### **Background**

- 3.1 The Shepperton Quarry site lies in an area with a long history of mineral working. The Shepperton Pit Lake was formed prior to 1965 as a result of mineral extraction at Shepperton Pit under a permission issued prior to the enactment of the 1947 Town and Country Planning Act. Planning permission for the continuation of gravel extraction and extension to the site was permitted under reference no. STA/789/6 in 1955. Since the mid-1970s the lake has been used for the disposal of silt arising from the processing of minerals in the Shepperton Pit processing plant, up until a few years ago. The site also contains an inactive sand and gravel processing plant, now largely dismantled which up to 2015 was used for the processing of minerals extracted from Home Farm Quarry and its eastern extension, situated approx. 600m to the north. The minerals were transported by conveyor belt.
- 3.2 Mineral reserves remain beneath the processing plant at Shepperton Quarry. The working of this remaining mineral and restoration of the Shepperton Quarry is controlled through the working and restoration conditions approved under the Review of Old Mineral Permission (ROMP) ref no. SP98/0643, which requires the whole of the site to be restored by 21 February 2020. A Section 106 agreement in connection with the ROMP provides a long term landscape and biodiversity management plan for the restored Shepperton quarry site.

## **The site**

- 3.3 The recycling facility is situated in the northeast of the Shepperton Quarry site. The site is located within the Green Belt and the eastern and northern part of the site is designated as the Shepperton Quarry Site of Nature Conservation Importance (SNCI), with particular reference to bird populations. It is situated to the north of the M3 and west of Littleton Lane, 1km to the south east of Laleham Village. To the east of Shepperton Pit Lake is the Shepperton pit processing plant, stockpiles, concrete batching plant, inert waste recycling facility and some buildings used for Industrial purposes.. The processing plant has most recently been used for processing mineral extracted from the Home Farm and Laleham Nurseries site (Home Farm Quarry).

## **4. Description of Current Proposal**

- 4.1 As noted above, the permission at the site expired in May 2017 and the applicants failed to submit a valid application before it had expired for the extension of time of that permission. As such a new retrospective application has been submitted to SCC for this use, which also includes the importation of waste material for recycling which is currently ongoing at the site. The applications are described below.

### **Application ref 18/00308/SCC**

- 4.2 Application ref 18/00308/SCC seeks the use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products. The proposals also include the importation of waste material for recycling and retention of screen bunding, two storey site office and two storey weighbridge office for a temporary period until 30 September 2019 (retrospective).
- 4.3 No changes are proposed to the previous layout of the site operating hours, stockpile heights limits, dust mitigation, type of waste to be recycled or the methods used in recycling materials. The main change is that the application seeks planning permission for the importation of 100,000 cubic metres of construction and demolition waste per annum. In addition, the two storey office building has not had planning permission in the past and it is understood was installed to replace the weighbridge but now the applicants are applying to retain both.
- 4.4 The site continues to treat remaining on site stockpiles of waste material brought to site under older planning permissions. The proposal involves continued waste recycling of existing construction and demolition waste stockpiles and waste which will be derived from the restoration of the of the remainder of the Littleton lane site and the re-instatement of the ability to import waste, which ceased in 2016. As such the application seeks the continued use of the land as a temporary recycling facility for construction and demolition waste until 30 September 2019.

- 4.5 Material will come from bulk excavation, building and demolition work and road maintenance projects. Imported material will be stockpiled prior to sorting and processed to provide three recycled products, a high grade crushed concrete suitable for use with manufacture of ready mixed concrete, a general crushed concrete for sub base uses and recycled soils suitable for landscaping works, as it currently is on site.
- 4.6 Various pieces of plant are used on site to recycle including two mobile screens, a wheeled loading shovel and a 360 degree hydraulic excavator and a mobile crusher. The site will generate an average of 52 lorry movements (26 loads) per day which equates to 5 per hours, with the maximum being 80 movements per day (40 loads).
- 4.7 The applicants note that this is the same as the previous use at the site and rather than lorries arriving empty and leaving full with recycled material they will arrive full with materials to be recycled and leave with recycled materials. They go on to note that no additional lorry movements will take place as a result of this proposal.

Application ref 18/00304/SCC

- 4.8 This is a consultation by Surrey County Council for the use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility and the site for a temporary period until 30 September 2019 (Retrospective).
- 4.9 This application seeks to retain the employee welfare facilities in line with the timescales proposed for the recycling facility.

## **5. Consultations**

- 5.1 The following table shows those bodies consulted by Spelthorne and their response.

<b>Consultee</b>	<b>Comment</b>
Environmental Health - Noise	No objection, subject to previous conditions which would adequately mitigate nuisance.
Environmental Health - Pollution	No objection, subject to previous conditions which would adequately mitigate nuisance and further comments were sent onto SCC including concerns about dust on road from the site.

- 5.2 Surrey County Council is the determining authority and has carried out consultation on the application.

## **6. Public Consultation**

Letters of objection have been received from 15 properties and also on behalf of both Laleham and Shepperton Residents Associations raising the following issues:-

- Traffic generation
- State of roads
- Does not have permission
- Should not be allowed to bring more material in, should be for restoration only
- Supposed to be a temporary use
- Noise and disturbance
- Green belt – no very special circumstances exist
- material should not be allowed to be brought to site
- No evidence of alternative sites

## **7. Issues**

- Green Belt
- Flooding
- Visual impact
- Traffic impact
- Noise
- Dust

## **8. Planning Considerations**

- 8.1 The Shepperton Quarry in Littleton Lane has existed for many decades and the processing area close to the M3 initially processed materials for this site. During the 1980s land to the south of Shepperton (now restored) and subsequently Home Farm, north of Shepperton Road and extensions to this to the east, including recently parts of Laleham Nurseries and the 'backlot' to Shepperton Studios have all been worked with gravel taken by conveyor belt to the Littleton Lane processing plant. This extension of pits and concentrating processing on sites away from existing housing is preferable to new processing plant being built for each new site.
- 8.2 In the past 15 years or so, Government has encouraged the recycling of waste construction materials and the co-location with material processing plants has had the advantage that material that is not recycled can be used for the filling of 'pits'. In this case, the principle of recycling at the site has been established through earlier permissions, however this has been in combination with the restoration of the site and nearby mineral extraction.
- 8.3 It is understandable that the Committee, when responding to the previous application for an extension of time, stated it wanted the recycling to finally cease by 21 May 2017 in order to see activity draw to a close on this site. This application seeks to bring additional materials to site to be recycled and removed from site. This is not required for the restoration of the site and as such will delay the timeframe that restoration can take place and also add additional HGV movements that would otherwise not be carried out.



- 8.4 The site is within the Green Belt and consideration has to be given to the impact of the proposal upon the character, aims and objectives of the Green Belt. The proposal is, and has always been, considered to be inappropriate development with the Green Belt. However, the Inspectors in allowing the previous appeals have both concluded that very special circumstances do exist to justify this development within the Green Belt on a temporary basis. These conclusions have been reached after assessing the overall need for such recycling facilities, the environmental impacts of the use, the permanence of the use and the overall impact upon the Green Belt. Previously, no objection has been raised to extending the time limits, in view of the requirement that the proposal was aligned to a nearby site.
- 8.5 With regard to the need, the Surrey Waste Plan and other national and regional recycling policies do encourage the provision of recycling sites. The requirement for the production of recycled and secondary aggregates was identified by the Inspector in the 2006 appeal decision letter and at that time there was a projected shortfall in capacity, which would have been further increased by the closure of the Littleton Lane facility.
- 8.6 In considering the original appeal in 1999, the Inspector concluded that the temporary period of five years was acceptable. However, the appeal decision letter also stated that *'any proposal for a longer period would have to be judged on its own merits and different circumstances are likely to arise in the future as, for example, the expiry of the lease on the industrial area south of the appeal site becomes more imminent'*.
- 8.7 The Inspector considering the 2006 appeal also stated that *'the essential characteristic of Green Belts is their permanence... The Inspector who considered the previous appeal expressed concern that, if a 5-year permission were granted then on the basis that a temporary development would be less harmful than a permanent development, the same argument could be repeated in support of further temporary permissions. That concern has been borne out with just that argument being advanced in this case....while the possibility of a further application on this site cannot be precluded, I am confident that the likelihood of a succession of temporary permissions leading effectively to a long-term development is slight. Therefore, the permanence of the Green Belt here will be maintained.'*
- 8.8 Concerns have been raised by SBC in this regard each time there has been an application for an extension of time of the permission. In the Officers report for the renewal permission ref 09/00371/SCC, the officer wrote *'...The applicant has stated that it is the intention to align this further temporary application with the start up of a proposed facility on an extended site at Home Farm. An application for this extension has been submitted to the County Council in January, although it currently remains invalid. Even if the application is eventually validated and given due consideration, there is no guarantee that the proposal will be found acceptable, which may give rise to the prospect of an application for a further renewal of the temporary permission. This would raise strong concerns over whether this site and its use will become a long-term development. In view of the timescale already reached, the use of the site is starting to provide a degree of permanence, with the associated impacts upon the openness of the Green Belt, and further renewals would be of particular concern. Therefore, the County Council*

*should be advised that the length of this temporary permission should be specifically restricted to existing consents on Home Farm’.*

- 8.9 In considering a recent approval (16/00662/SCC) this Council raised no objections subject to the following matters:

i) That the length of the temporary use on this site is restricted to any existing consents for gravel extraction and restoration on Home Farm.

ii) That the use of the site as a recycling facility ceases on 21 May 2016.

It would appear that the site is becoming permanent and that the recycling facility use should be only in association with local mineral workings and restoration to the Shepperton Quarry Site. The restoration should not be delayed by allowing further importation of materials from unrelated site elsewhere.

- 8.10 There is merit in retaining a recycling facility whilst there is material on site which needs to be processed. However, it does not appear to be the case that material needs to be imported and processed to complete the restoration. The previous scheme 16/00662/SCC which expired in May 2017 specifically excluded the importation of material to be processed and the only argument now being put forward by the applicants is that there appears to be a general need for aggregate recycling in the area. The applicant states that there will be no additional lorry movements as the lorries will arrive full with the unprocessed material and leave full with the processed material. However, it is difficult to see how this will occur in practice due to the logistical difficulties with this and in any event there are concerns with the impact on the green belt associated with the importation of material to the site.

- 8.11 The case for allowing this at Littleton Lane needs to be considered against the existence of current facilities. There is a permanent facility at Oak Leaf Farm, and temporary facilities at Stanwell, Hithermoor and, Queen Mary Reservoir.

- 8.10 Given that the life of this site has been extended several times in order to facilitate the processing of material from new mineral sites close by it is considered that there is no case for allowing any further extension of uses on this site unless they are part of a package which guarantees delivery of the restoration of the complete site by the currently agreed timetable ending on 21 Feb 2020. The importation of recycling material to the site represents inappropriate development within the green belt for which no very special circumstances have been demonstrated, contrary the National Planning Policy Framework.

- 8.11 Having regard to the number of recycling sites currently active in the Borough that there is a sustainable argument for very special circumstances to continue importing material for processing, particularly where this is unrelated to the restoration of the site. It is important that the site is fully restored by 21 Feb 2020.

- 8.12 It is recognised that the mineral extraction operations have now ceased at the Home Farm extension site and the site has been restored. The most recent planning approval for the continued use of this recycling facility was justified

and based on the need for materials from the Home Farm Quarry requiring processing and recycling.

- 8.13 The applicant has stated that the extended time period for this site would contribute to meeting the targets of the recycling capacity in Surrey where there is an identified need. Whilst the retention of recycling facilities when nearby gravel is worked through the plant at this site and concentrating compatible uses to one site results overall in less disturbance, the applicant is seeking to import more material from demolition and construction elsewhere which does not fit this criterion. It will result in unnecessary journeys to and from the site and also delay the restoration of the site. It is also not considered that there is justification to allow the importation of further material to the site for recycling when there are other sites nearby including close by at Queen Mary Quarry which carry out the same process. (despite these also being located within the green belt). It is also relevant to note that the application submitted by Bretts in May 2017 did not include the importation of materials although this application was not made valid by SCC due to the late submission of the fee.

#### Other issues

- 8.14 The Councils Environmental Health Officers, Pollution Control and Noise have not raised any objections to the proposal and similar conditions could be imposed. The flooding issues were considered in the original approval and it is not considered that there are any significant additional flood risks, and would be assessed by the Environment Agency whom SCC will consult. The highways issues are matters for internal consideration by Surrey County Council.

#### Conclusion

- 8.15 Based on the previous temporary consents at the site, allowing for the working of minerals at the site and processing of mineral brought from nearby sites which have now been completed, the restoration of the Shepperton Quarry should be carried out with no further importation of materials to the site. As such the proposal to import more materials for recycling to the site it is considered to be unacceptable, and no very special circumstances exist to justify it in the Green belt location.

#### **9. Recommendation**

- 9.1 That the County Council be informed that this Council OBJECTS to application ref 18/00308/SCC regarding the importation of recycling material to the site which represents inappropriate development within the green belt for which no very special circumstances have been demonstrated, contrary the National Planning Policy Framework.
- 9.2 That the County Council be informed that this Council raises No OBJECTION to application ref 18/00304/SCC

## NEIGHBOUR INFORMATION NOTE

### TOWN AND COUNTRY PLANNING ACT 1990 - MINERALS/WASTE APPLICATION

Our reference: SCC Ref 2017/0124 and SCC Ref: 2017/0123

District/Borough Council Reference: SP

(Note: If District/Borough Council Reference above is incomplete it means that they haven't advised us of the formal planning application register number when we compiled this note).

This neighbour information note relates to two retrospective planning applications submitted by Killoughery Waste Management Ltd relating to the Aggregates Recycling Facility located within Shepperton Quarry.

**The application documents and plans are available to view or download from our website <http://planning.surreycc.gov.uk>. (Search on this website using our reference eg SCC Ref: 2017/0124 or SCC Ref: 2017/0123)**

### SITE AND PROPOSAL

Aggregates Recycling Facility at Shepperton Quarry, Littleton Lane, Shepperton, Surrey TW17 0NF

Plans indicating the approximate location of each application site have been provided, and although every effort has been made to reflect the boundary shown on the planning applications, you are advised to check the application documents and plans on our website or the planning register held by the District/Borough Council.

#### Application 1

*Our reference: SCC Ref: 2017/0124*

The use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products, importation of waste material for recycling and retention of screen bunding, two storey site office and two storey weighbridge office for a temporary period until 30 September 2019 (retrospective).

#### Application 2

*Our reference: SCC Ref: 2017/0123*

The use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility at the site, for a temporary period until 30 September 2019 (retrospective).

(Note: Please make it clear in your correspondence which application or applications you are making comments on by using the Surrey County Council (SCC) application reference, or references.)

### APPLICANT

Killoughery Waste Management Ltd

### SITE LOCATION AND BACKGROUND

The Shepperton Quarry recycling facility is situated within the north eastern part of Shepperton Quarry. The quarry lies on the west side of Littleton Lane just north of the M3 Motorway, to the south-east of Laleham and to the west of Shepperton. The closest housing

## **DESCRIPTION OF PROPOSAL**

### **Application 1**

*Our reference: SCC Ref: 2017/0124*

This application is seeking planning permission for the use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products, importation of waste material for recycling and retention of screen bunding, two storey site office and two storey weighbridge office for a temporary period until 30 September 2019 (retrospective). For clarification, the application is proposing that the current aggregates recycling use ceases by 21 May 2019 after which the aggregates recycling area will be restored by 30 September 2019.

### **Application 2**

*Our reference: SCC Ref: 2017/0123*

The application is seeking planning permission for the use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility at the site, for a temporary period until 30 September 2019 (retrospective).

This note gives only the broadest indication of what the application involves. For full details, or if you are uncertain about the location or possible effect of the proposals on you, you should inspect the complete application documents held on the planning register at your District/ Borough Council or on our website.

Case Officer: David Maxwell  
Telephone: 01483 518899

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**PLANNING APPEALS****LIST OF APPEALS SUBMITTED BETWEEN 15 FEBRUARY 2018 AND 19 APRIL 2018**

<b><u>Planning Application Number</u></b>	<b><u>Inspectorate Ref.</u></b>	<b><u>Address</u></b>	<b><u>Description</u></b>	<b><u>Appeal Start Date</u></b>
17/01156/PDH	APP/Z3635/D/17/3184544	17 Hannibal Road Stanwell	Single storey rear extension measuring 6 metres beyond the rear wall of the original dwellinghouse measuring a maximum height of 2.975 and a height to the eaves of 2.825 metres.	15/02/2018
17/01483/FUL	APP/Z3635/W/17/3191046	Manor Farm Cottage 126 Green Street Sunbury On Thames	Demolition of existing residential bungalow to be replaced with a 2.5 storey building providing 7 no apartments with communal parking and landscaping.	28/02/2018
17/01373/FUL	APP/Z3635/W/18/3194268	41 Ruggles Brise Road Ashford	Erection of a two storey side extension and a single storey rear extension following removal of existing conservatory, and the sub-division of the dwelling to form 1 no. 3 bedroom dwelling and 1 no. 2 bedroom dwelling.	01/03/2018
17/01898/FUL	APP/Z3635/W/18/3196354	18 Greeno Crescent Shepperton	Conversion of existing dwelling into 2 no. 1 bedroom self-contained flats, including the erection of a single storey rear extension.	01/03/2018
17/01395/FUL	APP/Z3635/W/18/3193714	Oakwood 2 Ferry Lane Laleham	Demolition of existing dwelling at 2 Ferry Lane and erection of 2 no. detached two storey 4 bed dwellings with associated parking and amenity space.	01/03/2018

**APPEAL DECISIONS RECEIVED BETWEEN 15 FEBRUARY 2018 AND 19 APRIL 2018**

<b>Site</b>	18 Longford Avenue, Stanwell
<b>Planning Application No.:</b>	17/01374/HOU
<b>Proposed Development:</b>	Roof extension including the raising of ridge height, hip to gable roof alterations and rear facing dormer to create accommodation in roof space with roof lights in front elevation.
<b>Reason for Refusal</b>	The proposed development would by reason of its scale, location and design, have an unacceptable overbearing impact on numbers 44 and 45 Ravensbourne Avenue causing a harmful loss of light and privacy. Furthermore, the development is considered to be unacceptably bulky and out of keeping with the area. The proposal is therefore contrary to policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
<b>Appeal Reference:</b>	APP/Z3635/D/17/3188533
<b>Appeal Decision Date:</b>	27/02/2018
<b>Inspector's Decision</b>	The appeal is dismissed
<b>Inspector's Comments:</b>	<p>The Inspector noted that the proposed dormer extension would not have any gap to the raised ridge and would have fairly minimal gap to the sides and eaves of the roof, which would conflict significantly with the guidance in the Councils SPD on Design. He also considered that the relatively large flat roof would abruptly contrast with the pitched roof character of the host dwelling and not therefore be compatible with it, while emphasising the excessive bulk and scale of this extension. As a result he agreed that the dormer extension was unacceptably dominant and unduly at odds with the characteristic pitched roof form of properties in the vicinity.</p> <p>The Inspector also agreed that the additional bulk arising from the extra height, gables and the dormer addition would result in the enlarged dwelling appearing overbearing from the neighbouring garden and would lead to an undue reduction in daylight. He noted the three windows in the dormer addition would face directly towards the adjacent amenity space, these could be obscure glazed, but the large window at the</p>



	<p>northern end would be the main source of light and outlook for a bedroom and to obscure glaze it would diminish the quality of accommodation for future occupants. Moreover, he concluded that given the undue proximity to the garden and number of windows, would give an unacceptable perception of being overlooked. The proposal would also result in an unacceptable reduction in privacy. The Inspector concluded that the living conditions of the adjacent occupiers would be harmed, the effect would be most severe to no.44, but would also result in an unacceptable loss of privacy to no. 45</p>
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<b>Site</b>	218 Stanwell Road, Ashford
<b>Planning Application No.:</b>	17/00997/FUL
<b>Proposed Development:</b>	Subdivision of existing 4 no. bedroom dwelling into 1 no. 1 bedroom dwelling and 1 no. 3 bedroom dwelling (including removal of conservatory).
<b>Reason for Refusal</b>	The proposed one bed unit is considered to provide insufficient habitable accommodation leading to a harmful impact upon the occupiers of the proposed smaller unit, contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (February 2009), the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011) and the Department of Communities and Local Government Technical Housing Standard - nationally described space standard (March 2015).
<b>Appeal Reference:</b>	APP/Z3635/W/17/3187468
<b>Appeal Decision Date:</b>	23/03/2018
<b>Inspector's Decision</b>	The appeal is dismissed
<b>Inspector's Comments:</b>	<p>The Inspector identified that the main issue was whether the one bedroom dwelling would provide acceptable living for future occupiers, with particular regard to internal living space.</p> <p>It was noted the proposal relates to a semi-detached house, which has been extended to the side and rear, and is situated within a largely residential area. The appeal scheme sought to divide the property into two houses, one with three bedrooms and the other with one bedroom.</p>

The Inspector had regard to three earlier proposals to convert no. 218 into two dwellings, with each of the schemes proposed, being for one x three bedroom unit and a one bedroom unit, where appeals against the Council's refusal were dismissed in each case. It was also noted that the Council's policies remain unchanged since the previous appeals were determined. The Inspector further noted in seeking to overcome the previous refusals the proposal provided a re-ordered layout.

The Inspector commented that they had no reason to doubt the appellant that the first floor lounge would be intended as thus. However, planning permission would go with the land and in this case the Inspector considered the kitchen to be relatively large for a one-bedroom dwelling and could comfortably be used by a future occupier to also provide a lounge area. The smaller room shown as a lounge has a separate door from the kitchen and due to its size and having a w/c washbasin room attached, would function readily as a second bedroom. The Inspector stated what whilst the appellant would accept a condition that the unit be for one bedroom accommodation only, and as an alternative a unilateral undertaking has also been provided, the Inspector considered that neither of these would be enforceable.

The one bedroom dwelling would contain an internal floor space measuring around 61 sq m. The Inspector noted the Council's SPD only sets a figure for one bedroom flats, and the proposal would just exceed the Technical Housing Standards 58 sq m minimum floor area requirement for a two-storey, one bedroom, two person dwelling. However, as the proposal remained amenable for future use as a two bedroom dwelling, the Inspector agreed with the Council that the scheme fell significantly short of the 75 sq m floor space requirement sought by the SPD and the 70 sq m requirement sought by the Technical Housing Standards for a two storey, two bedroom dwelling.

The Inspector concluded that the proposal would therefore not provide adequate living conditions for its future occupiers, and would conflict with the aims of policy EN1. If allowed the Inspector stated the appeal scheme would undermine its objectives to secure a high standard in the design and layout of new development. This would not outweigh the very small benefit to the Council's Housing Supply and the appeal was dismissed.

<b>Site</b>	Willow Hayne, Pharaohs Island, Shepperton
<b>Planning Application No.:</b>	17/00813/HOU

<b>Proposed Development:</b>	Erection of a two storey side extension including veranda and associated terrace above, the erection of a single storey detached outbuilding, decking, swimming pool and associated works
<b>Reasons for Refusal</b>	<p>The proposed two storey side extension and detached outbuilding would represent inappropriate development within the Green Belt, which would have a detrimental impact upon the openness of the Green Belt, and it has not been demonstrated that there are 'very special circumstances' that would outweigh this harm. The proposal is therefore contrary to policy GB1 of the Spelthorne Local Plan 2001 Saved Policies and Proposals (as updated December 2009), Policy EN2 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009), and the National Planning Policy Framework (March 2012).</p> <p>The proposed two storey side extension and detached outbuilding would by reason of size, width, height and bulk, have an unacceptable impact upon the character of the area, and the character of the designated Plotlands Area, and would introduce an incongruous, over dominant feature into the landscape contrary to Policies EN1 and EN2 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) and the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).</p> <p>The proposed two storey side extension and detached outbuilding would introduce an unacceptable vulnerable category of development into Flood Zone 3b, and a sufficient Flood Risk Assessment has not been submitted. The proposal is therefore contrary to Policies LO1 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009).</p>
<b>Appeal Reference:</b>	APP/Z3635/D/17/3186267
<b>Appeal Decision Date:</b>	27/03/2018
<b>Inspector's Decision</b>	The appeal is dismissed
<b>Inspector's Comments:</b>	<p>The Inspector identified that the main issues were:</p> <ul style="list-style-type: none"> <li>- Whether the proposal would constitute inappropriate development in the Green Belt.</li> <li>- The effect of the proposal on the openness of the Green Belt.</li> <li>- The effect on the character of the area</li> <li>- The effect upon flood risk management.</li> <li>- Whether the harm by reason of inappropriateness is outweighed by other considerations so as to amount to 'very special circumstances'.</li> </ul>

The Inspector noted that the appeal property is located within the Plotlands Area, the Green Belt and Flood Zone 3b. The buildings within a recent Certificate of Lawfulness application (16/01977/CPD), were also noted.

The Inspector drew attention to paragraph 89 of the National Planning Policy Framework, and it was noted the existing house is 71 sq m, and the proposed extension would have an area of 69 sq m, together with an outbuilding that would have a floor area of 40 sq m. It was also noted the extension would have a ridged roof, of some 11 metres in length and 6.94 metres in height.

The Inspector considered that the increases in both floor area and massing would be disproportionate additions over and above the size of the original building. The Inspector therefore considered that the proposal amount to inappropriate development, and also considered that overall, the proposal would have a harmful effect on the openness of the Green Belt.

The Inspector noted the distinctive character of Plotlands area with modestly sized, single storey buildings with low profile roofs, and it was considered the extension would be disproportionate to the existing dwelling and would also not be compatible in size to traditional Plotlands dwellings.

It was further commented that whilst the extension and outbuilding would both be raised above ground level to allow the flow and storage of flood water, the proposal would introduce significant areas of new buildings within Flood Zone 3b, that would have an adverse impact upon flood risk and would conflict with policy LO1.

The Inspector attached significant weight to the existing Certificate of Lawfulness, and in the Inspector's view the appeal scheme would be significantly better than the Certificate of Lawfulness in flooding terms, as there would be a lesser impact upon the flood zone. However, the Inspector concluded that the proposal would be inappropriate development in the Green Belt and would have an adverse impact upon flood risk management. The Certificate of Lawfulness at the site did not clearly outweigh the totality of the harm arising from the proposal, and consequently 'very special circumstances' did not exist. The appeal was therefore dismissed.

<b>Site</b>	4 Ethel Road, Ashford
<b>Planning Application No.:</b>	17/00485/FUL

<b>Proposed Development:</b>	Erection of a part single storey, part two storey rear extension and a first floor side extension over the existing garage. Conversion of the garage to habitable room and associated internal alterations to create 2 no. self-contained semi-detached dwellings.
<b>Reason for Refusal</b>	By virtue of insufficient parking provision and cramped layout, dominated by hardstanding, the proposal represents an overdevelopment of the site and will have an unacceptable impact on the amenity of future occupiers of the development in terms of light, noise, and disturbance. In addition, the dominance of the hard surfaced entrance and front car parking areas would not enable suitable front landscaping/planting to be incorporated into the scheme to soften the visual impact of the proposed development upon the immediate surroundings. As a result, the proposal will be out of keeping with the character and appearance of the surrounding area and will not make a positive contribution to the street scene. The proposal is therefore contrary to adopted policies CC3 and EN1 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document (February 2009) and the Council's Parking Standards Supplementary Planning Guidance (September 2011).
<b>Appeal Reference:</b>	APP/Z3635/W/17/3185519
<b>Appeal Decision Date:</b>	28/03/2018
<b>Inspector's Decision</b>	The appeal is allowed.
<b>Inspector's Comments:</b>	<p>The Inspector considered the main issues to be off-street parking for the proposed development, the effect of parking on the future occupiers, and the effect of the development on the character and appearance of the area.</p> <p>The appellant submitted with the appeal an amended drawing with changes to the front layout and landscaping. The Inspector did not consider that the changes would affect neighbouring properties or that any parties would be prejudiced, and took the additional drawing into account in determining the appeal.</p> <p>The proposal would provide a total of two off-street parking spaces for the 2 no. two bedroom units which represents a shortfall of one space compared to the Council's Parking Standards. The Inspector noted the concerns that this would result in overspill on street parking but did not consider that it had been demonstrated that the deficiency would have a harmful effect on highway safety. The Inspector considered that the site is in a sustainable location in which some relaxation of the parking standards can be justified and that the proposal would provide adequate off street parking. The Inspector also considered that the proposed parking arrangements would not cause significant adverse effects on the living conditions of the occupiers of the eastern units.</p>

	<p>The Inspector considered that the proposal would result in a significant improvement in the appearance of the frontage and that it would not have an adverse effect on the character and appearance of the area.</p> <p>With regards to the cherry tree in front of the site, the Inspector stated that a licence for the widening of the kerb near the tree has already been issued and also considered the proposed off-street parking layout to be acceptable.</p>
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<b>Site</b>	243 Thames Side, Chertsey
<b>Planning Application No.:</b>	17/00752/FUL
<b>Proposed Development:</b>	Erection of a detached two storey dwelling and associated wheelchair access (following division of plot).
<b>Reasons for Refusal</b>	<p>The proposed two storey dwelling would represent inappropriate development within the Green Belt to which substantial weight is given, and would have a detrimental impact upon the openness of the Green Belt to which significant weight is also given, and together with 'other harm' does not outweigh the claimed 'very special circumstances' of the proposal, contrary to policy GB1 of the Spelthorne Local Plan 2001 Saved Policies and Proposals (as updated December 2009), and the National Planning Policy Framework (March 2012).</p> <p>The proposed two storey dwelling would introduce an unacceptable 'vulnerable' category of development into Flood Zone 3b, and a sufficient Flood Risk Assessment has not been submitted and the proposal will lead to a loss of flood storage capacity and impede the flow of flood water. The proposal is therefore contrary to Policy LO1 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009).</p> <p>The proposed two storey dwelling by virtue of design, scale and siting within the plot, is considered to have an unacceptable impact upon the character of the area by loss of openness, which is part of the character of this immediate locality. The development is therefore contrary to Policy EN1 of the Core Strategy and Policies DPD 2009, and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.</p>
<b>Appeal Reference:</b>	Appeal Ref: APP/Z3635/W/17/3186575

<b>Appeal Decision Date:</b>	16/04/2018
<b>Inspector's Decision</b>	The appeal is dismissed
<b>Inspector's Comments:</b>	<p>The Inspector considered that the main issues were (a) whether the proposal would constitute inappropriate development in the Green Belt, (b) the effect of the proposal on the character and appearance of the area, (c) the effect of the proposal on flood risk management and (d) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.</p> <p>The Inspector commented that the proposal would be inappropriate development in the Green Belt. There would be loss of openness in relation to the mass of the two storey house. The NPPF establishes that substantial weight should be given to any harm to the Green Belt. In addition the proposal would result in harm to the character and appearance of the surrounding area and to flood risk management. The Inspector attached additional weight to these factors.</p> <p>On the other hand, the Inspector gave material weight to the provision of a wheelchair accessible house, but he felt that this consideration did not clearly outweigh the totality of the harm arising from the proposal. Consequently, very special circumstances to justify the approval of inappropriate development did not exist. He also considered that the proposal would conflict with relevant development plan policies in the LP in relation to the Green Belt.</p> <p>The Inspector noted that there was a representation in support of the proposal from a local resident in relation to the appellant's need for a dwelling with appropriate facilities, but this did not alter his finding that this benefit would be outweighed by the harm arising from the development.</p> <p>Consequently the appeal was dismissed.</p>

**FUTURE HEARING / INQUIRY DATES**

<b>Council Ref.</b>	<b>Type of Appeal</b>	<b>Site</b>	<b>Proposal</b>	<b>Case Officers</b>	<b>Date</b>
17/00952/TPO	Hearing	Land outside Linley Riverside Road Staines-upon-Thames	TPO09/STA - T38 - Plane tree - Fell due to concerns about safety, branches overhanging neighbouring property and that the tree is out of proportion with surroundings	ST	12/06/2018



# Planning Committee

2 May 2018



<b>Title</b>	Development Management Performance
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- 1.1 Local Planning Authorities (LPAs) are measured on their performance based on the % of planning applications they determine within 8 or 13 weeks (or within an extension of time agreed with the applicant). For several years the targets have been as follows:

Majors – 60% within 13 weeks

Minors – 65% within 8 weeks

Others – 80% within 8 weeks

Major development is defined as:

More than 10 residential units, dwellings on a site with an area of 0.5 hectares or more, 1,000 sq. m or more of new commercial floorspace or sites with an area of more than 1 hectare.

Minor development is defined as:

Up to 9 residential units, up to 999 sq. m of new floorspace, changes of use

Others – mainly householder schemes

- 1.2 In the year ending March 2018, Spelthorne met all three performance measures as follows:

Table 1

<u>Majors</u>			<u>Minors</u>			<u>Others</u>		
Total	On Target	% on Target (i.e. 60%)	Total	On Target	% on Target (i.e. 65%)	Total	On Target	% on Target (i.e. 80%)
22	18	82%	209	170	81%	602	541	90%

- 1.3 The assessment period for the last quarter, January to March 2018 is set out in the following table.

Table 2

<u>Majors</u>			<u>Minors</u>			<u>Others</u>		
Total	On Target	% on Target (i.e. 60%)	Total	On Target	% on Target (i.e. 65%)	Total	On Target	% on Target (i.e. 80%)
3	3	100%	48	47	98%	132	129	98%

- 1.4 The Government has recently also been assessing LPAs in terms of planning performance on the following criteria:
- The **speed** of determining applications for **major** development
  - The **quality** of decisions made by the authority on applications for **major** development;
  - The **speed** of determining applications for **non-major** development;
  - The **quality** of decisions made by the authority on applications for **non-major** development.
- 1.5 With just a few minor exceptions, non-major equates to a combination of the “minor” and “other” categories referred to above.
- 1.6 The quality measurement is the number of appeals allowed as a percentage of the total number of applications received in the category. The threshold for quality on both categories is **10%** and the **lower** the figure, the better the performance. The threshold for speed is **60%** (majors) and **70%** (non-majors) and the **higher** the figure, the better the performance.
- 1.6 The threshold (in terms of %) and assessment periods for 2017 and 2018 were reported to the Planning Committee on 7 February 2018 and all four targets were met by Spelthorne. If the LPA does not meet these thresholds, the LPA is at risk of “designation” by the Secretary of State. The new target and threshold periods have not yet been announced by the Government. However, the following table shows the 2018 target and threshold and the current performance:

Table 3

<b>Measure and type of Application</b>	<b>2018 Threshold and assessment period</b>	<b>Spelthorne's Performance</b>	<b>Spelthorne's Performance Quarterly</b>	<b>Spelthorne's Performance</b>
Speed of major Development	<b>60%</b> (October 2015 to September 2017)	<b>85%</b>	<b>100%</b> (January – March 2018)	<b>82%</b> (April 2017 – March 2018)
Quality of major Development	<b>10%</b> (April 2015 to March 2017)	<b>4.2%</b>		<b>5%</b> (January 2016 to March 2018)
Speed of non-major Development	<b>70%</b> (October 2015 to September 2017)	<b>82%</b>	<b>98%</b> (January – March 2018)	<b>88%</b> (April 2017 – March 2018)
Quality of non-major Development	<b>10%</b> (April 2015 to March 2017)	<b>1.7%</b>		<b>1%</b> (January 2016 to March 2018)

- 1.7 It can be seen that based on the 2018 threshold, Spelthorne is continuing to perform well, although the quality of major decisions still requires particularly close monitoring due to the lower proportion of major applications received.

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