



Please reply to:

Contact: Michael Pegado
Service: Committee Services
Direct line: 01784 446240
E-mail: m.pegado@spelthorne.gov.uk
Date: 21 May 2018

Notice of meeting

Planning Committee

Date: Wednesday, 30 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)	S.M. Doran	N. Islam
H.A. Thomson (Vice-Chairman)	Q.R. Edgington	M.J. Madams
C. Barnard	T.J.M. Evans	S.C. Mooney
I.J. Beardsmore	M.P.C. Francis	D. Patel
S.J. Burkmar	A.L. Griffiths	R.W. Sider BEM

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

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. Apologies**
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 6**
To confirm the minutes of the meeting held on 17 May 2018 (copy attached).
- 3. Disclosures of Interest**
To receive any disclosures of interest from councillors under the Councillors' Code of Conduct, or contact with applicants/objectors under the Planning Code.
- 4. Planning Applications and other Development Control matters**
To consider and determine the planning applications and other development control matters detailed in the reports listed below.

 - a) 18/00321/FUL - Dolphin House, 140 Windmill Road, Sunbury On Thames, TW16 7HS **7 - 26**
 - b) 17/01938/FUL - 20 Bridge Street, Staines-upon-Thames, TW18 4TW **27 - 48**
- 5. Permissions in Principle and Technical Detail Consent Applications** **49 - 52**
To advise the Planning Committee on the introduction of a new form of planning consent.
- 6. Planning Appeals Report** **53 - 66**
To note details of the Planning appeals submitted and decisions received between 19 April and 17 May 2018.
- 7. Urgent Items**
To consider any items which the Chairman considers as urgent.

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**Minutes of the Planning Committee
17 May 2018**

Present:

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

Councillors:

C. Barnard	Q.R. Edgington	S.C. Mooney
I.J. Beardsmore	M.P.C. Francis	R.W. Sider BEM
S.J. Burkmar	A.L. Griffiths	
S.M. Doran	M.J. Madams	

Apologies: Apologies were received from Councillor T.J.M. Evans and Councillor D. Patel

144/18 Appointment of Chairman

It was proposed by Councillor H. Thomson and seconded by Councillor R.W. Sider BEM and

Resolved that Councillor R.A. Smith-Ainsley be appointed Chairman of the Planning Committee for the forthcoming Municipal Year 2018/19.

145/18 Minutes

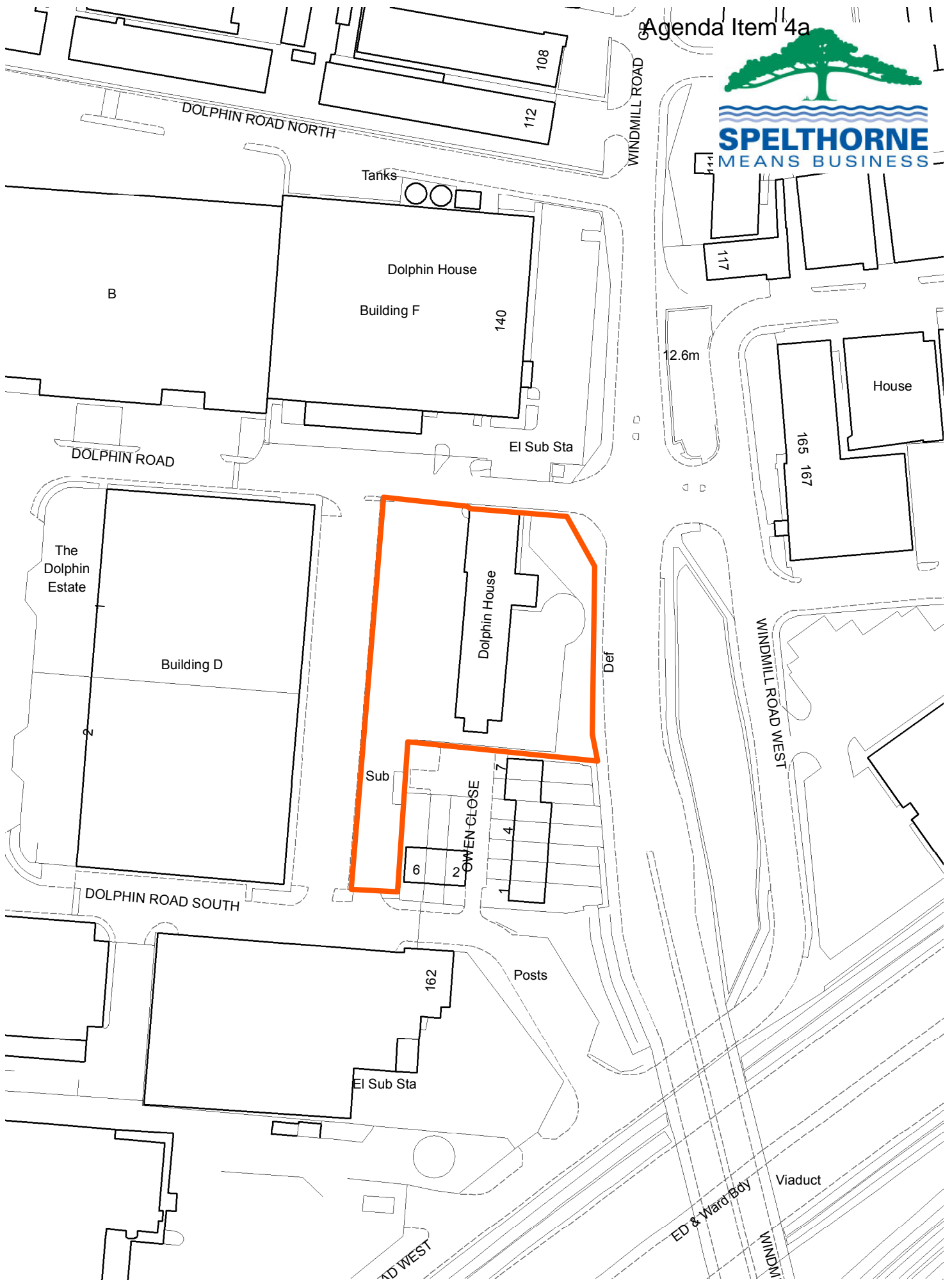
The minutes of the meeting held on 2 May 2018 were agreed subject to the replacement of the word 'would' to 'did' in the following sentence at item 118/18:

Councillor I.J. Beardsmore requested that it was recorded in the Minutes that he ~~would~~ *did* abstain from voting.

146/18 Appointment of Vice-Chairman

It was proposed by Councillor R.A. Smith-Ainsley and seconded by Councillor M. Francis and

Resolved that Councillor H. Thomson be appointed Vice-Chairman of the Planning Committee for the forthcoming Municipal Year 2018/19.



18/00321/FUL – Dolphin House.

Scale 1:1,250

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Planning Committee

30 May 2018



Application No.	18/00321/FUL		
Site Address	Dolphin House, 140 Windmill Road, Sunbury		
Proposal	Planning application for the erection of a 7th floor on top of main building to create 7 no. flats and other external alterations including an increase in height of existing parapet by 850 mm and new roof to tower.		
Applicant	IDM developments London Ltd		
Ward	Laleham and Shepperton Green		
Call in details	N/A		
Case Officer	Kelly Walker		
Application Dates	Valid: 02/03/2018	Expiry: 02/05/2018	Target: Extension of Time Agreed
Executive Summary	<p>This planning application seeks the erection of a seventh floor on top of the existing main building to create 7 no flats, comprising 4 no. 1 bed and 3 no. 2 bed units. The proposal also includes other external alterations including an increase in height of the parapet wall by 850mm and new flat roof to the existing tower.</p> <p>The scheme is considered to be an acceptable form of development which will provide residential units with a good level of amenity for the future occupants in a sustainable location. It is considered to respect the scale and design of the host building and will be acceptable on design grounds. It is considered to have an acceptable relationship with neighbouring properties.</p>		
Recommended Decision	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:

- SP2 (Housing Provision)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- SP7 (Climate Change and Transport)
- 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

2. Relevant Planning History

17/01871/RVC	Variation of condition 4 (plan numbers) of PA Approved 17/00421/FUL for extension to building create 4 no. flats involving the substitution of approved plans to provide modification to car park and refuse storage area, reconfiguration of floor area to change 1 no. 1 bed flat to a studio flat and 3 no. 1 bed flats to 2 bed flat along with other minor changes	Approved 23.02.2018
17/00875/FUL	Erection of 7th and 8th floors on top of existing building to provide 10 no 2 bed units over 2 floors	Refused 01.09.2017
17/00421/FUL	Erection of extension to 6th floor to provide 2 no. residential units, extension on top of building to provide 7th and 8th floor in place of existing plant room to provide 2 no. residential flats over 2 floors (previously agreed in principle	Approved 25.05.2017

	under ref 16/02019/PDO	
16/02019/PDO	Prior approval for the change of use from office (Use Class B1a) to 110 Residential units (Use Class C3	Prior Notification office Approve 01.02.2017
16/01531/FUL	External alterations to existing building involving rendering at each level between windows, painting existing brickwork and new fenestration	Approved 07.11.2016
16/00907/PDO	Prior approval for the change of use from office (use class B1a) to 107 Residential units (Use Class C3) comprising 2 no 2 bed, 83 no. 1 bed 22 no. studio flats	Prior Notification Office Approve 22.07.2016
15/00497/PDO	Prior Approval for the change of use from offices (Use Class B1a) to 55 residential units (Use Class C3); comprising 26 x 1 bed, 28 x 2 bed and 1 x 3 bed units.	Prior Notification Office Approve 21.05.2015

Planning permission ref 17/00875/FUL for the erection of 2 new floors on top of the existing building to create 10 new flats was refused in February this year for the following reason:-

'The proposed extension by reason of its bulk, scale and location is considered to pay insufficient regard to the host building and the surrounding area. It will result in a prominent building out of scale with its surroundings, clearly visible from the wider area. It will therefore be detrimental to the character of the area and will not make a positive contribution to the street scene, contrary to Policy EN1 of the Core Strategy and Policies DPD 2009.

3. Description of Current Proposal

- 3.1 The application relates to Dolphin House, 140 Windmill Road, Sunbury, which was originally a part 6-storey part 7-storey office building located on the corner of Windmill Road and Dolphin Road. The building was erected in the 1970's. It has most recently been given prior approval to convert the building into 110 residential flats (ref 16/02019/PDO). Permission has also been given for external changes to the building to facilitate the change of use, along with extensions to the property to provide 2 new flats on the 6th floor, and replacement of the plant on the 7th and 8th floors with 2 flats (as agreed in principle under the prior approval application) resulting in a total of 112 flats (ref 17/00421/FUL). This change of use and external alterations have already taken place, with further ground works to the car parking area, refuse and cycling storage areas (ref 17/00187/RVC) currently taking place.

3.2 The site is located within the urban area. It is also within a designated Employment Area. There are 2 storey residential dwellings to the south at Owens Close. Other properties to the north and west of the site are commercial and large in scale. The M3 motorway is located to the south. Windmill Road rises in height in front of the application site, forming a bridge over the motorway. Upper Halliford railway station is located on the other side of the motorway. On the opposite side of Windmill Road are other commercial units including one which has been converted to a children's soft play venue called Kidabulous. There are other residential uses further to the north along Windmill Road.

3.3 This proposal is for a single new floor on top of the existing main building to create a further 7 units, (3 x 1 bed and 4 x 2 bed) and would result in a total of 119 flats at the building. The existing parking, refuse and cycle storage areas previously approved will be used for the proposed residential units, in addition to the existing 112 units. 93 parking spaces for the site are already proposed and this proposal does not include any further parking provision.

4. Consultations

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

Consultee	Consultee
County Highway Authority (CHA)	No objection
Head of Street Scene (refuse)	No objection
Environmental Health (Contaminated land)	No objection Recommends conditions
Environmental Health (Air Quality)	No objection. Recommends an informative

5. Public Consultation

16 properties were notified of the planning application. No letters have been received.

6. Planning Issues

- Principle of the development
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Dwelling mix

7. **Planning Considerations**

Need for housing

- 7.1 In terms of the principle of housing development regard must be had 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* “.
- 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 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 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.
- 7.7 Taking into account the above and adopted policy HO1, which encourages new housing development, it is considered that particular weight should be

given to the use of this urban site for additional housing to meet our Borough's needs.

Principle of development

- 7.8 As noted above, Policy HO1 of the Local Plan is concerned with new housing development in the Borough. HO1 (c) encourages housing development on all sustainable sites, taking into account policy objectives and HO1 (g) states that this should be done by:

“Ensuring effective use is made of urban land for housing by applying Policy HO5 on density of development and opposing proposals that would impede development of suitable sites for housing.”

- 7.9 As referred to above, the NPPF paragraph 47 emphasises the government's overall housing objective to significantly boost the supply of housing, whilst at para 45 it states that housing applications should be considered in the context of the presumption in favour of sustainable development.

- 7.10 This is also reflected in the NPPF paragraph 58 (3rd bullet point) which emphasises the importance of optimising the potential of sites to accommodate development. The NPPF provides further relevant context at paragraph 23, 9th bullet point:

“Recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites”

- 7.11 The site is located within the urban area and is a brownfield site within an accessible location close to some local facilities and public transport links, including bus routes and a railway station within easy walking distance. It is not located within a high flood risk area or the Green Belt. The area is characterised by a mix of commercial and residential properties and indeed the site already has residential use. As such the proposed use of the site for additional residential purposes is considered to be an acceptable use in principle, provided other policy requirements are met

Housing density

- 7.12 Policy HO5 in the Core Strategy Policies DPD 2009 (CS & P DPD) sets out density ranges for particular context but prefaces this at paragraph 6.25 by stating:

“Making efficient use of potential housing land is an important aspect in ensuring housing delivery. Higher densities mean more units can be provided on housing land but a balance needs to be struck to ensure the character of areas is not damaged by over-development.”

- 7.13 Policy HO5 (b) states that within higher density residential area, including those characterised by a significant proportion of flats and those containing significant Employment Areas, new development should generally be in the range of 40 to 75 dwellings per hectare.

7.14 The policy also states that, *'Higher density developments 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.'* It is important to note that any mathematical density figure is in part a product of the mix of units proposed. In this case they are all 1 and 2 bed units and accordingly it is possible to accommodate many more small units within a given floor space and an acceptable numerical density can be higher.

7.15 The principle of a high density development is consistent with the Government's core planning principles are set out in paragraph 17 of the National Planning Policy Framework 2012 (NPPF). There are 12 core planning principles, which the National Planning Policy Framework 2012 (NPPF) states should underpin both plan making and decision-making. One of these principles (8th bullet point) 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"

7.16 In addition in February 2017, the Government issued a paper, 'Fixing Our Broken Housing market.' This sets 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 to achieve this is by making 'better use of land for housing by encouraging higher densities where appropriate such as in urban locations where there is high housing demand.' The aim is to optimise the proposed density of development.

7.17 The paper also states that the Government proposes to amend the NPPF to make it clear that local plans and development proposals should:-

- Make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting housing requirements.
- Address the particular scope for higher density housing in urban locations that are well served by public transport (such as around many railway stations) that provide scope to replace or build over low-density uses (such as retail warehouses, lock-ups, and car parks) or where buildings can be extended upwards by using airspace above them.
- Ensure the density and form of development reflects the character, accessibility and infrastructure capacity of an area and the nature of local housing need.

7.18 As mentioned above 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. The draft proposals attaches importance to the effective use of land and combines existing policy with a number of proposals from the Housing White Paper. These include:

- making more intensive use of existing land and buildings
- Avoiding building homes at low densities in areas of high demand and pursuing higher density housing in accessible locations, while reflecting the character and infrastructure capacity of each area.
- 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

7.19 The housing density of the approved scheme (112 units) is 287 dwellings per hectare (dph). The proposed scheme involves the erection of an additional floor on top of the main building to create 7 flats. There are already 112 flats on the floors below and within the tower. The proposal would result in a total 119 units at the site. The site area is some 0.39 ha, equating to 305 dph. The development will not include family households and as noted above it is possible for smaller units to be accommodated on the same size site. It is considered, given the sustainable location close to the railway station and bus routes, in addition to the drive towards creating more housing on brownfield sites and the fact that it is compatible with the character of the existing built form, the density is considered to be acceptable in this particular location and in accordance with Government Policy and the NPPF.

Design and appearance

7.20 Policy EN1a 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 development 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.*”

7.21 This area has many commercial properties nearby and the subject property is an isolated tall building surrounded by ones which are lower in height and overall scale, including the warehouse style buildings in a commercial use to the west and north. There is, however, a variety of types, styles and character of buildings.

7.22 The proposed extension would be only one floor in height and would be set back from each elevation by approx. 1.8m. The proposal includes an increase in height of the existing walls to provide a taller parapet wall. This increase in

height will be some 0.85m which will help to partly shield the proposed new floor. The new floor will be built of glazing, which would have a lighter appearance. This, along with the set back and the fact that it is partly hidden by the proposed parapet wall, will result in the provision of a new floor that respects the scale and design of the host building and helps to act as a 'step up from the main building to the tower element. This is unlike the previous refused scheme (ref 17/00875/FUL) which was for 2 floors that dominated the host building making it appear bulky and paying little regard to the design of the existing building. The revised proposal also includes a new flat roof on top of the tower which will match that on the top of the proposed new floor to provide uniformity.

- 7.23 The existing building is already much taller than any in the surrounding area and it is clearly visible, in particular from the north and south along Windmill Road. It is relatively narrow (9.7m) in depth, but is particularly wide on its frontage to Windmill Road and this is clearly visible from a wide area in the public domain. The increase in height with this proposed design is much more suitable compared with the previous refused scheme and as such will help to respect the host building, proposing an element to help to 'tie in' the existing structure with the tower protruding above. Although the proposal will result in a very tall building, it has been designed in a way that is integral and as such will pay due regard to the design of the existing building. The proposed increase in height will not be particularly evident given the scale of the existing building and the taller tower. As such the proposal is considered to conform to Policy EN1 and is acceptable on design grounds.

Impact on neighbouring residential properties

- 7.24 Policy EN1b of the CS & P DPD states that:

“New development should 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.”

- 7.25 The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policies requirements in order to ensure this is the case.
- 7.26 The proposal is for the erection of a floor on top of the existing tall building. As noted above, the building is already very tall and the erection of an additional floor will not unduly change its scale. It is considered that the proposal would have an acceptable impact on the amenities of the adjoining properties. The nearest residential properties are those to the south of the site along Owen Close. It is not considered that the proposed extension would have a greater harmful impact upon the amenities of the occupiers of these dwellings, despite being taller, given that the existing building is of a significant scale and the proposed extension will be set in from the existing elevations and the building itself is set in from the northern boundary. The existing built form will already have some impact on the amenity of these dwellings given their close proximity, however there will be no further harm caused by the proposal. The other adjoining occupiers are of a commercial nature and it is not considered

that their amenity would be harmed by the proposal. It should also be noted that no letters of objection have been received.

- 7.27 As such it is considered that there is an acceptable relationship with the existing properties and there would not be any significant adverse impacts upon the amenity enjoyed by the surrounding residential properties in terms of loss of light, being overbearing or causing overlooking, and conforms with Policy EN1.

Amenity Space and proposed unit sizes

- 7.28 The Council's SPD on Residential Extensions and New Residential Development 2011 provides general guidance on minimum garden sizes (in the case of flats it requires 35 sqm per unit for the first 5 units, 10 sqm for the next 5 units, and 5 sqm per unit thereafter. The proposal for 7 units, would require 195 sqm. It is important to note that in view of the location, and former use of the building as offices, there is little space around the building and therefore for gardens. The proposal does however provide an area around the proposed flats, due to the set back from the existing elevations. This is an area of approx. 212 sqm in total. This includes a small private terraced area approx. 12 sqm in area, to the rear of each proposed flat, which would provide some useful private outside space. (The existing ground floor flats also have a small garden areas which are enclosed). It is considered desirable to encourage additional residential uses on a brownfield site already in residential use. In addition, it should be noted that there is public open space located further to the south along Upper Halliford Road at Halliford Park, within walking distance. As such the proposed provision of amenity space is considered acceptable in this instance.
- 7.29 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sq. m.
- 7.30 The Government has since published national minimum dwelling size standards in their "*Technical housing Standards – nationally described space standard*" document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD. This national document must be given substantial weight in consideration of the current application in that it adds this additional category of small dwellings not included in the Council's Standards.
- 7.31 All of the proposed 1 and 2 bed flats comply with the internal space standards as set out in the National Technical housing standards. Each bedroom will have its own window with good outlook. As noted above, there is also the provision of a terraced area to provide some outside amenity space to each flat. Therefore the amenity of the future occupants is considered to be acceptable.

Highway Issues and parking

7.32 Strategic Policy SP7 of the CS & P DPD states that:

“The Council will reduce the impact of development in contributing to climate change by ensuring development is located in a way that reduced the need to travel and encourages alternatives to car use. It will also support initiatives, including travel plans, to encourage non car-based travel.”

7.33 Policy CC2 of the CS & P DPD states that:

“The Council will seek to secure more sustainable travel patterns by: ... (d) only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative impact including other proposed development; (iv) access and egress to the public highway; and (v) highway safety.

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 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 recent 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 (maximum parking standards continue to be applicable in relation to commercial development). It is relevant to note that the site is close to the railway station and bus routes.

7.37 The provision for parking, (93 spaces) has already been agreed for 112 flats and this application involves an additional 7 units, 119 in total. The County Highway Authority (CHA) has been consulted on all previous applications at the site and raised no objection.

7.38 Previously for the approved scheme which resulted in 112 residential units at the site, the CHA noted that although the application included 93 parking spaces, which is below the Council's parking standards (which would require 140 spaces), this would be the equivalent to 0.83 spaces per unit. Census data shows that the average parking demand is equivalent to 0.79 spaces per unit which would equate to 88 spaces for 112 units. As such the CHA considered that the demand is likely to be met.

7.40 Using this census data of 0.79 spaces per unit a scheme for 119 units would equate to 94 spaces being required. The proposal provides only 1 less than this, 93 spaces. As noted above, no objection was made on parking grounds for the most recently refused scheme which would have resulted in 122 units at the site and the reason for refusal was not based on parking grounds. In addition, the CHA also made no objection on highway safety grounds.

- 7.41 The CHA note that parking restrictions are in place on surrounding roads to prevent dangerous parking but consider the proposed scheme would not lead to any highway safety issues. As such no objection is raised to the proposal and it is not considered that an objection on parking grounds could be sustained. Therefore it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues..

Dwelling mix

- 7.42 Policy HO4 of the CS & P DPD (Housing Size and Type) states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments that propose four or more dwellings to include at least 80% of their total as one or two bedroom units.
- 7.43 The proposal complies with the requirements of Policy HO4 as 100% of the proposed units are 1 and 2 bed.

Refuse Storage and Collection

- 7.44 Refuse facilities have been provided through a previous application ref 17/0187/RVC. It has been agreed by the applicant that it will be collected by a private company on a weekly basis. This is because there is not enough capacity, or indeed space at the site in order to provide enough bins for the Council's bi-weekly collections. Therefore the waste for the new units subject to this application, will be stored in the already approved areas which will be privately collected as previously agreed for the rest of the residential units in the building. The Council's Head of Street Scene has been consulted and raises no objection. Furthermore, the County Highway Authority has raised no objection on this particular issue. Accordingly, this is considered acceptable.

Finance Considerations

- 7.44 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.
- 7.45 In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and would be charged approximately. £67 000 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

- 7.46 Environmental Health have previously raised concerns regarding contaminated land on previous applications, The proposal is for additional

flats located on the roof and does not involve works at ground level and it is not therefore not required for this application. During this application the officer has provided some feedback from an air quality point of view which has been sent on to the applicant for their information for best practise.

Conclusion

- 7.47 On balance, the proposal is acceptable because it makes an effective use of urban land in a sustainable location, and meets a need for housing, providing units with a good standard of amenity. The proposal will pay due regard to the host building and have an acceptable impact on the visual amenities of the area and the amenity of the surrounding residential properties. Although the number of parking spaces proposed do not meet the Council's minimum parking numbers, and the density is relatively high, it is considered that this particular scheme cannot be refused on this basis. Consequently the application is recommended for approval.

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: 16.121.2.001, 010, 020, 021, 110, 120, 121 and 130 received on 02.03.2018

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

3. Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the extension of the development 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 construction on the buildings shall commence until a report has been 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 each 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.

Informatives to be attached to the planning permission

- 1.. 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.
2. 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.
3. 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).
4. 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

- 5 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.

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.

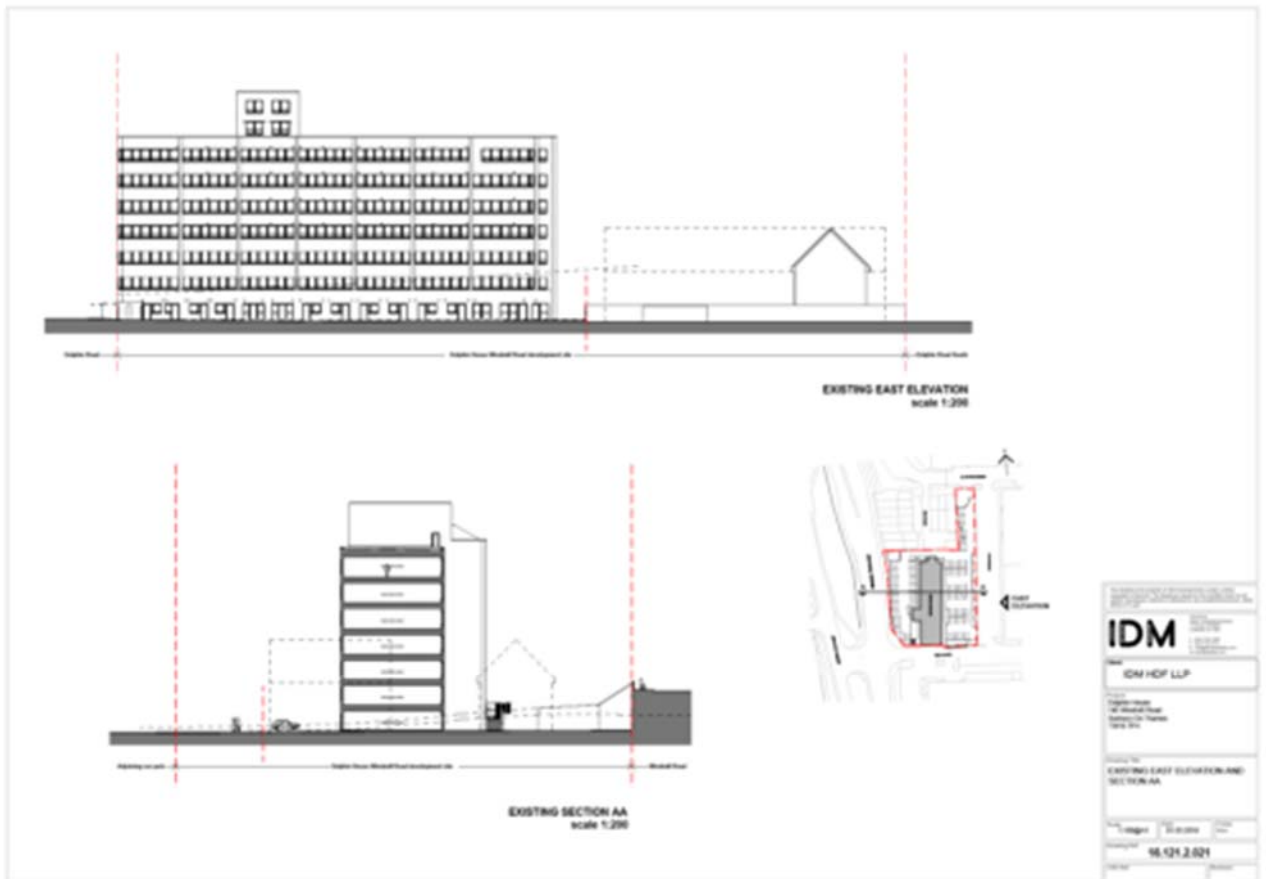
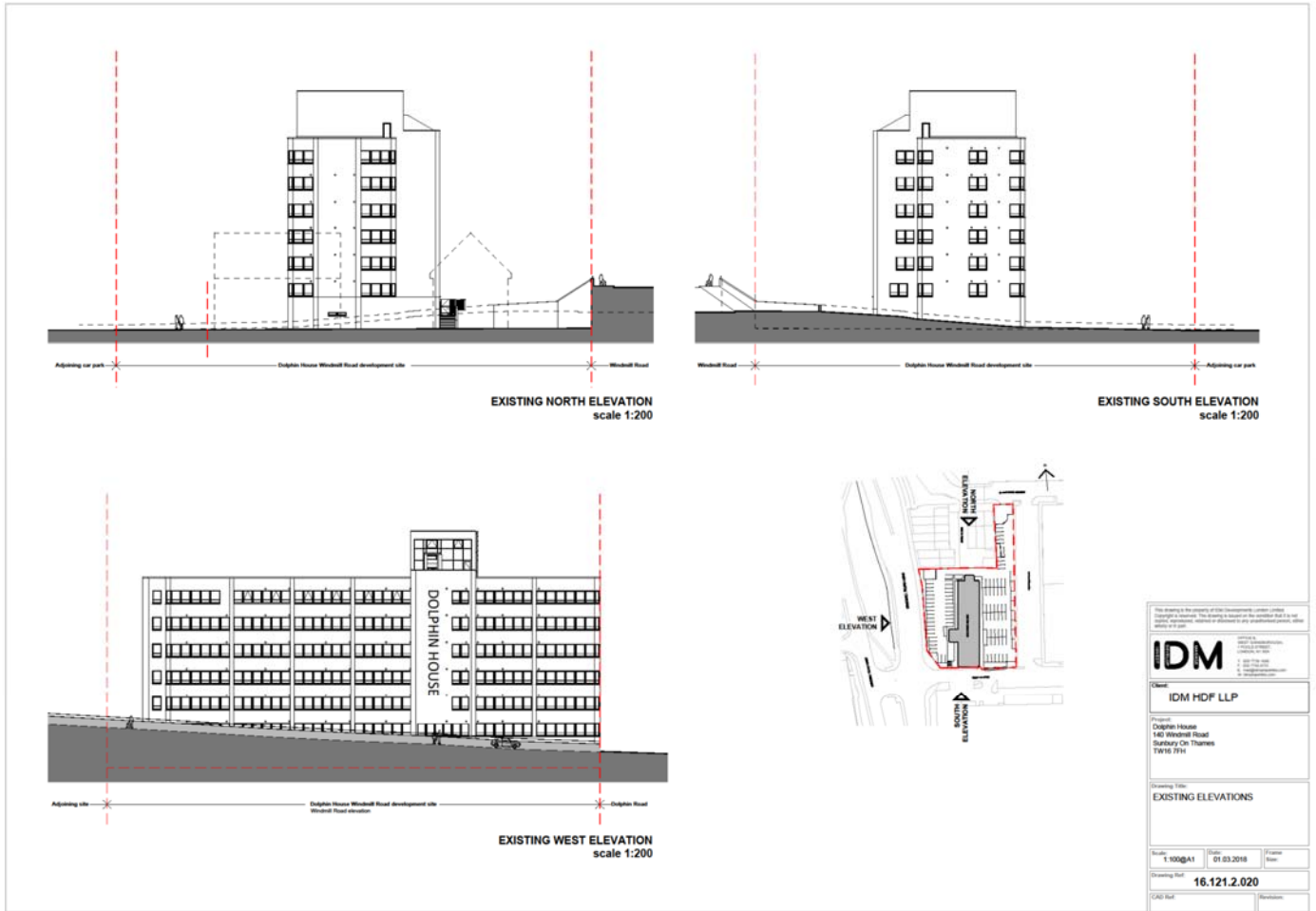
6. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:
- (a) How those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities 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

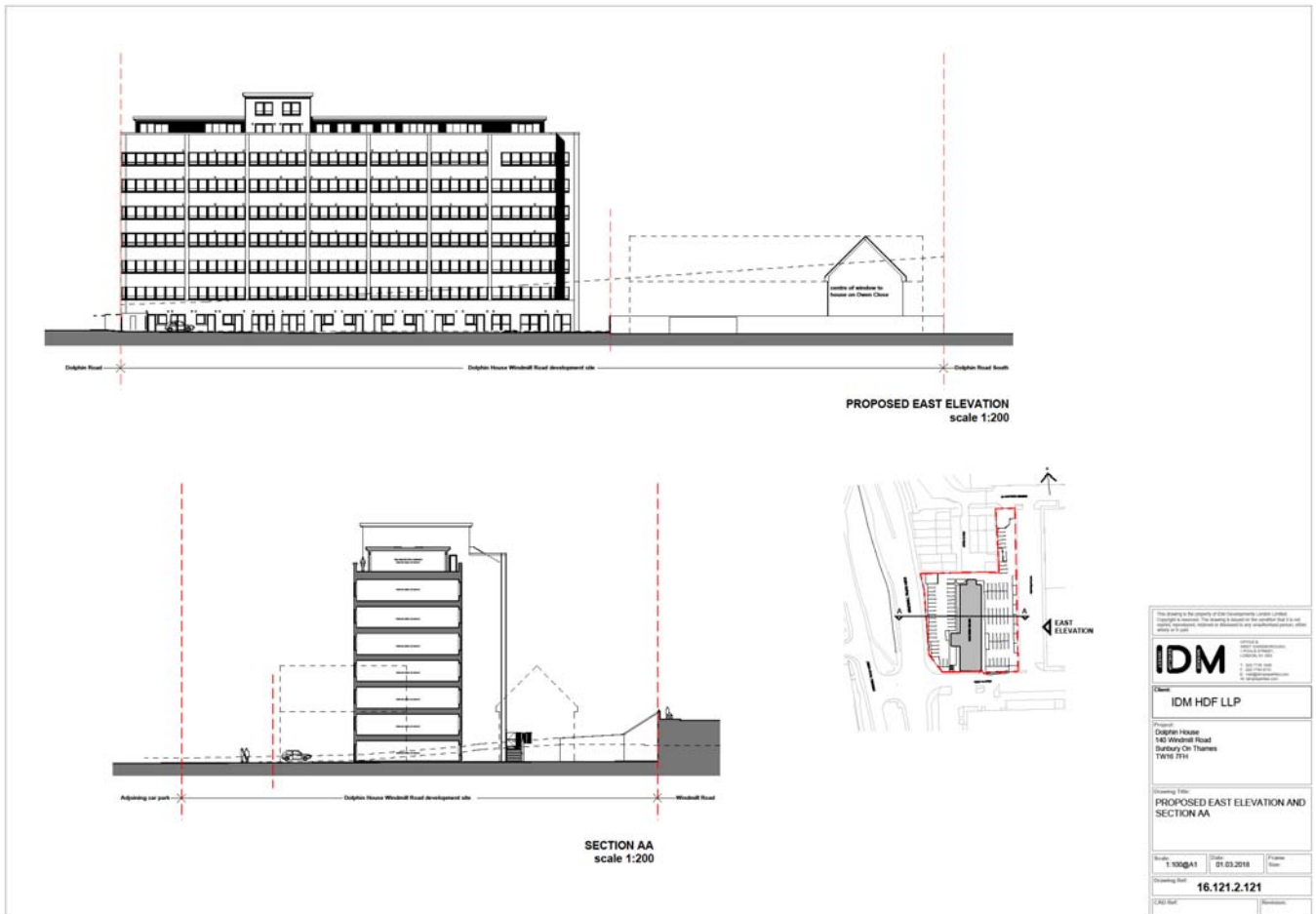
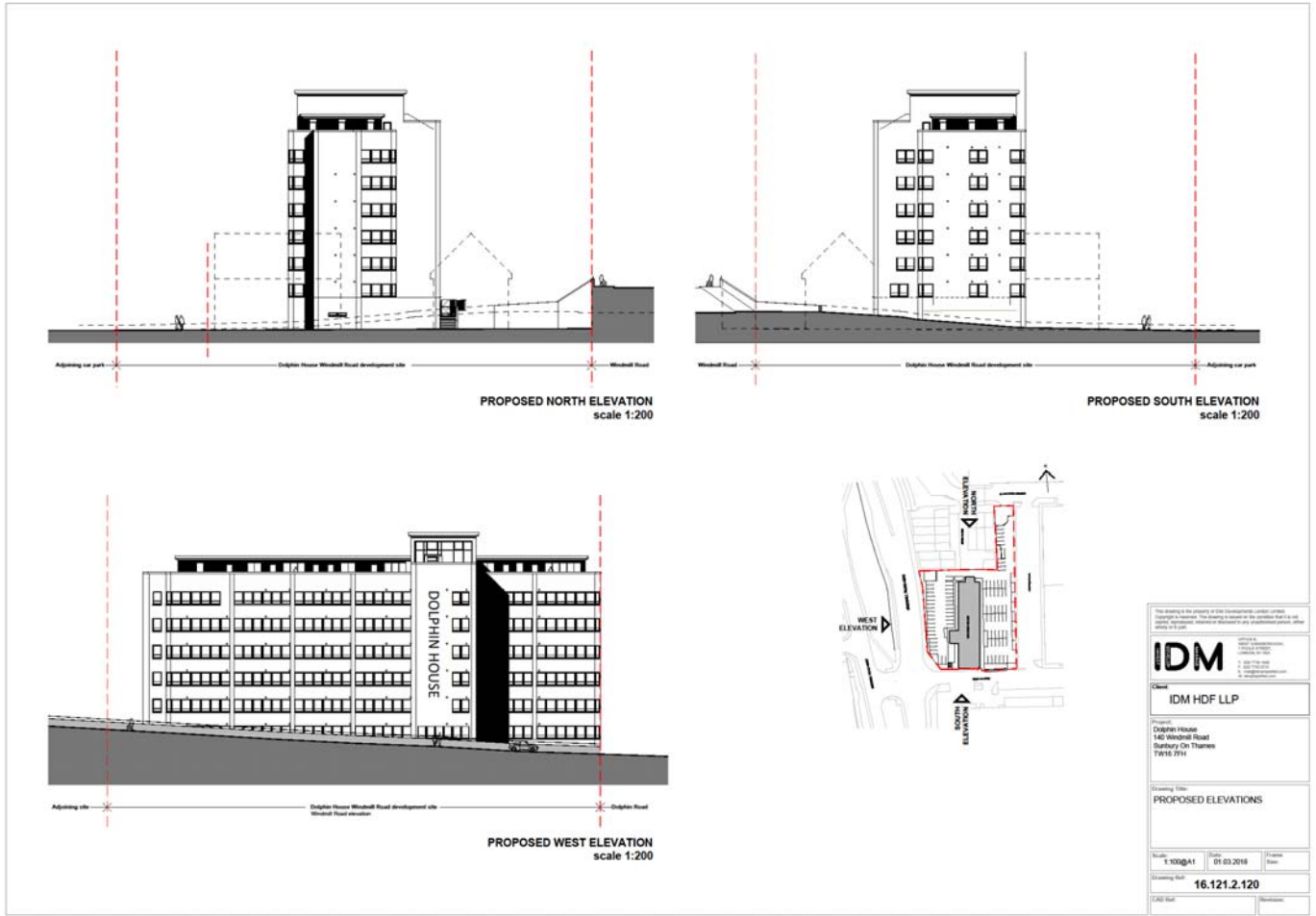
(e) How those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

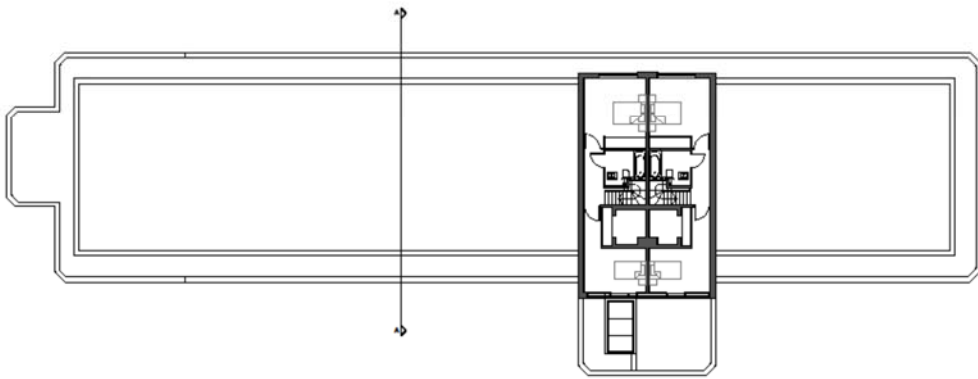
Decision Making: Working in a Positive and Proactive Manner

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:-

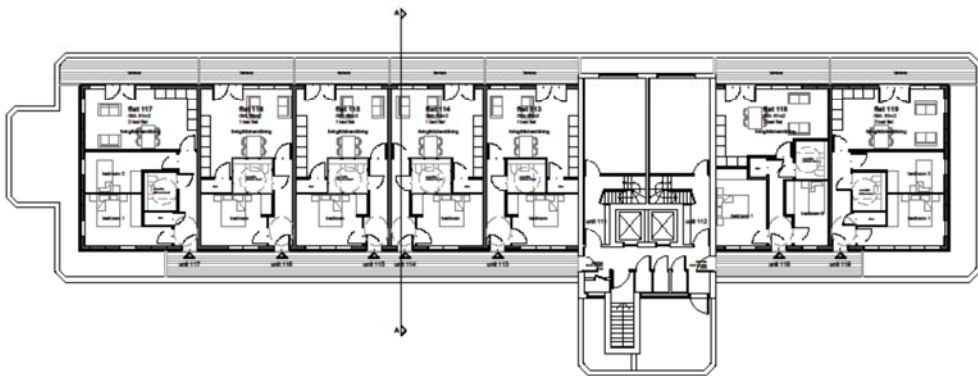
- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application 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.



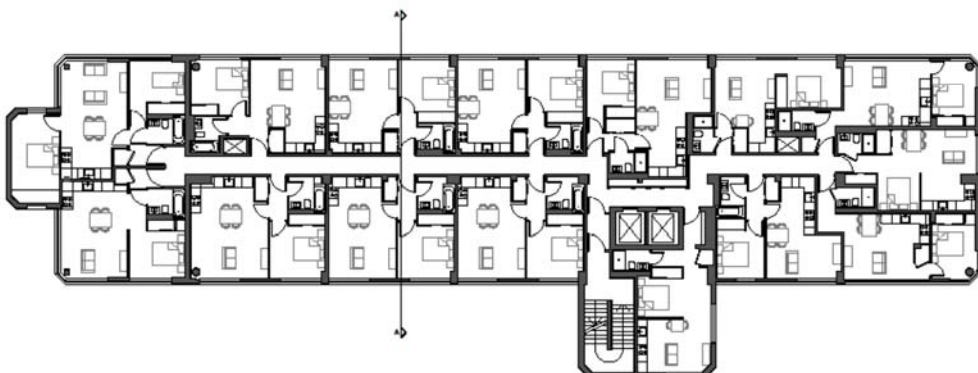




PROPOSED EIGHTH FLOOR PLAN
scale 1:100



PROPOSED SEVENTH FLOOR PLAN
scale 1:100



PROPOSED SIXTH FLOOR PLAN
scale 1:100
NO CHANGE

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	T: 020 7731 9542 F: 020 7793 8731 E: mail@idmproperties.com W: idmproperties.com

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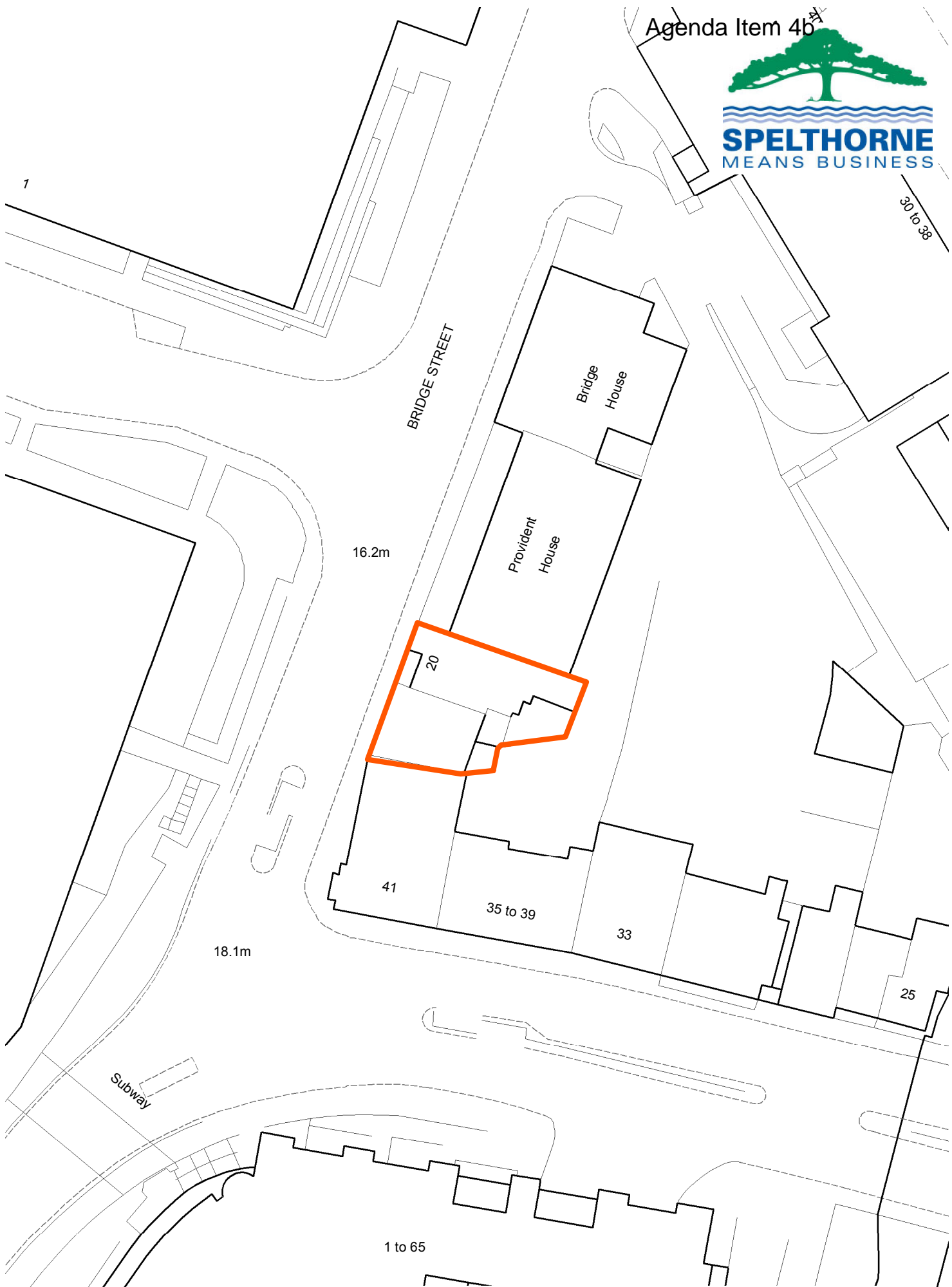
Project:
Dolphin House
140 Windmill Road
Sunbury On Thames
TW16 7FH

Drawing Title:
**PROPOSED 6TH, 7TH AND 8TH
FLOOR PLANS**

Scale: 1:100@A2	Date: 01.03.2018	Frame Size:
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Drawing Ref:
16.121.2.110

CAD Ref:	Revision:
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17/01938/FUL – 20 Bridge Street.
Scale 1:500

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Planning Committee

30 May 2018



Application No.	17/01938/FUL
Site Address	20 Bridge Street, Staines upon Thames, TW18 4TW
Applicant	CDP Staines Ltd
Proposal	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.
Ward	Staines
Called-in	N/A
Officer	Matthew Clapham

Application Dates	Valid: 2/1/2018	Expiry: 27/2/2018	Target: Over 8 weeks
Executive Summary	<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>		

Recommended Decision	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 also 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 raining 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.

Consultee	Comment
Head of Neighbourhood Services	No objections subject to a condition.
Staines Town Society	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.
Environment Agency	Have informally removed objections with further comments and conditions to follow.
Environmental Health (contamination)	No objection but requests conditions.
Environmental Health (air quality)	No objection but made comments to applicant.
County Highway Authority	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. Five letters of objection have been received, Reasons for objecting include:
 - Overbearing impact
 - Loss of light
 - Overdevelopment
 - Impact on Conservation Area
 - Overshadowing/conflict with BRE guidance
 - 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.

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. This SPD guidance uses principles contained in the BRE document on planning for daylight and sunlight. 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 of Provident House (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 ground, 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 side windows themselves, the 25 degree angle would not be infringed, nor would the 45 degree horizontal angles to the external sides be infringed by the proposal, although the internal angles would be. However this would initially be infringed by the existing privacy screen between the two balconies and in any event, there is still an open aspect to the front of each balcony and partially to the side. 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 to minimise any loss of light, although this is contested by

the third party representing the adjoining property. 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 informally removed their objection and have requested conditions and their detailed response 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

- 7.27 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.
- 7.28 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

- 7.29 A condition has been imposed requiring details of the refuse storage arrangements.
- 7.30 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).
- 7.31 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.

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.

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 bowsers 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).

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

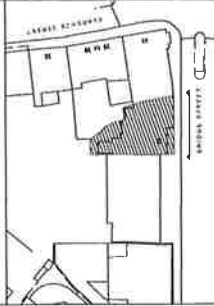
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3. All dimensions are to be taken from the finished ground level.
4. All discrepancies to be notified in writing to Kirkwood McCarthy.



LEGEND

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

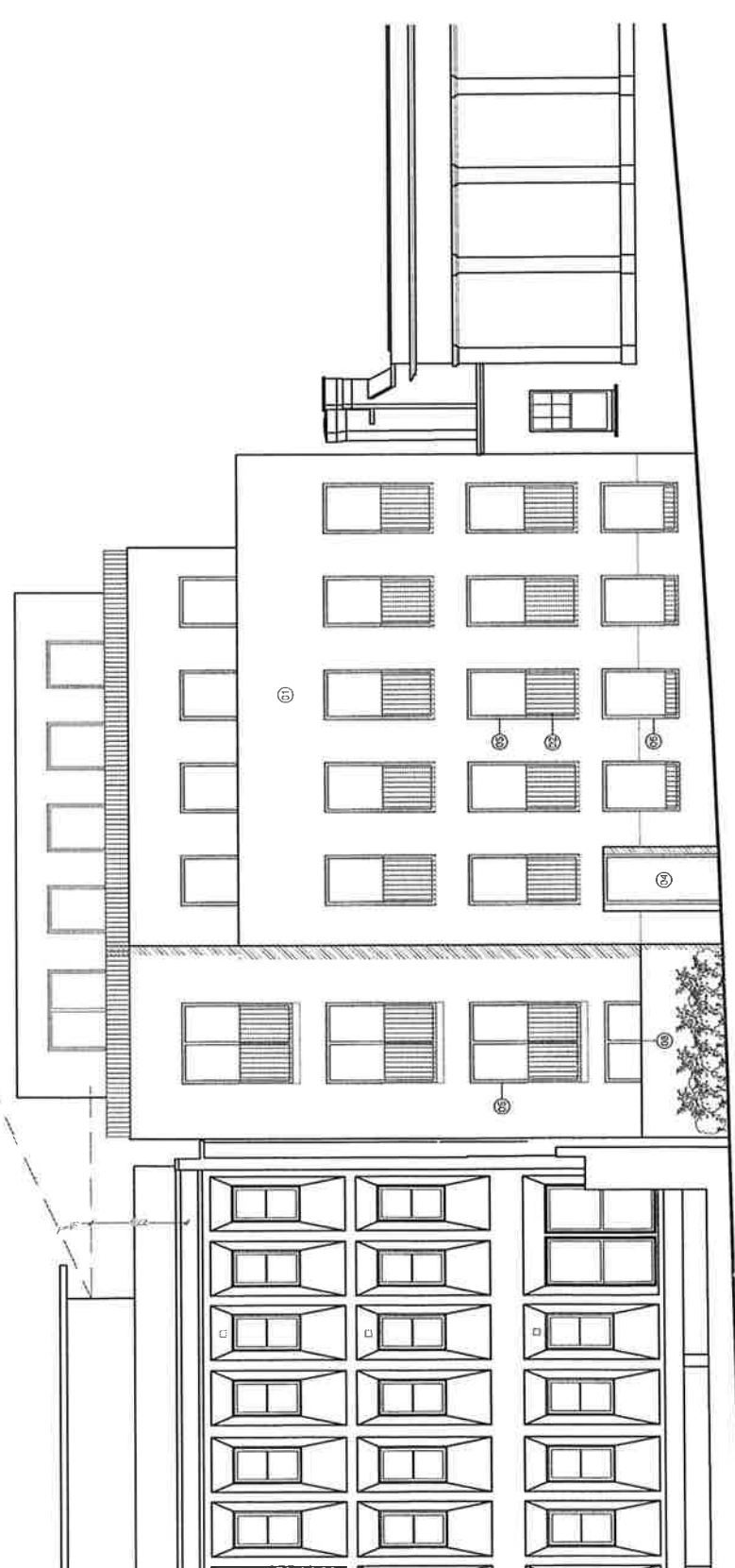
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C	07.02.18	PLANNING REVS	FK
B	20.12.17	PLANNING	FK
A	28.10.17	PRE-APPLICATION ADVICE	FK
A	19.10.17	FLOOD RISK ASSESSMENT	FK
A	23.08.17	FLOOD RISK ASSESSMENT	FK

DRAWING TITLE

**GENERAL ARRANGEMENT
 ELEVATION 01
 BRIDGE STREET**

DRAWING NO
 17006 [GA] 201
 SCALE
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REVISION	DATE	STAGE
D	16.03.18	STAGE 2



20 BRIDGE STREET
STAINES, TW18 4TW

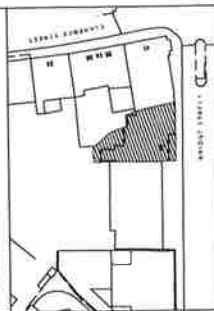
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3. Dimensions given. Do not scale off drawing.
4. All discrepancies to be notified in writing to Kirkwood McCarthy.



LEGEND:

- 01 White render
- 02 White metal guarding
- 03 White metal privacy screen
- 04 Metal framed double glazed doorset
- 05 Metal framed double glazed casement
- 06 Metal framed double glazed casement
- 07 Permeable surface
- 08 Dwell wall with garden bed
- 09 Rain garden roof
- 10 Bin store - waste
- 11 Bin store - recycling
- 12 Bike stand
- 13 Rain garden roof
- 14 Superdry room
- 15 Roof terrace

REV	DATE	DESCRIPTION	BY
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

DRAWING TITLE

**GENERAL ARRANGEMENT
GROUND FLOOR PLAN**

DRAWING NO

17006 [GA] 100

SCALE

1:100 @ A3

REVISION

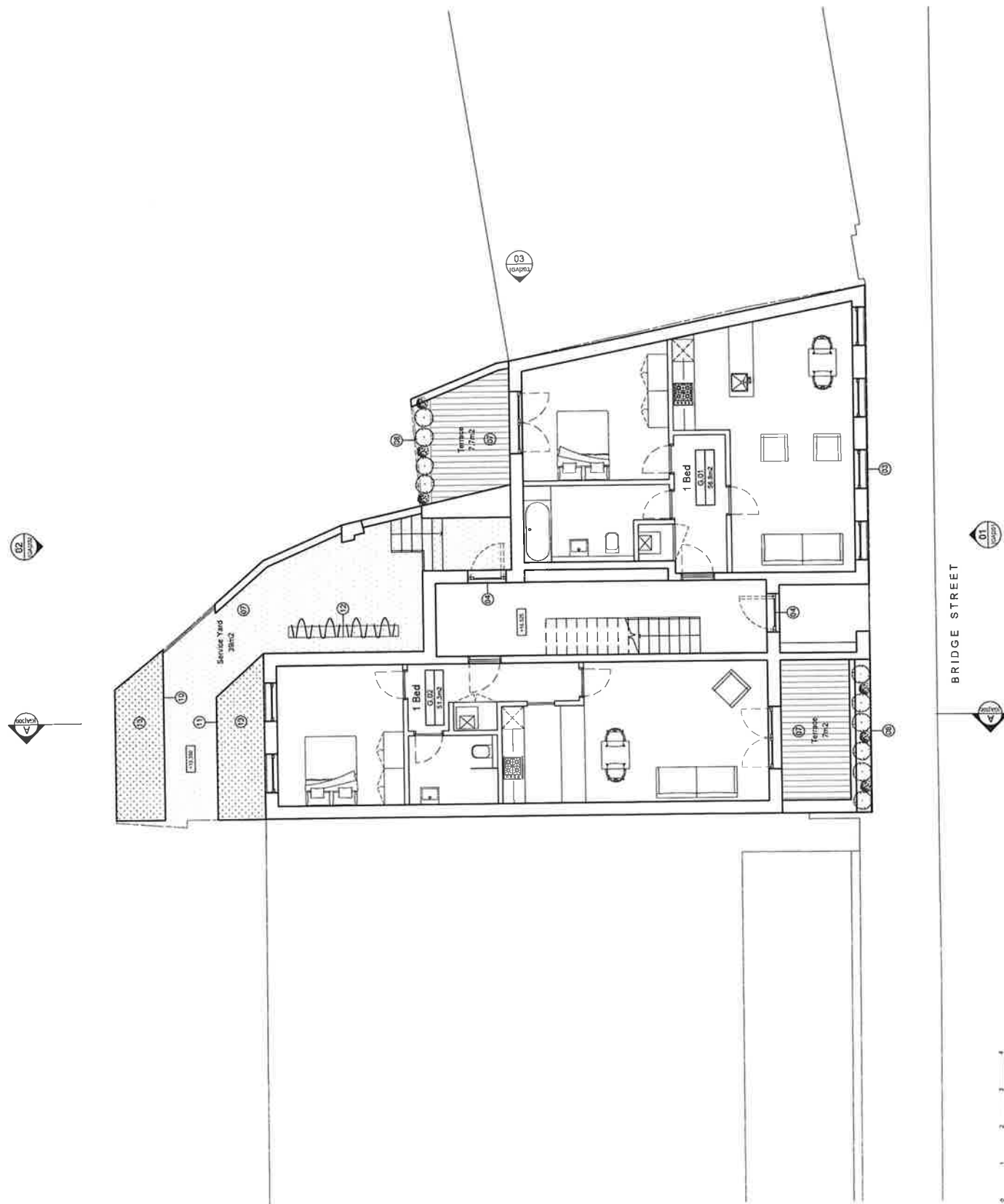
B

DATE

20.12.17

STAGE

STAGE 2



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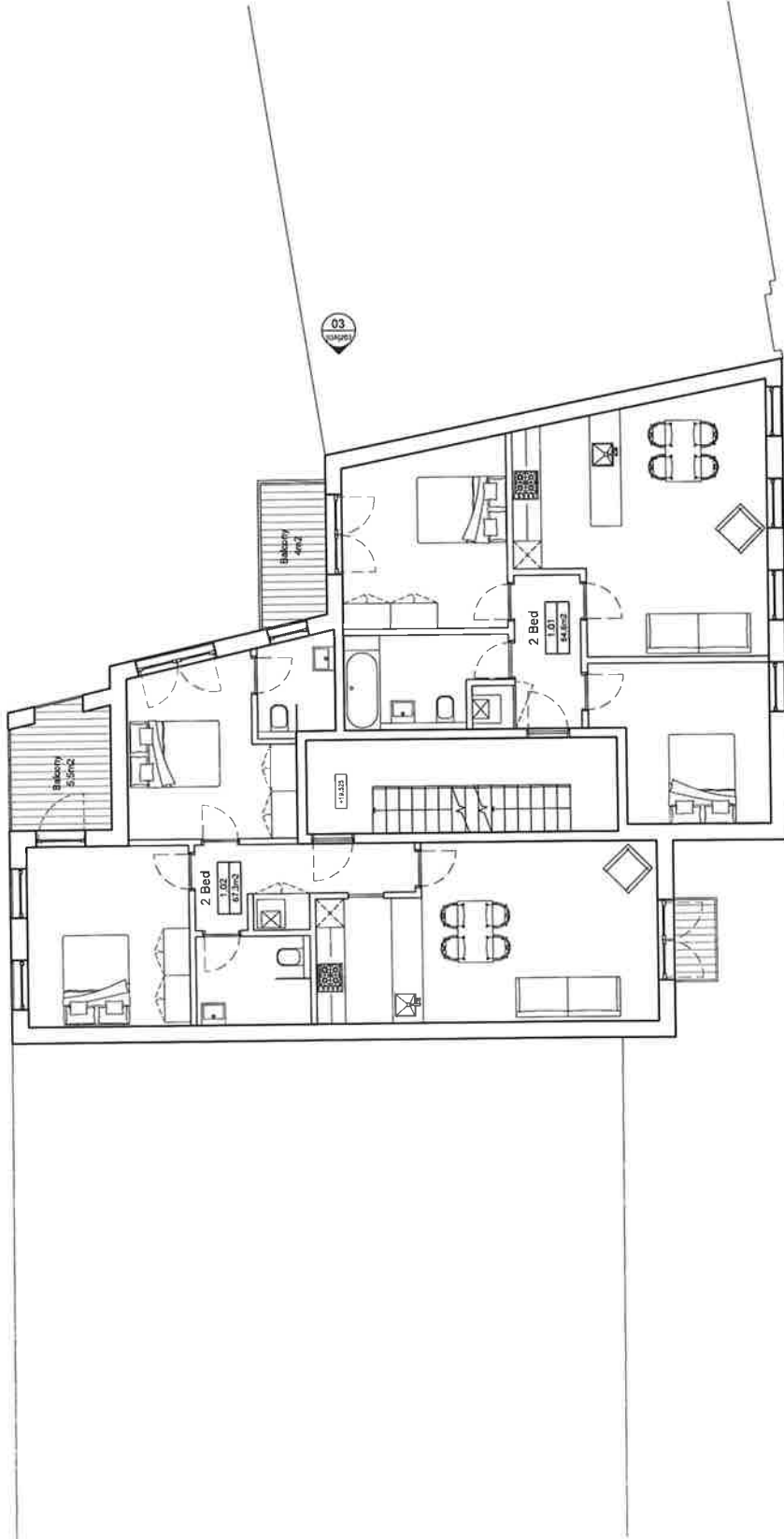
LEGEND

- 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 Sward wall with garden bed
- 09 Sward wall
- 10 Bin store - recycling
- 11 Bin store - waste
- 12 Bike stand
- 13 Bin garden roof
- 14 Surfacing
- 15 Roof terrace

REV	DATE	DESCRIPTION	BY
C	20.12.17	PLANNING	FK
B	28.11.17	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

**GENERAL ARRANGEMENT
FIRST FLOOR PLAN**

DRAWING NO	SCALE	
17006 [GA] 101	1:100 @ A3	
REVISION	DATE	STAGE
C	20.12.17	STAGE 2



20 BRIDGE STREET
STAINES, TW18 4TW

CLIENT
CDP STAINES LTD
PROJECT NUMBER
17006



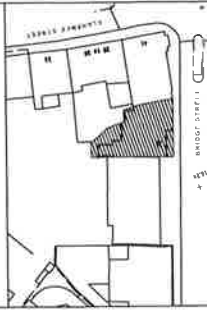
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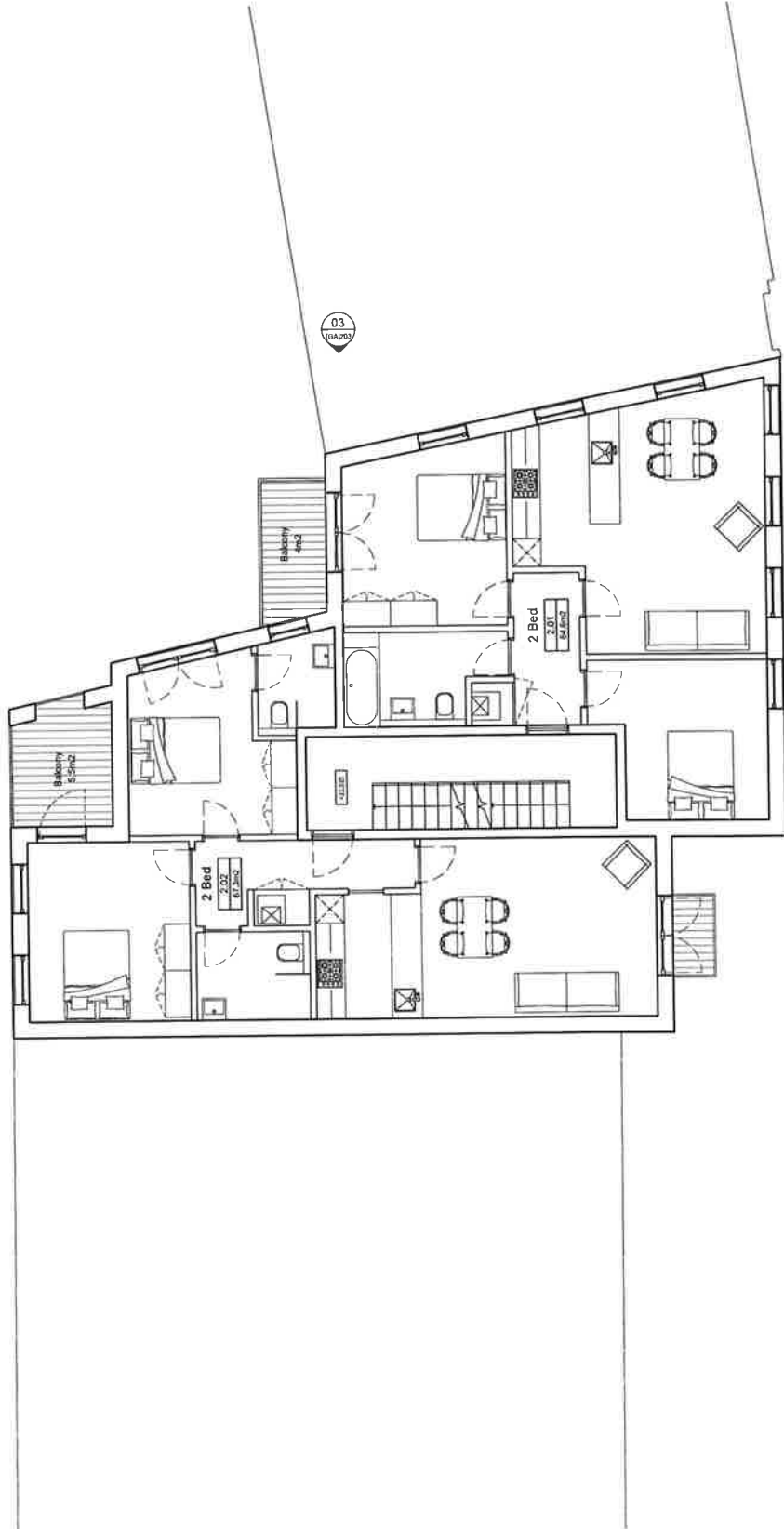
LEGEND

- 01 White render
- 02 White metal guarding
- 03 White metal privacy screen
- 04 Metal framed double glazed door
- 05 Metal framed double glazed window
- 06 Permeable surface
- 07 Smart wall with garden bed
- 08 Bin store - waste
- 09 Bin store - recycling
- 10 Bin store - waste
- 11 Bin store - recycling
- 12 Bike stand
- 13 Rain garden pool
- 14 Smart wall privacy
- 15 Roof terrace

REV	DATE	DESCRIPTION	BY
C	20.12.17	PLANNING	FK
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

DRAWING TITLE
**GENERAL ARRANGEMENT
SECOND FLOOR PLAN**

DRAWING NO	SCALE	
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REVISION	DATE	STAGE
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20 BRIDGE STREET
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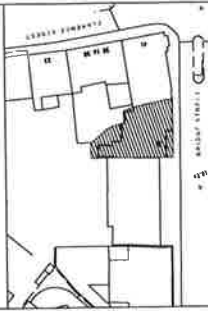
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3. Dimensions govern. Do not scale off drawing.
4. All discrepancies to be notified in writing to Kirkwood McCarthy.



LEGEND:

- 01 White render
- 02 White metal guarding
- 03 White metal gateway screen
- 04 Entrance door
- 05 Metal framed double glazed doorset
- 06 Metal framed double glazed casement
- 07 Permeable surface
- 08 Carpet with garden bed
- 09 Secure fence
- 10 Bin store - waste
- 11 Bin store - recycling
- 12 Bike stand
- 13 Slatted roof
- 14 Slatted balcony
- 15 Roof terrace

REV	DATE	DESCRIPTION	BY
B	20.12.17	PLANNING	FK
A	26.10.17	PRE APPLICATION ADVICE	FK
A	19.10.17	FLOOD RISK ASSESSMENT	FK
J	20.08.17	FLOOD RISK ASSESSMENT	FK

DRAWING TITLE

**GENERAL ARRANGEMENT
THIRD FLOOR PLAN**

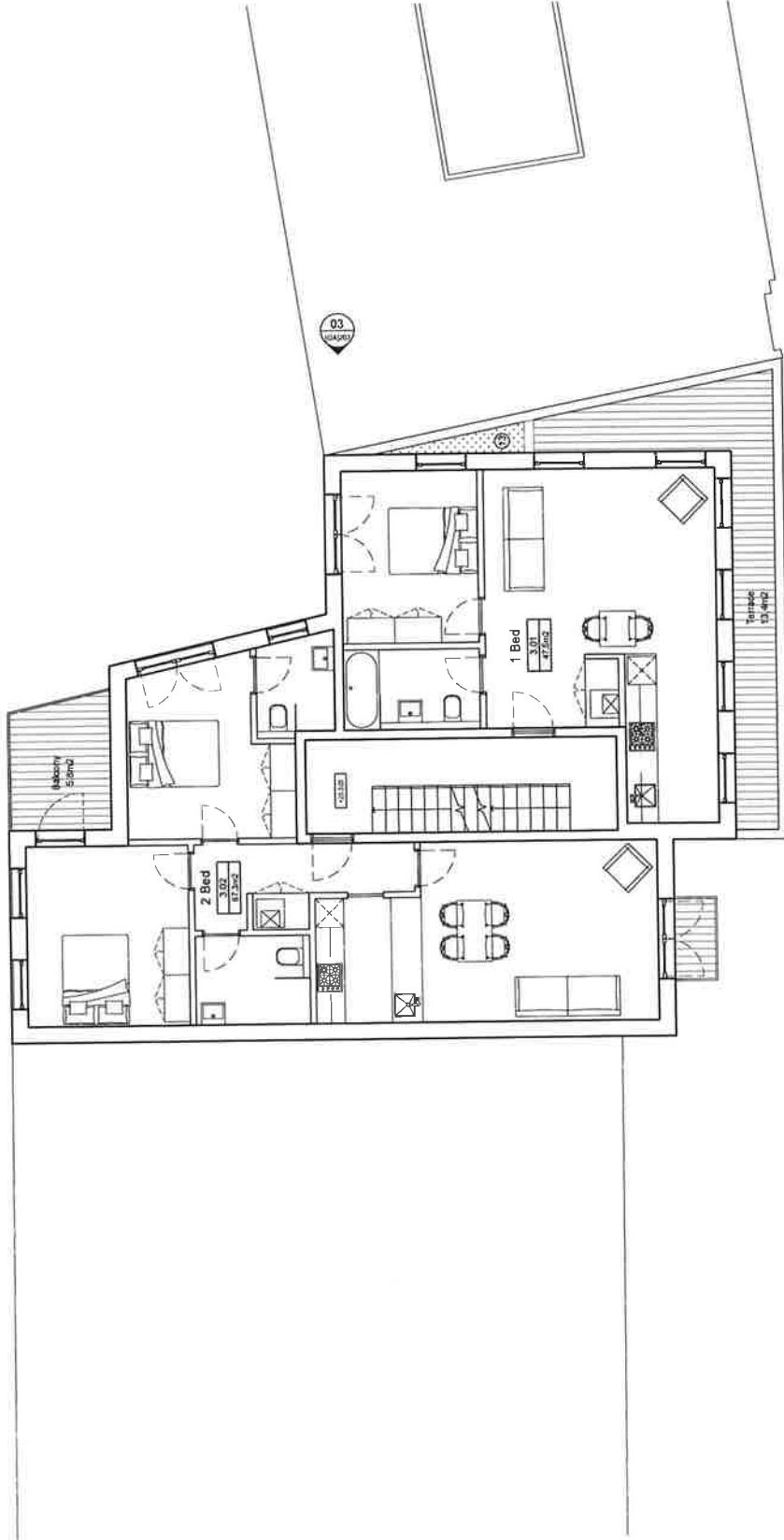
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DATE
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STAGE
STAGE 2



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STAINES, TW18 4TW

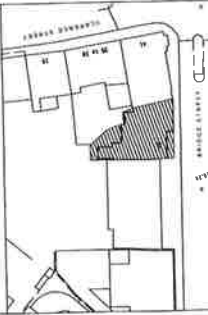
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2. All dimensions and measurements are to be checked on site
3. Dimensions given. Do not scale off drawing.
4. All discrepancies to be notified in writing to Kirkwood McCarthy.



LEGEND

- 01 White render
- 02 White metal guarding
- 03 White metal privacy screen
- 04 Entrance door
- 05 Metal privacy screen (to be placed down)
- 06 Metal privacy screen (to be placed down)
- 07 Permeable surface
- 08 Dvert well with garden bed
- 09 Secure fence
- 10 Bin store - waste
- 11 Bin store - recycling
- 12 Bike stand
- 13 Rain garden roof
- 14 Shaded balcony
- 15 Roof terrace

REV.	DATE	DESCRIPTION	BY
E	16.03.18	PLANNING REVS	FK
D	22.02.18	PLANNING REVS	FK
C	07.02.18	PLANNING REVS	FK
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

DRAWING TITLE

**GENERAL ARRANGEMENT
FOURTH FLOOR PLAN**

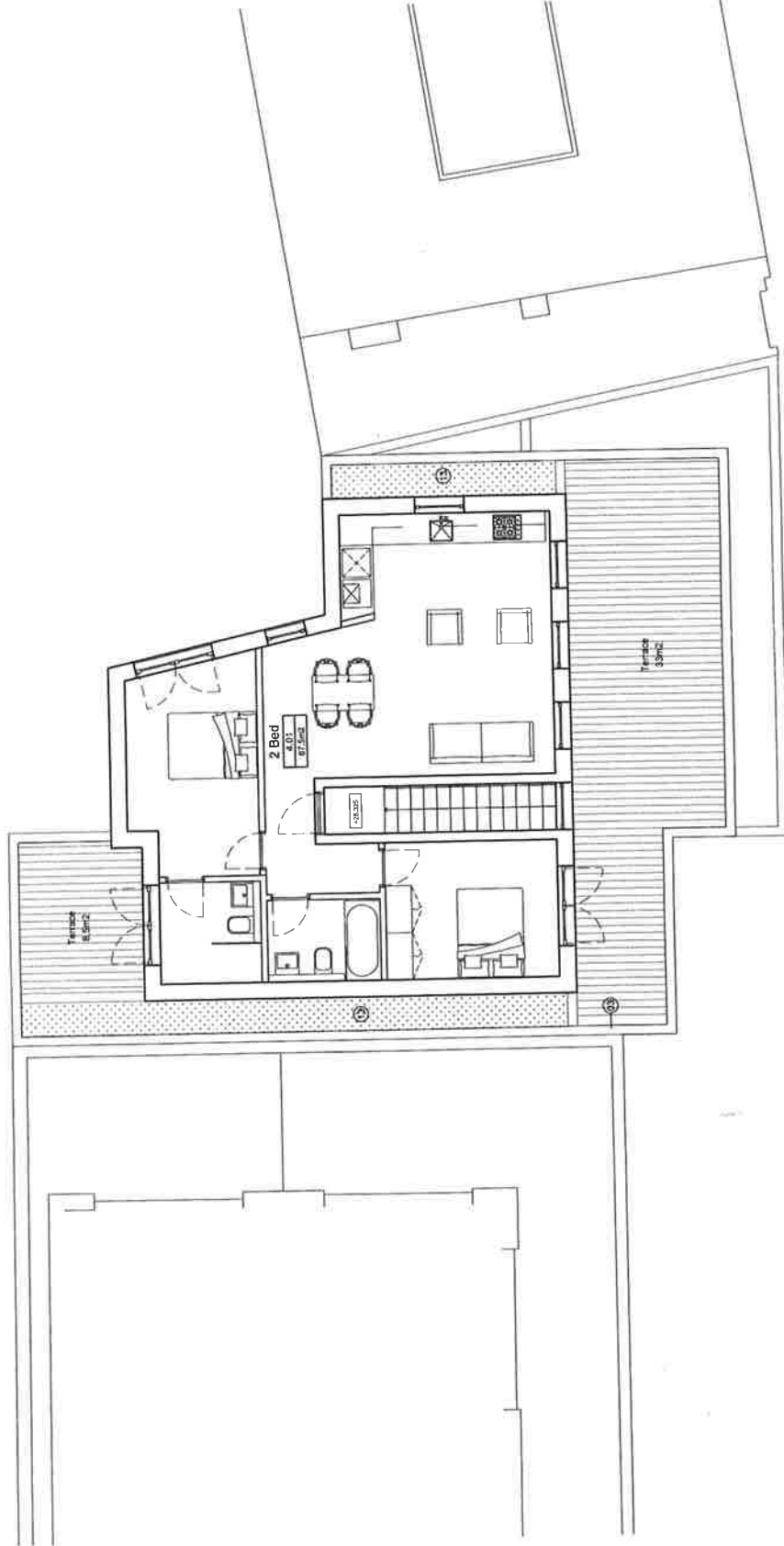
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REVISION
E

DATE
16.03.18

STAGE
STAGE 2



Planning Committee

30 May 2018



Title	Permissions in Principle and Technical Detail Consent Applications
Purpose of the report	To advise the Planning Committee on the introduction of a new form of planning consent.
Report Author	Esmé Spinks
Executive Summary	<p>From 1 June 2018, a new system of applying for planning permission on certain housing led developments will come into effect. It will apply to development where the “main purpose” is housing but some non-residential development may also be proposed. This application procedure will be restricted to minor development comprising a maximum of up to nine dwellings, floorspace of under 1,000 sq. m or a site area of less than one hectare.</p> <p>The application process will essentially be a two stage one:</p> <ul style="list-style-type: none"> • Permission in Principle (PiP) stage – where the LPA settles the question of whether the site is suitable for development in principle and how much development the site is suitable for • Technical details consent (TDC) stage – where the LPA assesses the detailed scheme. <p>The process is not dissimilar to the current process of an Outline Planning Application with all matters reserved, followed by a Reserved Matters application for details relating to appearance, means of access, landscaping, layout and scale which will continue to exist. However, the LPA has a much shorter time period to determine PIP and TDC applications, just five weeks for both.</p>
Recommended Decision	It is recommended that the Committee notes this report.

MAIN REPORT

Planning in Principle and Technical Detailed Consents Applications

1.0 Background

- 1.1 The Town and Country Planning (Brownfield Land Register) Regulations 2017 came into force in April 2017 and the regulations required Local Planning Authorities (LPAs) to prepare and maintain a register of brownfield land (i.e. previously developed land) that is considered to be suitable for residential development. Brownfield registers provide up-to date, publicly available information on brownfield land that is suitable for housing development and which can provide for five or more dwellings; is 0.25 hectares in size and suitable, available and achievable. This is Part 1 of the Register.
- 1.2 Presently, Spelthorne's Brownfield Register Part 1 has been published with a total of 25 sites included on it. They contain sites that have planning permission, or are allocations in the adopted local plan, 2009. In due course the register will be extended to include relevant sites that have been submitted through the Council's Strategic Land Availability Assessment or appropriate sites which meet the criteria. Part 1 of the Brownfield Land Register does not affect the status of sites that already have planning permission or are allocated in the adopted Local Plan for development. The inclusion of other sites on the register does not give them any formal status, or grant permission in principle, or in any sense infer that planning permission will be granted for development. The Brownfield Land Register will be subject to periodic review and through ongoing refinement further sites will be added whilst others may be removed
- 1.3 Sites on Part 1 may be entered by the LPA onto Part 2 of the LPAs Brownfield Register. This is subject to undertaking the necessary requirements for publicity, notification and consultation. When this happens, they are automatically granted Permission in Principle (PiP). There are currently no sites on part 2.
- 1.3 From 1 June 2018 the Town and Country (Permission in Principle) (Amendment) Order 2017 will come into force which will allow applicants to apply for Permission in Principle directly from a LPA for residential development of land. This applies to development where the "main purpose" is housing but some non-residential development may also be proposed. No definition of the "main purpose" has been given and the elasticity of this has yet to be tested.
- 1.4 PiP provides an alternative to the typical path of applying for planning permission. Unlike the original Order where PiP is given 'as of right' to brownfield sites listed on Part 2 of the register, under the new Order LPAs may grant PiP proposals or refuse them. Therefore, as PiP is no longer confined purely to brownfield land, applications to the LPA for PiP can be

submitted on all types of land, unless exempted by the regulations. An example of an exemption is habitats development where development is likely to have a significant effect on a European site. This application procedure is restricted to minor development comprising a maximum of up to nine dwellings, floorspace of under 1,000 sq. m or a site area of less than one hectare. The application for PiP must express the proposed development as a range and be accompanied by a form and a location plan.

- 1.5 LPAs are required to advertise PiP applications by displaying a site notice on or near the site and advising that representations must be made within a period of not later than 14 days. There is no requirement to write to adjoining residents. The period currently given to third parties to respond on planning application is 21 days.
- 1.6 The time period for a decision on a PiP is five weeks from the date of receipt. If the applicant is willing, it is possible to agree an extension of time to the determination period. The current period for the determination of planning applications of this nature is eight weeks. PiP applications can be refused and, if this is the case, this refusal can be appealed. If a decision is not made within the prescribed five weeks period there is no automatic permission although the applicant can appeal on the basis of a non-determination.
- 1.7 When granting PiP, the LPA must specify the minimum and maximum number of dwellings which are permitted in principle. In relation to any non-housing development, the LPA is required to specify the scale of the development which is permitted and its use.
- 1.8 If PiP is granted by the LPA, applicants must then apply for Technical Details Consent (TDC) in order to obtain the authorisation required to carry out the building of the development. The TDC provides greater detail on the technical matters associated with the development such as the design and appearance. The determination period for TDC applications for up to 9 dwellings will be five weeks. The determination period for TDCs involving major schemes (which do not involve an environmental Impact Assessment) will be 10 weeks. However, TDC applications for major schemes (over 10 units or more) will only follow by virtue of PiPs being on Part 2 of the Brownfield Register or if a PiP is secured through a Local Plan allocation (the regulations relating to the latter have not been received) and not through the application process which is limited to minor development as specified in 1.4 above.
- 1.9 The application process is, therefore, essentially a two stage one:
 - Permission in Principle (PiP) stage – where the LPA settles the question of whether the site is suitable for development in principle and how much development the site is suitable for
 - Technical details consent (TDC) stage – where the LPA assesses the detailed scheme.



- 1.10 The process is not dissimilar to the current process of an Outline Planning Application with all matters reserved, followed by a Reserved Matters application for details relating to appearance, means of access, landscaping, layout and scale which will continue to exist. However, the LPA has a much shorter time period to determine PIP and TDC applications. The time period for the determination of the current application system is 8 weeks for both outline and reserved matters.
- 1.11 In order to publicise this new process, details have been put on the Planning page of the Council's website with a link to the latest news on the front page.
- 1.12 As part of the on-going performance management in Planning DM, it is proposed to monitor these applications and provide an update to the Planning Committee in the regular performance reports.

3.0 Recommendation

- 3.1 It is recommended that the contents of the report are noted.

PLANNING APPEALS**LIST OF APPEALS SUBMITTED BETWEEN 19 APRIL AND 17 MAY 2018**

<u>Planning Application Number</u>	<u>Inspectorate Ref.</u>	<u>Address</u>	<u>Description</u>	<u>Appeal Start Date</u>
17/01715/FUL	APP/Z3635/W/18/3197736	8 Edward Way, Ashford	Erection of 2 storey side extension (approve ref 16/01716/HOU) to create 1 bedroomed self-contained unit, removal of existing single storey rear extension to existing house and associated external and internal alterations.	25/04/2018
17/01545/FUL	APP/Z3635/W/18/3193898	101 Long Lane, Stanwell	Conversion of existing dwelling into pair of semi-detached dwellings following demolition of existing ground floor element and garage and erection of two storey side extension.	30/04/2018
17/01758/HOU	APP/Z3635/D/18/3198001	34 Guildford Street, Staines-upon-Thames	Construction of a roof extension changing the hipped roof to a gable end, the construction of a rear mansard dormer, the addition of two roof lights in the front roof slope, the removal of the rear chimney stack and the construction of a part two storey part single storey rear extension.	08/05/2018
17/01778/HOU	APP/Z3635/D/18/3199804	80 Edgell Road Staines-upon-Thames	Erection of a single storey rear extension and roof alteration including side facing dormer to facilitate accommodation in roofspace	10/05/2018

APPEAL DECISIONS RECEIVED BETWEEN 19 APRIL AND 17 MAY 2018

Site	18 Greeno Crescent, Shepperton
Planning Application No.:	17/01898/FUL
Proposed Development:	Conversion of existing dwelling into 2 no. 1 bedroom self-contained flats, including the erection of a single storey rear extension.
Reasons for Refusal	The proposed upper floor flat contains a bedroom capable of hosting 2 occupiers, and the flat would contain insufficient floor space, resulting in a poor level of amenity for future occupiers. The proposal would therefore be contrary to the objectives of policy EN1, of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009) and the Technical Housing Standards (March 2015).
Appeal Reference:	APP/Z3635/W/18/3196354
Appeal Decision Date:	26/04/2018
Inspector's Decision	The appeal is dismissed.
Inspector's Comments:	<p>The Inspector identified that the main issue was whether the proposed first floor flat would provide acceptable living conditions for future occupiers with regard to the provision of internal living space (the first floor flat would incorporate an internal floor area of 38.9 m², and the ground floor flat would contain an internal floor area of 58.5 m²).</p> <p>The Inspector noted on the basis of the submitted floor plans, both of the proposed units would be in accordance with the nationally described Technical Housing Standards (THS). Nevertheless, whilst the proposed first floor flat is proposed for single occupancy, the area of the bedroom would be greater than 11.5 m² and the width would be greater than 2.75m. This bedroom would therefore be beyond the thresholds identified within the THS required to provide for two bed spaces.</p> <p>As the first floor flat would be capable of accommodating two people without further alteration, it could not be reasonably considered to contain a single bedroom. Moreover, a condition to restrict occupancy to a single person would not be enforceable. Accordingly, as the area of the flat falls significantly short of the 50m² minimum floor space requirements for a unit of this size, it would provide poor living conditions</p>

for future occupiers and would conflict with policy EN1, and the THS. As such the appeal was dismissed.

Site	41 Ruggles Brise Road, Ashford
Planning Application No.:	17/01373/FUL
Proposed Development:	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.
Reason for Refusal	The proposed two storey dwelling would provide an insufficient internal floor area, and would consequently afford an unacceptable level of amenity for future residential occupiers. The proposal would also result in a cramped form of development, which is out of character with the surrounding building pattern and would represent an overdevelopment of the site. The scheme would also have an unacceptable impact upon the semi-detached character of the host building, and would have an adverse visual impact upon the surrounding street scene, which predominantly contains two storey semi-detached dwellings. The proposal is therefore contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009).
Appeal Reference:	PP/Z3635/W/18/3194268
Appeal Decision Date:	26/04/2018
Inspector's Decision	The appeal is dismissed.
Inspector's Comments:	<p>The Inspector identified that the main issues were the impact of the development upon the character and appearance of the host property and surrounding area, and whether the proposed two storey dwelling would provide acceptable conditions to future occupiers with regard to the provision of internal living space.</p> <p>The Inspector commented that the lack of a setback at first floor level, together with a ridge height that matches the existing property would mean the proposal would not be subordinate to the existing dwelling. In this way the proposal would unbalance the existing pair of semi-detached properties, adversely impacting upon their symmetry and character. The proposal would also have an adverse impact upon the wider street scene due to its prominent location. The creation of a new dwelling that is effectively an end terrace, would introduce a form of</p>

development which is out of character with properties in the surrounding area. It would also create plot sizes smaller than those of surrounding properties that would be cramped and would represent overdevelopment of the site. Whilst the appellant argued that the scheme would be similar to the existing planning permission for an extension at the site, the Inspector found the differences between the schemes to be significant in visual terms and the proposal would not be in keeping with the semi-detached character of the local area. The proposal therefore fails to provide a high standard of design, which the Inspector commented was contrary to policy EN1, and the Councils SPD on design, together with the NPPF.

The Inspector noted that the Council considered that the proposed dwelling would have an internal floor area of approximately 51 m², and the appellant did not challenge this figure. This is below the Council's SPD on design, which requires a dwelling over this size, over two storeys and occupied by 3 people, has a minimum internal floor area of 75 m². The Technical Housing Standards also require that a dwelling of this size has a minimum floor area of 70 m². The dwelling would fail to meet either of these minimum floor space requirements by a considerable margin and in the Inspector's view would not provide a high standard of layout. Accordingly the proposed development would provide a poor standard of living accommodation for future occupants contrary to policy EN1.

The appeal was therefore dismissed.

Site	Land Adjoining 24 Ashgrove Road, Ashford
Planning Application No.:	17/00511/FUL
Proposed Development:	Erection of a single storey detached dwelling containing 1 no. bedroom and associated parking space.
Reasons for Refusal	The proposed single storey detached dwelling, would by reason of size, siting, layout, and plot size, be an incongruous and cramped form of development, which would represent an overdevelopment of the site and would have an unacceptable impact upon the character of the area and visual amenity. The proposal would also provide a poor level of outlook for future occupiers of the proposed dwelling and would result in a poor level of amenity space for no.24 Ashgrove Road. The proposal would therefore be contrary to Policy EN1 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).
Appeal Reference:	APP/Z3635/W/17/3190258
Appeal Decision Date:	03/05/2018
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector identified that the main issues were the effect of the proposed development on the living conditions of the occupants of 24 Ashgrove Road, in terms of the provision of private external space, the living conditions of future occupants, and the character of the area.</p> <p>In regards to the living conditions of future occupants, the Inspector commented that the lack of windows within the rear elevation would deprive occupants of views and easy access to the back garden, and so would have a negative effect on their living conditions in terms of outlook and quality of living space. The Inspector considered that this could not be dealt with by condition as it would not necessarily allow proper assessment or consultation. On this issue, the proposal would have an unacceptable impact upon the living conditions of future occupants and would therefore not accord with policy EN1 or the Council's SPD on design. For this reason the appeal was dismissed.</p> <p>It was considered however, that the proposal would have an acceptable impact upon the living conditions of the occupants of no.24 Ashgrove Road, as it would not encroach onto this properties land and there would not be a reduction in the private external space at this property.</p> <p>In terms of the character of the area, the Inspector noted the mix of dwelling types in Ashgrove Road and adjoining streets. It was also noted that plot sizes vary in terms of width and depth. The Inspector noted the appeal site forms a gap which is considerably larger than most gaps in the surrounding area. It was noted the proposed development would be of similar height and form to the bungalow at 24 Ashgrove Road. The Inspector also considered that the reduction in boundary fencing along the front of the site and a reasonably sized front garden, would help to alleviate an existing sense of enclosure along Ashgrove Road, as a result of the existing fence. The plot width would be comparable with existing properties but the depth would be limited resulting in a shorter garden than most. The Inspector commented that the proposal would not result in particularly cramped or incongruous development given the mixed character of the area. The Inspector concluded that the scheme would have an acceptable impact upon the character of the area and would accord with policy EN1 in this regard. It</p>

was also commented that the scheme would contribute to the Council's housing supply.

On balance, whilst the proposal would have an acceptable impact upon the character of the area, the negative impacts arising from a lack of outlook and direct access to the rear garden would be significant as it would separate occupants from their garden. The Inspector Considered that the adverse impacts would outweigh the benefits of the development and for this reason the appeal was dismissed.

Site	Workshop Adjacent to 3 Avondale Road, Ashford
Planning Application No.:	17/01344/FUL
Proposed Development:	Erection of detached residential unit consisting of a studio flat with associated parking following demolition of existing workshop.
Reason for Refusal	The proposed development by reason of its size, design and siting would result in a cramped form of development which will be out of character with the layout of development in the area, and would result in a poor standard of accommodation for future occupants with a poor outlook, small size of unit and lack of useable amenity space. The proposal would therefore be contrary to policy EN1 of the Core Strategy and Policies DPD 2009 and the Councils Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference:	APP/Z3635/W/17/3190827
Appeal Decision Date:	03/05/2018
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector considered the main issues to be the effect of the proposed development on (a) the character and appearance of the area and (b) the living conditions of future occupants in terms of outlook and the amount of internal and external space</p> <p>He noted the character of the area with varying plot sizes, but most properties have a regular and reasonable plot width as well as garden space at the rear. He went on to note that the plot size was very small</p>

and the dwelling would abut the boundaries on either side as well as the rear boundary, appearing '*tightly sited within its plot compared to other properties in the area*'. He commented that, '*the dwelling would be very close to the flank wall with No 3, and its high eaves would accentuate the limited space between it and No 3. The absence of garden space at the rear would not be obvious within the street scene but would still be out of character for this location. The boundary fence at the front would be replaced with a fence of similar height which would overly enclose a very small area of external space at the front. While the height of the fencing could be reduced, this would not overcome the overall limited space within the site or avoid a cramped form of development.*'

He concluded that the proposed development would have a negative effect on the character and appearance of the area.

The Inspector noted that the small floor space area would be limited overall and would reduce the quality of the living space for any occupant. Parking would occupy around half of the external space at the front, with the remaining space left for general use. While this space could be appropriately landscaped, it would be small and narrow and would limit the amount of useable space for any occupant and would be significantly under the 35sqm recommended by the Design SPD. The nearest public open spaces referenced by the appellant were around a 20-30 minute walk away. He noted this seemed an excessive distance on a regular basis and so would not compensate for the under provision within the site.

Due to the position of the dwelling against the side and rear boundaries,, the outlook would be of a small and constrained external space enclosed by tall fencing. Any reduction in the fence height to improve the outlook would likely result in privacy issues for the external space.

He concluded that the proposed development would provide a constrained amount of internal and external space and result in a limited outlook on the ground floor, having a negative effect on the living conditions of future occupants contrary to Policy EN1

The example opposite, noted by appellant, is much wider than the appeal site and therefore different and did not justify this proposal.

However, he commented that as a single dwelling, the development would represent a limited benefit in terms of housing provision and the efficient use of land. The existing workshop is dilapidated and its removal would benefit the street scene, but it is also quite hidden behind the existing boundary fencing and set back from the road limiting its negative impact. Therefore, only moderate weight could be attributed to the benefits of the development.

He concluded that the proposed dwelling would be cramped within its plot with inadequate spacing to the side and rear and limited outlook from the ground floor. It would also be out of character with the

prevailing form and layout of development in the surrounding area and would not have a positive effect on the living conditions of future occupants. Therefore, significant weight was attached to the adverse impacts and the conflict with the development plan. Consequently, the adverse impacts of the development would significantly and demonstrably outweigh the benefits and the proposal would not represent sustainable development. In applying para 14 of the NPPF he indicates that planning permission should not be granted in this instance.

Site	Oakwood, 2 Ferry Lane, Laleham
Planning Application No.:	17/01395/FUL
Proposed Development:	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.
Reasons for Refusal	The proposed new dwelling 'House A' in terms of its scale, design and location would have an unacceptable overbearing impact on and result in loss of light to number 16 Shepperton Road. The proposal is therefore contrary to Policy EN1 Core Strategy and Policies Development Plan Document 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference:	APP/Z3635/W/18/3193714
Appeal Decision Date:	09/05/2018
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	The Inspector noted that House A would be located further from the highway than the existing property with its south eastern corner very close to the north eastern corner of no.16. He also noted that House A would be a two storey property rather than the chalet style of the existing house and would have a greater bulk on the boundary with no.16. Consequently, he agreed that the property would have an unacceptable overbearing impact on the occupiers of that property. Furthermore, he considered that the location and bulk of the House A would also make the small rear courtyard of no.16 less attractive to use, thereby adversely affecting the ability of the occupants of no.16 Shepperton Road to enjoy their garden and living accommodation.

	<p>The Inspector did not agree that the proposal would result in unacceptable loss of light. He noted as identified in the appellant's Daylight and Sunlight report the amount of sunlight reaching the garden as a whole would be good. He considered that while there would be a reduction in the amount of light reaching the ground floor window of no.16, the impact would be limited. He therefore found that the House A would not result in unacceptable loss of light.</p>
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Site	34 Guildford Street, Staines-upon-Thames
Planning Application No.:	17/01265/HOU
Proposed Development:	Construction of a roof extension changing the hipped roof end to a gable, the construction of a rear mansard extension, the addition of two roof lights in the front roof slope, the removal of the rear chimney stack and the construction of a part two storey, part single storey rear extension.
Reasons for Refusal	The proposed rear mansard extension to the roof, by reason of its scale, design and location, would result in an unacceptable and dominant feature of the roof, which would be visually obtrusive and detrimental to the character of the area contrary to policies SP6 and EN1 of the Spelthorne Local Development Framework Core Strategy and Policies Development Plan Document February 2009 and the Supplementary Planning Document Design of Residential Extensions and New Residential Development April 2011.
Appeal Reference:	APP/Z3635/D/17/3191732
Appeal Decision Date:	09/05/2018
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector considered that the part two part single storey rear extension was in keeping with the alterations that have been made to no.34 and was not visually obtrusive or detrimental to the character of the area. He also confirmed that he considered the removal of the chimney stack and the introduction of roof lights to be unobtrusive elements.</p> <p>He also considered that the change from a hipped roof to a gable on its own did not cause harm, because although the adjoining property retained its hipped form there were examples elsewhere in the road of</p>

similar types of properties having gable roofs. Furthermore, views from Guildford Street were limited.

However, he found that extending the gable to the rear of the original building with only a minor cut back to reflect the angle of the mansard roof slope would result in a bulky addition, which would form a dominant feature very visible from Commercial Road and the rear gardens of properties on the north side of Commercial road. He considered the pitch and bulk of the mansard roof and its extent across the roof slope made it visually obtrusive and detrimental to the character of the area contrary to SPD guidance. In addition he noted that the two dormers extended to the eaves, dominated the roof slope and had a degree of size and prominence which made them over dominant and visually obtrusive. As such they failed to take account of the principles of well-designed dormers as set out in the SPD.

He concluded that by reason of its scale and design the proposed roof extension would be visually obtrusive and detrimental to the appearance of the host property and the character of the surrounding area.

Site	Manor Farm Cottage, 126 Green Street, Sunbury On Thames
Planning Application No.:	17/01483/FUL
Proposed Development:	Demolition of existing residential bungalow to be replaced with a 2.5 storey building providing 7 no apartments with communal parking and landscaping.
Reasons for Refusal	The proposed development by virtue of its design, siting and scale on this prominent corner location, would represent an overdevelopment of the site with a lack of car parking, amenity space and cramped layout. It would be positioned forward of the prevailing building line of adjacent sites and would appear visually obtrusive and out of keeping with the locality. It would not make a positive contribution to the street scene of Manor Lane and Green Street and would not preserve the setting of the neighbouring listed building at no. 124 Green Street, to the detriment of the character of the area. The development will therefore be contrary to Policies EN1 and EN5 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference:	APP/Z3635/W/17/3191046
Appeal Decision Date:	10/05/2018

Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector considered the main issues to be the effect on the character and appearance of the surrounding area with particular regard to the significance of the setting of 124 Green Street, a Grade II listed building; amenity of future occupiers in terms of amenity space; impact on neighbours at 145 Manor Lane (privacy and outlook); and car parking.</p> <p>He noted that the proposal would be closer to the road than at present but did not consider this to have an adverse impact on the street scene. The removal of the garage and provision of parking with a large area of the hardstanding would provide an openings in keeping with the character.</p> <p>He stated that, <i>'... The overall footprint of the proposed development would be considerably greater than most neighbouring properties,'</i> and, <i>'... in extending across the full width of the Green Street frontage the proposal would fail to make a positive contribution to this frontage and would create development uncharacteristic of the surrounding area.'</i></p> <p>He went on to comment that crown roofs were not out of character but would be very visible from Manor Lane and Green Street and uncharacteristic as a single storey development with accommodation in the roof. As such, <i>'... it would appear contrived and awkward in relation to the taller elements. As a result, and in spite of the introduction of a variety of set-backs, fenestration and materials the overall bulk of the development would be greater than other residential properties in the immediate locality.'</i></p> <p>He noted that although the proposed development was marginally higher than some neighbouring properties it would not in itself be out of character with other two storey developments and providing enclosure to mark the corner of the site would not be unacceptable in principle. He went on to note the high density, and although in a sustainable location, <i>he stated... 'I find that the scale of the proposed development would not be in keeping with the character of the area for the reasons given and would not justify the density proposed.'</i></p> <p>He noted the proposal should have special regard to the need to preserve the setting of the grade II listed property at 124 Green Lane and that architectural features are clearly visible and, <i>'...prominent in both close and longer distance street views. Moreover, because of its height and position extending to the front and sides of the plot, The Manor Cottage has a degree of prominence in the street scene. Accordingly, I find that both the setback and height of the bungalow on the appeal site and the setback of neighbouring buildings to the south of The Manor Cottage contribute to the openness and the significance of the setting of the listed building.'</i></p>

The Inspector stated that the proposal would change the character of local views of the Manor Cottage and would, '*... materially harm the appreciation of the special Architectural and historic interest of the listed building, challenging its dominant position in local views. Marking the corner of the site, the height and scale of the new building would draw attention away from the listed building ..when the two buildings were viewed together.*'

Consequently it was felt the proposal would conflict with Policy EN1 in that it would not provide a high standard of design or make a positive contribution to the character of the area. The proposal would be contrary to Policy EN5 in failing to preserve those elements of the setting that make a positive contribution to the listed building and would result in a degree of harm which would be less than substantial.

He did not consider that the living conditions of the future occupants would be poor, despite lack of private garden space provision, due to the public space opposite. He also did not consider that there would be a poor relationship with neighbouring properties, despite the proposal falling short of the minimum separation distance.

He made no objection to car parking with only 7 spaces provided (4 short) as noted that the demand for on street parking could be met in surrounding roads, despite the proximity to the junction which limits parking and also due to good public transport. It was concluded that there would be no material conflict with Policy CC3

He concluded that the proposal would result in moderate harm to the character and appearance of the area, it would result in less than substantial harm to the setting of 124 Green Street, a heritage asset to which he attaches considerable importance and Weight.

He went on to conclude that the proposal provided acceptable living conditions for future occupiers, acceptable impact on neighbours and in terms of parking provision. He noted the public benefit of a contribution to the supply of housing of six additional dwellings. However he concluded that, '*... this element weighs moderately in favour of the proposal but it does not outweigh the harms I have identified.*'

Therefore he dismissed the proposal.

Site	Halliford Studios Limited, Manygate Lane, Shepperton
Planning Application No.:	16/02113/FUL

Proposed Development:	Redevelopment of the site to provide 28 residential units, 1 x 1 bed flat, 7 x 2 bed flats, 6 x 2 bedroom houses, 10 x 3 bedroom houses and 4 x 4 bedroom houses with a total number of 50 car parking spaces / garages, the provision of amenity space, landscaping and associated alterations.
Reasons for Refusal	<p>1.)The proposed development would, by reason of the layout (including extensive areas of hard surfacing), form, design and inadequate amenity space represent an overdevelopment of the site which would have a detrimental impact on the character of the surrounding area which would be contrary to policy EN1 of the Spelthorne Development Plan Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (April 2011).</p> <p>2.)The proposed development would, by reason of the layout on the eastern part of the site, have an un-neighbourly and overbearing impact on no. 35 Gordon Road, resulting in a loss of light to this property, contrary to policy EN1 (b) of the Spelthorne Development Plan Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (April 2011).</p> <p>3.)The proposed development fails to pay sufficient regard to, and would have an unacceptable and impact on, the existing trees which are protected by a Tree Preservation Order, contrary to policy EN7 of the of the Spelthorne Development Plan Core Strategy and Policies DPD 2009.</p> <p>4.)The proposed development fails to provide an adequate number of small dwellings to meet the Council's housing needs, contrary to policy HO4 of the Spelthorne Development Plan Core Strategy and Policies DPD 2009</p> <p>5.)Insufficient supporting details have been submitted to demonstrate that the matters concerning highway, refuse (including access) and noise have been fully addressed in order to comply with adopted policies EN1, EN11 and CC2 as contained in Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009 and the Council's adopted SPD on the Design of Residential Extensions and New Residential Development concerning amenity space for new dwellings.</p>
Appeal Reference:	APP/Z3635/W/17/3181955
Appeal Decision Date:	14/05/2018
Inspector's Decision	The appeal is dismissed

Inspector's Comments:	<p>The Inspector considered that the proposed development would have a harmful effect on the character and appearance of the surrounding area, which outweighed any benefits of making a more effective use of this previously developed site. He commented that the arrangement of the dwellings would lead to a preponderance of hard surfacing with a relative lack of green space. This was illustrated by the inadequate amount of useable communal space around the block of flats and by some of the terraced dwellings having garden sizes below the Council's minimum garden standards.</p> <p>The Inspector also considered that the proposal (particularly Units 16 – 18 on the site layout plan) would have an overly dominant and overbearing impact on the neighbouring property of 35 Gordon Road.</p> <p>Furthermore, the Inspector considered that the proposal would have an unacceptable impact on the existing mature Oak trees on the southern boundary, which are protected by a Tree Preservation Order. He commented that the introduction of the proposed buildings and garden boundaries close to the trees would detract from the wider visual amenity they provide. Due to their shading effect, and the presence of old and possibly decaying branches, the layout proposed would risk pressure on the Council having to agree to the carrying out further tree surgery and maintenance that might otherwise not be sought.</p> <p>The Inspector considered that the proposal had an unacceptable proportion of smaller dwellings (i.e. 1 or 2 bedroom), and that the scheme failed to comply with the requirements of Policy HO4 of the Core Strategy and Policies DPD.</p>
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FUTURE HEARING / INQUIRY DATES

Council Ref.	Type of Appeal	Site	Proposal	Case Officers	Date
17/0095 2/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