

Please reply to:

Contact: Gill Scott
Service: Committee Services
Direct line: 01784 446240
E-mail: g.scott@spelthorne.gov.uk
Date: 29 January 2019

Notice of meeting

Planning Committee

Date: Wednesday, 6 February 2019

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)
H.A. Thomson (Vice-Chairman)
C. Barnard
R.O. Barratt
I.J. Beardsmore

S.J. Burkmar
R. Chandler
S.M. Doran
Q.R. Edgington
T.J.M. Evans

M.P.C. Francis
A.L. Griffiths
N. Islam
J.R. Sexton
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 - 10

To confirm the minutes of the meeting held on 9 January 2019 as a correct record.

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.

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.

4. Bugle Nurseries, 171 Upper Halliford Road, Shepperton - 18/01561/OUT

11 - 48

Halliford and Sunbury West Ward

An outline application with all matters reserved other than 'Access' for the demolition of the existing buildings and structures and the redevelopment of the site for a residential-led development comprising up to 51 residential homes, a 72-bed care home and the provision of open space, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.

Officer Recommendation: to refuse the application

5. The Old Post Office, 1 Knapp Road, Ashford - 18/01424/FUL

49 - 80

Ashford Town Ward

Conversion and alterations to existing former post office building to provide 6 flats, erection of new two storey building to provide 8 flats following demolition of outbuildings together with car parking, landscaping, access and associated works.

Officer Recommendation: to approve the application

6. Urgent Items

To consider any items which the Chairman considers as urgent.

**Minutes of the Planning Committee
9 January 2019**

Present:

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

Councillors:

C. Barnard	S.M. Doran	S.C. Mooney
I.J. Beardsmore	T.J.M. Evans	R.W. Sider BEM
S.J. Burkmar	M.P.C. Francis	
R. Chandler	N. Islam	

Apologies: Apologies were received from Councillor Q.R. Edgington.

320/18 Minutes

The minutes of the meeting held on 12 December 2018 were approved as a correct record subject to the recording of Councillor Chandler's apologies when leaving the meeting following the decision on application no. 18/010443/FUL.

321/18 Disclosures of Interest

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

There were none.

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

Councillor C. Barnard reported that he had been contacted by a Councillor for Staines in regard to application no. 18/01000/FUL but had made no comment.

**322/18 Application 18/01159/FUL - Staines Ex-Servicemen's Club, 6
Laleham Road, Staines-upon-Thames, TW18 2DX**

This application was **withdrawn** by the applicant on 9 January 2019 and a decision could therefore not be made on it.

**323/18 Application 18/01000/FUL - Jewson Builders Merchant, Moor
Lane, Staines-upon-Thames.**

Description:

This application sought the demolition of existing buildings and redevelopment of the site to provide 36 residential units comprising 25 houses and 11 flats together with associated accesses, car parking, amenity space and landscaping. This application was a renewal of planning permission 14/01882/FUL which had expired.

Additional Information:

The Planning Manager informed the Committee of the following updates:

Amended Plan

An amended proposed site layout plan had been received showing the bin stores in the revised location (drawing no. FNH392/P/302 Rev. B). Condition 2 (drawing numbers) should be updated to refer to this revised drawing:

Condition 2

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

FNH392 LS/01 received 10 July 2018

FNH392/P/301; ~~/302B~~; /303B; /310B; /311B; /312B; /313B; /314B; /315B; /316B; 317B; /330A received 10 July 2018

Existing Site Plan received 24 July 2018

533009 & 533006A received 27 July 2018

FNH392/P/340A received 30 November 2018

FNH392/P/302 Rev. B received 08 January 2019

1. Heads of Terms 3 and several of the conditions refer to the incorrect transport assessment and drawings. Corrections are set out below:

Heads of Terms 3

Within a period of 5 years following occupation of the development, if required by Surrey County Council the applicant shall fully fund the cost of advertising and implementing a Traffic Regulation Order (TRO) for a traffic management scheme on the southwest side of Moor Lane (as shown by the blue coloured parking restrictions on Milestone's Drawing No. ~~44080/02~~ **18072/002**), or an alternative scheme as determined by Surrey County Council.

Condition 8

Prior to first occupation of the proposed development :-

- (a) the proposed vehicular accesses to Moor Lane (D3286) shall be constructed in accordance with the approved plans and provided with the visibility splays shown on Drawing No. ~~44080/04~~ **18072/001**

'Visibility Requirements'. The visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above the carriageway.

- (b) the proposed footway on the south-western side of the application site, adjacent to Moor Lane, shall be constructed in accordance with Fairview Homes' Proposed Site Layout Drawing No. FNH392/P/302 Revision B.

Condition 10

No new development shall be occupied until space has been laid out within the site in accordance with the approved plans and Milestones Transport Assessment ~~October 2014~~ **May 2018** for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning areas shall be used and retained exclusively for its designated purpose.

Condition 11

Notwithstanding the proposed plans and the accompanying Milestone's Transport Assessment dated ~~October 2014~~ **May 2018** no new development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to provide a secure, covered and accessible storage area for a minimum of 11 bicycles and shall thereafter be permanently retained for their designated use.

- 2. Second part of Relevant Planning History (Section 2) on page 48 to be corrected:

14/01882/FUL

Demolition of existing buildings and redevelopment of the site to provide 36 residential units comprising 25 houses (7 no. 2-bed, 8 no. 3-bed and 10 no. 4-bed) and 11 flats (3 no. 1-bed and 8 no. 2-bed), together with associated accesses, car parking, amenity space and landscaping (renewal of planning permission 11/00941/FUL).

Approved

03/09/2012 **03/09/2015**

- 3. Correction to paragraph 3.2:

The application site is triangular in shape. To the east of the site lies Wraysbury Gardens a traditionally styled residential estate built in the early 2000's, comprising terraced and semi-detached dwellings with flats to the south of the site. To the north lies Victoria Road which comprises late 19th century cottages and to the east ~~west~~ lies the Lammas Close residential development.

- 4. Condition Reasons 8, 9 and 12 (same wording) on pages 65 and 66 to be corrected:

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 **2018** and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, David-Mackenzie-Rapin spoke against the proposed development raising the following key points:

- Overbearing – too high
- Overlooking to Langley House and Marley Croft in Moor Lane
- Loss of light to Wraysbury Gardens
- Parking problems – inadequate parking
- Refuse/delivery problems
- Increase in accidents
- Increased use of the site 24/7 compared with the existing use

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

- Site is allocated in the local plan for housing – forms part of the Council's 5 year housing land supply
- It is a Brownfield site
- Permission was granted in 2015 for the residential development
- No changes to the 2015 permission except to refuse arrangements at the request of the Council
- Complies with the Council's SPD
- No statutory objections
- Section 106 heads of terms proposed
- On site affordable housing proposed plus a contribution of over £69,000

Debate:

During the debate the following key issues were raised:

- Precedent has been set as the proposal is identical to the previous permission / no material change since the 2015 permission
- Query over size of units but they do comply with Government guidance
- Pleased to see on site affordable housing
- Inadequate affordable housing – should provide 40% as the 2018 NPPF has been published
- Parking on Moor Lane
- Query over parking adequacy

Decision:

The recommendation to **approve** was agreed subject to the amendments above and subject to the prior approval of a Section 106 agreement.

324/18 Development Management Performance

The Planning Development Manager highlighted Spelthorne's performance statistics against the Government's performance measures for Local Planning Authorities in the determination of planning applications for the year ending September 2018.

Resolved to note the report.

325/18 Planning Appeals Report

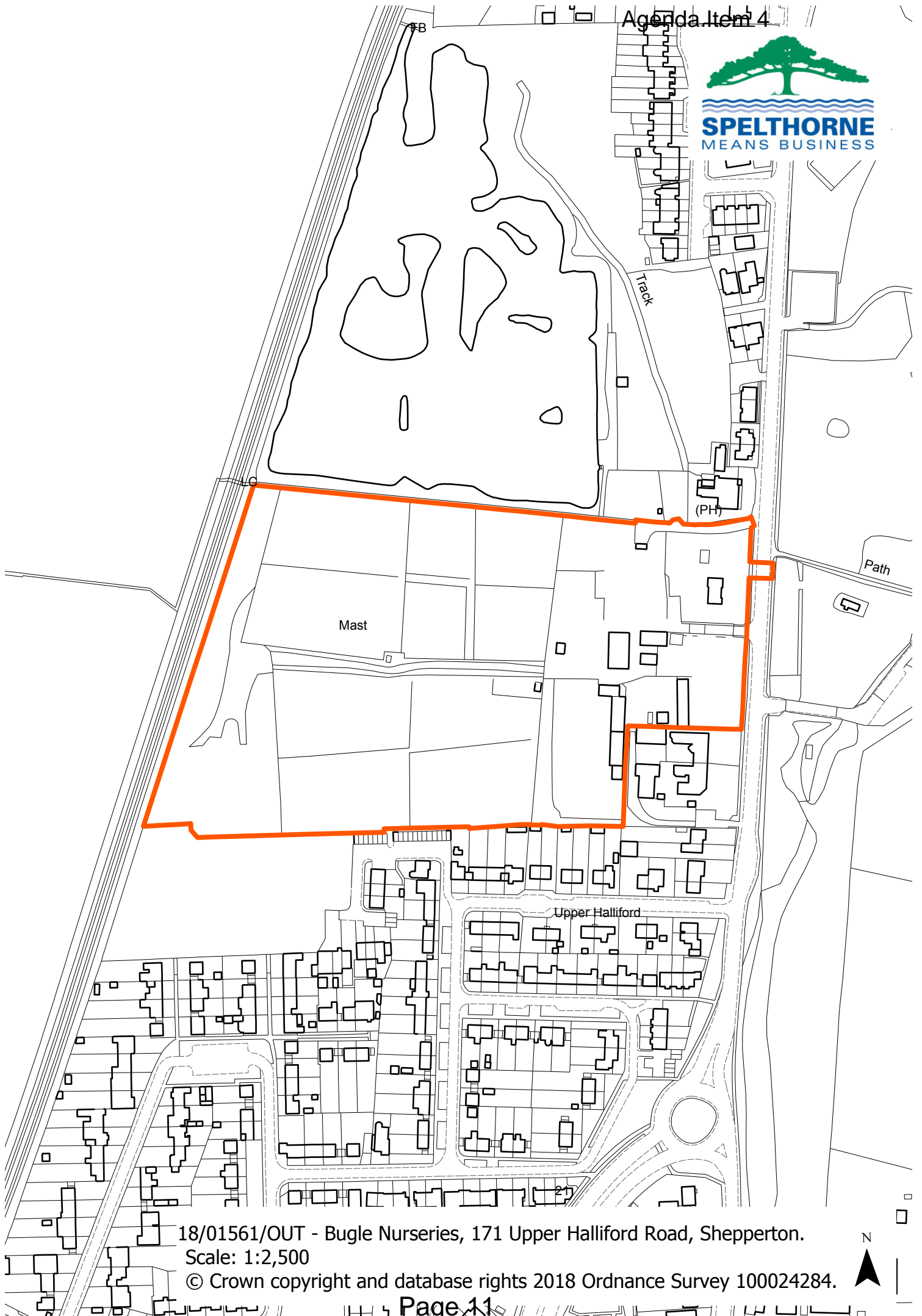
The Chairman informed the Committee that if any Member had any detailed queries regarding the report on Appeals lodged and decisions received since the last meeting, they should contact the Planning Development Manager.

Resolved that the report of the Planning Development Manager be received and noted.

326/18 Urgent Items

There were no urgent items.

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18/01561/OUT - Bugle Nurseries, 171 Upper Halliford Road, Shepperton.
Scale: 1:2,500

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Planning Committee

06 February 2019



Application No.	18/01561/OUT		
Site Address	Bugle Nurseries, 171 Upper Halliford Road, Shepperton		
Proposal	Outline application with all matters reserved other than 'Access' for the demolition of the existing buildings and structures and the redevelopment of the site for a residential-led development comprising up to 51 residential homes, a 72-bed care home and the provision of open space, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.		
Applicant	Angle Property (RLP Shepperton) LLP		
Ward	Halliford and Sunbury West		
Call in details	N/A		
Case Officer	Paul Tomson/Kelly Walker		
Application Dates	Valid: 19/11/2018	Expiry: 18/02/2018	Target: Within 13 weeks
Executive Summary	<p>This planning application seeks the demolition of the existing buildings on site and the provision of 51 houses and flats, a 72-bed care home, provision of open space, and other associated works.</p> <p>The site is located within the Green Belt. The proposed development constitutes '<i>inappropriate development</i>' in the Green Belt and will cause an unacceptable loss of openness. It is noted that the proposal will result in the removal of the existing industrial uses and waste transfer station, and the associated noise and disturbance that they cause. It will provide new housing including a significant proportion of affordable housing. However, it is not considered the benefits of the scheme will clearly outweigh the substantial harm to the Green Belt. Consequently, there are no '<i>very special circumstances</i>' to justify the development in the Green Belt.</p> <p>Whilst the current scheme represents a small improvement compared with the last refused application 18/00591/OUT (e.g. reduction in the number of dwellings from 57 to 51), it is not considered that the applicant has overcome the previous Green Belt reason for refusal. The other reasons for refusal relating to amenity space, dwelling mix and ecology have been overcome in the current application.</p>		

Recommended Decision	The application is recommended for refusal.
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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:

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO3 (Affordable Housing)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- CO3 (Provision of Open Space for New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN7 (Tree Protection)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

1.2 It is also considered that the following Saved Local Plan Policies are relevant to this proposal:

- GB1 (Green Belt)
- BE26 (Archaeology)

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

- SPD on Design of Residential Extensions and New Residential Development 2011.
- SPD on Housing Size and Type 2012.
- SPG on Parking Standards Updated 2011.

1.4 The advice contained within the National Planning Policy Framework (NPPF) 2018 is also relevant.

2. **Relevant Planning History**

C/80/702	Residential development at a density of 19.35 units per acres (47.82 units per hectare).	Refused 14.01.1981 Appeal Dismissed 16.12.1981
01/00816/FUL	Demolition of existing bungalow and erection of detached bungalow.	Approved 15.12.2001
11/00101/CLD	Certificate of lawfulness for the retention of site buildings and hardstanding, together with the commercial uses of the land and buildings, comprising a mix of parking and storage of motor vehicles, vehicle bodies and containers, industrial/workshop purposes with ancillary storage, general storage purposes, offices with ancillary storage, and use of hardstanding for access and parking.	Refused 01.10.2013
12/01060/SCC	Surrey County Council consultation for a certificate of lawfulness to use 0.91 hectares of land at Bugle Nurseries for importation, deposit and sorting of waste materials comprising soil, hardcore, concrete and timber together with the export of such processed materials.	No Objection 18.09.2012
15/01528/FUL	Alterations to existing access onto Upper Halliford Road	Refused 21.01.2016 Appeal Dismissed 06.01.2017
16/00320/FUL	Proposed six month temporary planning application extension for the retention of a 30m high mast with associated equipment	Approved 20.04.2016
16/01982/FUL	Temporary permission for the retention of a 30m high mast with associated equipment	Approved 09.02.2017
18/00591/OUT	Outline application with all matters reserved	Refused

other than 'Access' for the demolition of existing buildings and structures and the redevelopment of the site for a residential led development including comprising up to 57 residential homes and a 72 bed care home plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.

30/07/2018

2.1 With regard planning application C/80/702, this proposal involved the creation of a new residential development on the whole of the Bugle Nurseries site, including the land to the west of the current application site, comprising 243 dwellings. The application was refused for the following reasons:

1. The proposed development conflicts with the policies for the Preservation of the Metropolitan Green Belt.
2. The proposal would result in the coalescence of settlements, and encourage further such a process in this locality.
3. The proposal is unacceptable as it would result in the loss of very good quality agricultural land, and if allowed, could lead to further similar applications for development on other land.
4. In any event the proposal is premature pending the completion of a Housing Land Availability Study in connection with Structure Plan requirements for Housing for this Borough.

In the subsequent appeal, the Inspector agreed with the Council's reasons for refusal and consequently dismissed the appeal.

2.2 With regard to planning application 15/01528/FUL for alterations to the existing access road onto Upper Halliford Road, this was refused on the grounds that the development would constitute inappropriate development in the Green Belt for which no very special circumstances had been demonstrated. The subsequent appeal was dismissed for this reason.

2.3 With regard to planning 18/00591/OUT, this was refused for 4 reasons:

- 1) The development represents inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It will result in the site having a more urban character, will diminish the openness of the Green Belt and conflict with the purposes of including land within it. In particular, it would not comply with the Green Belt purposes: to check the unrestricted sprawl of large built-up areas, to prevent neighbouring towns merging together; and to assist in safeguarding the countryside from encroachment. It is therefore contrary to Saved Policy GB1 of the Spelthorne Borough Local Plan 2001 and Section 13 (Protecting Green Belt Land) of the Government's National Planning Policy Framework 2018.

- 2) The proposal fails to provide an adequate provision of smaller sized dwellings (one or two bedroom units) for which there is a need within the Borough. It is therefore contrary to Policy HO4 of the Council's Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on Housing Size, Type 2012.
- 3) The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that there is an acceptable level of amenity space for the occupants of the proposed block of flats to the detriment of the amenity of the future occupants, contrary to Policy EN1 of the Council's Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on Design of Residential Extensions and New Residential Development 2011.
- 4) The applicant has failed to demonstrate with the submitted bat surveys, the extent to which bats may be affected by the proposed development. It is not therefore possible to ascertain the full impact of the proposal on bats which are protected species. The proposal is therefore contrary to Circular 06/2005, Policy EN8 of the Council's Core Strategy and Policies DPD 2009 and National Planning Policy Framework 2018.

3. Description of Current Proposal

- 3.1 This planning application is a revision to the previous refused scheme, reference 18/00591/OUT. It is for outline consent with all matters reserved other than 'Access' for the demolition of existing buildings and structures and the redevelopment of the site for a residential led development comprising up to 51 residential homes and a 72 bed care home plus associated works for landscaping, parking areas, pedestrian, cycle and vehicle routes. The application differs from the previous scheme firstly by providing a much enlarged site area outlined in red which includes the area of land to the west with the waste transfer station located upon it and in addition a reduction in 6 no. residential units.
- 3.2 The application site comprises an area of 4.84 ha (compared with the previous scheme which had an area of 2.05 ha) and is located to the west of Upper Halliford Road. The site comprises open fields with paddocks, a residential bungalow and its garden, old nursery structures and other buildings and hardstanding in commercial use, including parking and access roads. The application includes the land to the west up to the railway line, which currently has a waste transfer station located on it in this area. The applicants provide details of earth works and landscaping to provide an open area accessible to the public. The submitted plans also show a pedestrian crossing on Upper Halliford Road.
- 3.3 Currently, the site consists of shrubs and trees lining Upper Halliford Road and the remains of old nursery buildings/poly-tunnels to the front of the site. There is an Oak tree in the north eastern corner of the site which has a tree preservation order on it. There is an access road located centrally from Upper Halliford Road into the site and also one on the northern boundary. There is a detached bungalow on its own large plot surrounded by a garden and

outbuildings. Centrally within the application site are areas of hardstanding and a number of buildings (accessed via the road) which have been used as various commercial uses over recent years, with parking of many commercial vehicles. Further to the north is open grass land with paddocks and a number of trees both individual and in groups. In addition, to the rear (west) is a waste transfer station and a large bund on the western boundary with the railway.

- 3.4 The site is located within the Green Belt.

Surrounding area

- 3.5 Immediately to the south east of the site are residential properties at right angles along Halliford Close, whose rear gardens adjoin the site. Further to the west, the garages of properties at Bramble Close and allotments adjoin the application site to the south. Directly to the north of the site is a public footpath and the site of the former Bugle Public House which is currently being rebuilt as a block of apartments. Further to the north are other dwellings fronting Upper Halliford Road, with open grass land behind and a large fishing lake to the north west of the site. Most of the existing dwellings are 2/3 storey and have gaps in the street scene between the built form providing views of the open land behind.
- 3.6 To the north-east, on the other side of Upper Halliford Road is Upper Halliford Park, which comprises open grass land and mature trees. It also has a play area, and a car park.
- 3.7 There are many trees within the site, mostly close to the boundaries. The Council issued a Tree Preservation Order on an Oak tree located in the north-eastern corner of the site.

Proposal

- 3.8 The proposal is for the demolition of all existing buildings on site, including the commercial buildings and the bungalow. The applicant is seeking permission for only the means of access as part of this outline consent. However a set of indicative plans have been submitted showing details of the proposal including the layout, scale and design of the buildings as well as the proposed parking provision and landscaping.
- 3.9 The Town and Country Planning (Development Management Procedure) Order 2015 provides a definition of “access” in relation to reserved matters associated with outline planning applications:-
‘...the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network...’.
- 3.10 As such the proposal shows the access and layout of the proposed roads on the site, which are to be assessed at this Outline stage. In addition, indicative plans show the layout, scale and design of the buildings, including 51 dwellings comprising 8 no. 1 bed flats, 16 no. 2 bed flats, 17 no. 2 bed houses, 10 no. 3 bed houses, together with a 72 bed care home.

- 3.11 There will also be a play area which will be accessible by residents of the proposed scheme.
- 3.12 A total of 111 parking spaces will be provided. 27 parking spaces are provided for the care home and each of the houses have parking to the front/side with some garages (84 spaces) Parking for the 2 blocks of flats appears to be provided in an area between the 2 buildings The proposal also includes areas of landscaping, refuse and cycling parking facilities. Some of the existing trees on site appear to be removed/affected by the proposal.
- 3.13 The application also includes the land to the west up to the railway line and the proposal includes details of earth works and landscaping to provide an open area accessible to the public.
- 3.14 The proposed indicative site layout is provided as an Appendix.

Residential

- 3.15 A total of 51 dwellings and a 72 bed care home are to be provided comprising, 8 no. 1 bed flats, 16 no. 2 bed flats, 17 no. 2 bed houses, 10 no. 3 bed houses. The proposed mix and tenure is as follows:

	PRIVATE	AFFORDABLE		TOTAL
		Rented	Shared	
One bed	4	4		8
Two beds	16	12	5	33
Three beds	6		4	10
Total	26	16	9	51

4. Consultations

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

Consultee	Comment
County Highway Authority	No objection. Recommend conditions
Environment Agency	No comments
Group Head-Neighbourhood Services	Previously raised no objection
Surrey County Council (Minerals and Waste)	No objection
Sustainability Officer	Raises concerns as the proposal currently shows no details submitted to show how the 10% renewables will be provided. Further details required.
Local Lead Flood Authority (Surrey County Council)	No objection. Recommend conditions

County Archaeologist	Previously raised no objection to the revised Desk Based Assessment. Recommends a condition.
Crime Prevention Officer	No objection
Countryside Access Officer (Surrey County Council)	No comments received
Natural England	No comments
Surrey Wildlife Trust	No comments received but previously stated that the Local Planning Authority does not yet have sufficient information to be able to fully assess the possibility of adverse effect on bats. However more surveys have now been carried out.
Network Rail	Raised concerns about the proposal leading to an increase in use of the rail crossing
Tree Officer	No objection
Thames Water	No objection
National Grid	No comments
Environmental Health (Contaminated land)	No comments received but previously raised no objection subject to conditions
Environmental Health (Air Quality)	No comments received but previously raised no objection subject to conditions

5. **Public Consultation**

- 5.1 55 properties were notified of the planning application. Furthermore, a statutory site notice was displayed and the application was advertised in the local press. 4 letters of representation have been received. 3 letters are generally in support of the application and 1 against on behalf of Lower Sunbury Residents' Association.

The issues in support of the application note the following:-

- benefit the community to provide access to an otherwise not accessible contaminated site
- the current usage of the site has a detrimental impact on the environment including large commercial vehicles
- proposal would enhance the area - Currently an eyesore
- care home very much needed for aging population and provide jobs
- lack of high quality care homes in this area
- in keeping with neighbouring residential area.
- housing is much needed in the area, especially affordable
- currently the site is an abuse of the Green Belt and should not have been allowed (light industrial uses)
- benefits could outweigh the harm to the Green Belt.

Reasons for objecting include: -

- new NPPF strengthens Green Belt Policy
- contrary to Green Belt Policy and does not overcome the previous reason for refusal
- why do applicants not wait until the publication of the Issues and Options of the Green Belt in the Local Plan?
- why did the applicants consult with ARUP? Was it to influence the outcome of their report advising Spelthorne on Green Belt.
- only affordable housing should be provided in Green Belt
- many of the uses at the site are unlawful and should not have any weight in allowing this scheme. If so, it will encourage other sites to do the same.

In addition, the applicants note in their Statement of Community Involvement that they have carried out pre-application consultations, including a newsletter, and a public consultation event in February 2018.

6. Planning Issues

- Need for housing
- Green Belt
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Affordable housing
- Dwelling mix
- Flooding
- Ecology
- Open space
- Loss of trees
- Archaeology
- Air quality

7. Planning Considerations

Background

- 7.1 In 2017, the applicant made a formal request to the Council's Strategic Planning section for the entire Bugle Nurseries site to be allocated for housing in the proposed new Local Plan (in response to the Council's "Call for Sites" exercise). The applicant submitted two separate plans to illustrate the development potential of the site. The first plan showed a scheme similar to the current application with the new housing and care home located towards the eastern side of the site. The second plan showed a larger scheme covering the whole of the Bugle Nurseries site comprising 116 dwellings and a care home. The area is classified as 'strongly performing' in the Council's recent Borough-wide Green Belt Assessment 2017 and therefore the site was considered unsuitable for development. As such the site has been included with the Council's updated Strategic Land Available Assessment (SLAA) as 'not developable' (see Need for Housing below).

Need for housing

- 7.2 In terms of the principle of housing development regard must be had to paragraphs 59-61 of the National Planning Policy Framework (NPPF) 2018 which state the following:-

“Para 59. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Para 60. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

Para 61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”

- 7.3 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 policies set out in the National Planning Policy Framework (NPPF).

- 7.4 Para 11 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 noting that:

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

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

- 7.5 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 which included proposals for a standard method for calculating local authorities' housing need. A figure of 590 dwellings per annum for Spelthorne was proposed by the application of this new approach. The draft methodology has yet to be formally adopted by the Government and is being reviewed in the light of the new 2016 household projection forecasts which appeared to indicate lower growth rates. The Government is now consulting on changes to the standard methodology in the light of these new forecasts and, for the time being, the Council will continue to rely on the provisional figure of 590 based on the 2014 household formation projections as suggested by the Government in its latest consultation (Oct – Dec 2018). Despite recent uncertainties the draft methodology provides the most recent calculation of objectively assessed housing need in the Borough and is therefore the most appropriate for the Council to use in the assessment of the Council's five-year supply of deliverable sites.

- 7.6 In using the new objectively assessed need figure of 590 as the starting point for the calculation of a five year supply it must be borne in mind that this 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. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period.
- 7.7 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised 5-year housing land supply figure. Whilst this has shown that notionally we have identified sufficient sites to demonstrate that we have a five year supply of housing sites we have recently been advised that we need to apply an additional 20% buffer rather than the previously used 5%. This is because Government guidance (NPPF para 74) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years. When assessed against the adopted Local Plan annual requirement figure of 166 the Council has delivered well in excess of the requirement. However, we now have to have regard to the draft Objectively Assessed Need figure of 590 dwellings per annum and, on this basis, the Council has failed to deliver a sufficient number of dwellings in recent years. It therefore has no choice now but to apply the additional buffer for the five year period from 1 April 2019 to 31 March 2024. The effect of this increased requirement is that the identified sites only represent some 4.5 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites.
- 7.8 As a result, current decisions on planning applications for housing development need to be based on the "tilted balance" approach as set out in paragraph 11 of the NPPF (2018) which requires that planning permission should be granted unless "any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole"

- 7.9 It is important to note that the NPPF confirms that the “tilted balance” approach should not be applied to protected areas such as land designated Green Belt, Local Green Spaces, Areas of Outstanding Natural Beauty, etc. As the Bugle Nurseries site is located within the Green Belt, and there are clear reasons for refusing the planning application on Green Belt grounds, it is considered that the “tilted balance” approach is not applicable in this particular case.
- 7.10 Taking into account the above and adopted policy HO1, which encourages new housing development in urban sites for additional housing to meet our Borough’s needs, it is not considered that this is a sustainable form of development and it is not in the urban area, (it is a Green Belt site) with only part of the scheme being previously developed land. As such the scheme is an unacceptable form of development. New housing should be provided in the urban area, on sustainable sites, which have been previously used, not on Green Belt sites such as this. If approved this would set a precedence for other Green Belt sites to be developed for housing in the borough.
- 7.11 Policy HO1 relates to providing for new housing development and sets out ways in which Spelthorne will meet this need. Para 6.11 states that, ‘...*The policy defines a range of measures including the promotion of specific sites through Allocations DPDs, producing planning briefs, encouraging housing generally on suitable sites, including mixed use scheme, using poorly located employment land, using land effectively and resisting the loss of housing.*’ Policy HO2 goes on to note that there is no contingency to release Green Belt land for housing, and notes a reason for this is because it is against national Green Belt policy which expects Green Belts to be permanent. Policy HO2 does go on to suggest that should housing need change, then Green Belt release may need to be considered and further assessed. As such the Council have now undertaken a Green Belt Assessment and the application site is located within an area of Green Belt which is strongly performing.
- 7.12 As indicated above, the site was submitted as part of the Council’s “Call for Sites” process which was opened in January 2017. In particular the applicant applied for the whole of the Bugle Nurseries site, including the entire field at the rear, to be designated for new housing development. The site is located within the Green Belt where there is a presumption against development. To overcome the Green Belt policy, Green Belt boundaries would need to be altered with exceptional circumstances demonstrated. The site falls within Local Area 39 which has been scored ‘strongly performing’ in the Spelthorne Green Belt Assessment (2017) and therefore the site is considered to be unsuitable for development. As such, the site has been included within the Council’s updated Strategic Land Availability Assessment (SLAA) as **not developable**. The impact of the proposal on the Green Belt is discussed further below.

Green Belt

- 7.13 The site is located within the Green Belt. Section 13 of the NPPF 2018 sets out the Government’s policy with regard to protecting Green Belt Land. It

states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The policy is similarly reflected in the Council's Saved Local Plan Policy GB1.

7.14 Paragraph 134 of the NPPF sets out the five purposes of the Green Belt. These are:

- *To check the unrestricted sprawl of large built-up areas;*
- *To prevent neighbouring towns merging into one another;*
- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Inappropriate Development

7.15 It is considered that the proposed dwellings, care home, roadways and other associated works constitute “inappropriate development” in the Green Belt. The proposal does not fit into any of the exceptions stipulated in Paragraphs 145 and 146 of the NPPF.

7.16 It is recognised that part of the existing site comprises the industrial estate, and that Paragraph 145(g) states that the partial or complete redevelopment of previously developed sites (brownfield land), which would not have a greater impact on the openness of the Green Belt than the existing development (or not cause substantial harm to the openness of the Green Belt if the proposal meets an identified local affordable housing need) , does not constitute ‘inappropriate development’, as set out below: -

“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified local affordable housing need within the area of the local planning authority.”

7.17 A definition of “*previously developed land*” is provided in the NPPF. It defines it as:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.”

It is important to note that whilst the part of the site comprising the industrial estate is 'previously developed land', this does not mean it is acceptable to redevelop the whole of the industrial estate land with new housing (or even affordable housing). There is still the requirement for the new housing development to have no greater impact on the openness of the Green Belt compared to the existing development (or not cause substantial harm to the openness of the Green Belt in the case of affordable housing). Part of the existing industrial estate comprises relatively small single storey buildings. Other parts of the industrial estate do not comprises buildings (only hardstanding and parked vehicles). Case law has established that the concept of "openness" is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. In the current application, it is considered that replacing the single storey buildings, hardstanding and parked vehicles with two-storey residential buildings and a two-storey care home across the whole of the industrial estate land would cause substantial harm to the openness of the Green Belt. Indeed, there would be clear difference between the proposed permanent physical structures in the form of houses/flats and a care home, compared to the shifting body of vehicles (including lorries) that currently exist on large parts of the site. Accordingly, it is not considered that the proposed redevelopment of the industrial estate land would fit into the Green Belt exception in paragraph 145(g) of the NPPF above. The redevelopment of the "previously developed land" part of the site would therefore constitute "inappropriate development" in the Green Belt.

- 7.18 With regard to the other parts of the site, 22 out of the 51 new dwellings (43%) will not be sited on land occupied by the existing industrial estate. 10 of the new houses will be built on the green field towards the rear of the site. The proposed eastern apartment block will be erected on the existing green space located at the front of the site (south of the access road). Part of the new care home building together with the whole of the associated car park will be sited within the curtilage of the existing bungalow of 171 Upper Halliford Road. The NPPF states that private residential gardens are excluded from the definition of '*previously developed land*'. 16 out of the 25 affordable units will be sited on existing green-field land (i.e. not on the '*previously developed land*' part of the site). In any case, (as mentioned above) the 29 dwellings and the remaining part of the care home to be sited on the existing industrial estate are substantially greater in height and scale compared to the existing industrial buildings, hardstanding and parked vehicles. Consequently the proposal will have a harmful loss of openness in the Green Belt (this is explained in more detail in the following paragraphs).
- 7.19 With regard to Paragraph 146 of the NPPF, this does state that '*engineering operations*' can be considered as '*not inappropriate*' development in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. However, substantial parts of the proposed roadways and parking areas (which are engineering operations) will be located on the existing green spaces and are considered not to preserve the openness of the Green Belt (they also conflict with the purposes of the Green Belt). Moreover, the proposed roadways and parking areas are required in connection with the overall housing and care home development, which is inappropriate development in the Green Belt.

Consequently, these particular elements do not fit into the exceptions set out in Paragraph 146 of the NPPF.

7.20 Paragraph 143 of the NPPF states that:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."

7.21 Paragraph 144 of the NPPF states that:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Harm

7.22 The proposal will result in a substantial loss of openness of the Green Belt. With regard to the front part of the site to the south of the access road, this piece of land is essentially free of development and laid with vegetation. The proposal involves the erection of a block of 12 flats (two-storey in scale/appearance) on this particular part of the site. The new building will clearly diminish the openness of the Green Belt and create a strong urban character. With regard, to the area occupied by the current bungalow, this area of land will be replaced by the most front part (the first 3m – 4m) of the new care home building, and the associated car park. Replacing the modest bungalow and its garden with hard-surfacing and parked cars, and the most front part of the care home (i.e. the first 3m – 4m) will lead to a substantial loss of openness. Whilst most of the proposed care home will be located within the area of the existing industrial estate, this part of the existing site comprises hardstanding but no buildings. Replacing the existing hardstanding with the care home will also result in a substantial loss of openness. As mentioned above, large areas of the industrial estate are not covered by buildings (only hardstanding and vehicles). The definition of "previously developed land" is land which is or was occupied by a permanent structure (including the curtilage of the developed land), although it should not be assumed that the whole of the curtilage should be developed. Replacing the hardstanding and parked vehicles with new two-storey buildings will clearly lead to a much greater loss of openness, both spatially and visually. Furthermore, the part of the development on the existing field (10 dwellings) will cause a substantial and harmful loss of openness to the Green Belt. The loss of openness is not just created by the new buildings, but also by the associated roadway, parking areas (and parked cars), fences and other associated development.

7.23 Below is a table setting out the existing and proposed footprint, floorspace and height figures of the buildings on the site. The table also provides the percentage increase between the existing buildings and proposed scheme. It is recognised that this is an outline application and full details of the proposed floor areas have not been provided at this stage. The floorspace figures in the table below are based on the figures provided by the applicant and on the

assumption that the proposed buildings will comprise two floors of accommodation. The floorspace figures are Gross External Area (GEA). The figures in brackets relate to the footprint and floorspace associated with the previous refused application:

	Footprint	Floorspace (GEA)	Maximum Height
Existing	1074sqm	1074sqm	5.58m
Proposed	4343sqm (5150sqm)	7198sqm (10,180sqm)	10m
Percentage Increase	404% (480%)	670% (948%)	79% (79%)

- 7.24 The above figures show that the proposed buildings will result in a very large increase in footprint and floorspace, compared to the existing buildings. The proposed footprint will be 4 times greater than the existing buildings to be demolished. The proposed floorspace will be nearly 7 times greater than the existing buildings. In terms of height, all of the existing buildings on the site are single storey in scale, whilst all of the proposed houses and the care home will be two-storey in scale (i.e. effectively double the height/scale). It is considered that the loss of openness within the site is harmful and contrary to Green Belt policy, and weighs heavily against the merits of the development.
- 7.25 The proposal is considered to harm the visual amenities of the Green Belt, which will further diminish openness. It will result in the site having a much more built-up appearance compared to the existing site, not only in terms of the increase in the scale and height of the buildings (i.e. volumetric approach) but also from a visual dimension. The front boundary adjacent to Upper Halliford Road is currently lined by a tall hedge with some small trees in it. Most of the front part of the site, with the exception of the existing bungalow and the access road, is essentially free of development. Existing views into the site towards the industrial estate are limited. Whilst the proposed most eastern apartment block (i.e. the block nearest to Upper Halliford Road) and the care home will be set back from the road and the existing hedge can potentially be retained, the buildings will be 2-storey in scale and will be visible from the road. The proposed development will also be seen from the public footpath that runs adjacent to the northern boundary. The part of the development to be erected on the field at the rear will be harmful to the visual amenities (and openness) of the Green Belt from this particular public viewpoint.
- 7.26 The proposed development is considered to create the unrestricted sprawl of large built-up areas. It therefore conflicts with the first of the five purposes of the Green Belt set out in Paragraph 134 of the NPPF. There is currently a clear boundary along the southern part of the site, between the large built area of Upper Halliford and the Green Belt designated land of Bugle Nurseries and the fishing lake further to the north. The proposed housing and care home development would erode this well-defined boundary and create urban sprawl.

- 7.27 The proposal is also considered to conflict with the second of the five Green Belt purposes in paragraph 134 of the NPPF: *'to prevent neighbouring towns merging into one another'*. The area of Green Belt in which the application site and surrounding open land is located is performing strongly in preventing the urban areas of Ashford, Sunbury, and Upper Halliford from growing towards each other. Indeed, the Council's Green Belt Assessment 2017 classifies this particular area of the Green Belt (Local Area 39) as *'strongly performing'*. It states that:

"The Local Area forms the essential gap between Ashford / Sunbury-on-Thames / Stanwell and Upper Halliford, preventing development that, as a result of their close proximity, would result in the merging of these settlements. It also plays an important role in preventing further ribbon development along Upper Halliford Road."

- 7.28 It is important to note that the previous 1981 planning application for residential development on the site was partly refused specifically on the grounds that it would result in the coalescence of settlements and encourage further coalescence in the locality. The subsequent appeal was dismissed.
- 7.29 Moreover, the proposed development, and in particular the proposed 10 houses and associated roadway and parking areas located on the existing green field, is considered to cause encroachment into the countryside. It therefore fails to comply with the third of the five purposes of the Green Belt set out in paragraph 134 of the NPPF (*'to assist in safeguarding the countryside from encroachment'*).
- 7.30 It is relevant to note that the previous planning application for the alterations of the existing access (15/01528/FUL) was refused on Green Belt grounds and subsequently dismissed on appeal. The Inspector considered that the widening of the access would constitute *'inappropriate development'* in the Green Belt and would have an urbanising effect on the appearance of the site. She therefore considered that it would fail to safeguard the countryside from encroachment, contrary to the third of five purposes of the Green Belt.

Material Considerations / Very Special Circumstances

- 7.31 The applicant has put forward some considerations in their Planning Statement which they consider justifies the development in the Green Belt. These considerations are summarised below with an officer response to each point: -

1. The proposed development would not conflict with the five identified purposes of the Green Belt.

Response

The proposal is considered to conflict with the first three of five purposes of the Green Belt in Paragraph 134 of the NPPF (see paragraph 7.14 of this report). This weighs heavily against the merits of the scheme. The paragraphs above explain why the proposal does not comply with the first three Green Belt purposes.

2. The balance of the developed area would be less than the current brownfield part of the site.

Response

Unlike the previous refused application, the current application site includes the existing waste transfer station. The proposal will result in its removal to be replaced with landscaping. However, it is not considered that the waste transfer station constitutes 'previously developed land' (i.e. brownfield land) because the definition in the NPPF states that it is "*land which is or was occupied by a permanent structure or any associated fixed surface infrastructure*". The area of existing brownfield land (i.e. the industrial estate) is, therefore, the same as in the previous application. The proposed developed area will be substantially greater than the existing brownfield land. Although the waste transfer station is not brownfield land, it is acknowledged that there would be a benefit in removing this facility.

3. The proposed development comprises an appropriate form of development in principle, which would enhance the openness of the Green Belt.

Response

The proposal is considered to constitute '*inappropriate development*' in the Green Belt for the reasons given in the paragraphs above. The scheme would not enhance the openness of the Green Belt. Rather, the proposal would result in a substantial loss of openness which is explained in detail in the paragraphs above. It is recognised that the current application site includes the existing waste transfer site and the proposed development will involve its removal to be replaced with open space. The waste transfer station does not have any buildings on it. Its impact on the openness of the Green Belt is limited (mainly the earth bunds) and it does not constitute previously developed land. The overall development is considered to result in a substantial and harmful loss to the openness of the Green Belt. This weighs significantly against the proposal.

4. The proposal will result in the removal of the existing commercial uses, which are causing environmental harm to the neighbouring residential properties.

Response

It is recognised that part of the existing site is occupied by the industrial estate, which is causing noise and disturbance to neighbouring residential properties in Halliford Close, Bramble Close and Upper Halliford Road. (The Council's Environmental Health Department have received only 8 complaints dating back to 2012 in regards to noise from lorry movements, bonfires and vermin at the site). The uses have evolved over a long period of time and are not restricted by planning controls, including no control over the hours of operation. The removal of these industrial uses would be a benefit to the neighbouring properties and it is considered this adds moderate weight in favour of the proposal. The proposal will also result in the removal of the existing waste transfer station at the rear of the site, and the lorry movements, noise and general activity associated with it.

Unlike the previous application, the waste transfer station is now included within the application site and its removal can be considered as a benefit in favour of the development. It is considered that this particular element should be given moderate weight in favour of the development.

5. The former Bugle Public House site is being redeveloped for housing, which will introduce a further sensitive use adjacent to the current site.

Response

The new block of 8 flats erected on the site of the former Bugle Public House does not adjoin the industrial estate at Bugle Nurseries. Rather, it is located adjacent to the private garden of the bungalow (171 Upper Halliford Road). Consequently, it is considered that the noise and disturbance associated with the existing industrial uses is likely to have little impact on the future occupiers of the Bugle Public House development.

6. The remediation of the contaminated land is a significant environmental benefit of the proposal.

Response

It is recognised that the existing land, particularly where the industrial estate is located, is likely to be subject to contamination, and that the proposed development will involve ground remediation works to enable the residential scheme and care home to be implemented. Indeed, the Council's Pollution Control Officer stated in the previous application that several on-site uses are identified as having the potential to cause localised ground contamination and she recommended related conditions to be imposed if permission were to be granted. However, little weight is given to this particular consideration, as remediation works are likely to be required for any scheme involving the redevelopment of a former industrial site to housing, even if the site were to be located in the urban area. This is not a benefit unique to a Green Belt site.

7. The site is of extremely low quality in visual and environmental terms and has a negative effect on the character and openness of the Green Belt. The regeneration of the site will lead to substantial environmental improvements.

Response

Whilst it is acknowledged that the existing industrial estate has an impact, the overall application site is not considered to be extremely low quality in visual and environmental terms. Most of the application site is currently free of development and laid with vegetation. The front part of the site is mainly free of development (open land or the garden of 171 Upper Halliford Road) and is lined with a high hedge and small trees. The proposed development will lead to a significant harmful loss of openness and harm to the visual amenities of the Green Belt, which is explained in more detail in the paragraphs above. Consequently, no weight is given to this particular consideration put forward by the applicant.

8. There is a need to provide additional housing across the Borough to include a range of dwelling type and tenure (including affordable housing) to meet identified needs.

Response

It is acknowledged that there is a need for housing in the Borough, including a need for affordable housing. However, it is considered that the need for housing should not be at the expense of substantial harm to the Green Belt, as this particular development will cause. Most of the proposed affordable housing units will be located on existing green space and not on previously developed land.

9. Many letters of support have been received from local residents in response to the previous planning application (18/00591/OUT). These included a letter of support from the Shepperton Residents Association who are representative of a much wider group of residents in the Shepperton area.

Response

It is acknowledged that some 19 letters of support were received with the previous application. In relation to the current application, only 3 letters of support have been received from local residents. Whilst letters of representation are a material consideration in the determination of a planning application, similar levels of support could equally be received in relation to the redevelopment of a site in the urban area or other non-Green Belt location. This particular consideration is not unique to a Green Belt location.

- 7.32 To conclude, the development constitutes inappropriate development in the Green Belt and this, in itself, weighs heavily against the merits of the scheme. Indeed the NPPF advises that “*substantial weight should be given to any harm to the Green Belt*”. In addition, the development results in a reduction in the openness of the Green Belt, to which substantial weight against the proposal is added. There will be a very large increase in the amount of development on the site, compared to the existing development. The application assumes that all ‘previously developed land’ can be developed which isn’t the case in the NPPF. In any case, a lot of the proposed development will be located outside the ‘previously developed land’. It will harm the visual amenities of the Green Belt, which adds substantial weight against the merits of the scheme. Furthermore, the proposal conflicts with three of the five purposes of Green Belts in paragraph 134 of the NPPF, which adds substantial weight against the proposal. It is recognised that the current application site now includes the rear part of the Bugle Nurseries site and that the removal of the waste transfer station and the provision of the open space with landscaping are new considerations that have moderate weight in favour of the proposal. Moderate weight is also given to the benefit of removing the existing industrial uses on the site. However, these elements together with the other considerations put forward by the applicant do not clearly outweigh the substantial harm the proposal will cause to the Green Belt. Consequently it is not considered that very special circumstances exist. The proposal is therefore contrary to the Section 13 of the NPPF and Saved Local Plan Policy GB1.

Housing density

- 7.33 As noted above in regards to the principle of housing, the NPPF and Policy HO1 requires new housing development to be sustainable and in the urban area, both of which this scheme is not. Notwithstanding this, 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.”

- 7.34 Policy HO5 does not specify densities for sites such as this, with its ranges referring to town centres and sites within existing residential areas, which this is not. It does say that it is important to emphasise that the density ranges are intended to represent broad guidelines and development will also be considered against the requirements of Policy EN1 on design.
- 7.35 The principle of a high density development on urban land is the focus of the NPPF and Policy HO1 in order to make efficient use of land of previously developed and brownfield land, providing sustainable developments. However this site is on Green Belt land and is not in the urban area. Only part of the site is previously developed land and as such the proposal does not follow the requirements of the NPPF or Policy HO1.
- 7.36 Notwithstanding this, the proposal involves the creation of 51 residential properties and a 72 bed care home (4.84 hectares) and the proposed housing density is approximately 27 dwellings per hectare (dph) on the developed part of the site. The proposal is considered to comply with the Policy EN1 on design which is explained in the following paragraphs.

Design and appearance

- 7.37 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.”*
- 7.38 The existing commercial buildings on site vary in size and design but all are single storey, with a large area of hardstanding also in existence. The bungalow is also single storey in nature and is currently surrounded on all sides by a large garden.
- 7.39 To the south on Upper Haliiford Road are other low level dwellings, with 2 storey semi-detached houses located along Halliford Close. To the north is the former Bugle public house which is currently being redeveloped to flats

over 3 storeys, with the second floor set within the roof space. Other dwellings along Upper Halliford Road to the north are generally 2 storey in appearance. Opposite is open land and the public park and many trees. Currently the application site appears green, open and has planting on the road frontage which shields the uses behind and provides a pleasant street scene.

- 7.40 As such, the area consists of residential development, generally 2 storey in height and open land with many trees, shrubs and natural features, appearing relatively green. The building lines to the north are closer to the highway than those to the south of the site, which are set back substantially further from Upper Halliford Road. Most of these buildings are traditional in design, with tiled pitched roofs many with gable features fronting Upper Halliford Road.
- 7.41 The scale of the proposed buildings is shown on the indicative plans submitted and these are 2 storeys in height. The applicants note that, *'...the scale of the development has been designed to minimise the impact of a development of this scale, on the openness of the surrounding Green Belt. The proposed properties, including the care home building are all 2 storey developments.'*
- 7.42 They go on to say that, *'...Maximum heights may vary due to geometry of roof form... The larger proposed buildings have also been considered in terms of their potential visual impacts as they have a larger footprint than the residential houses.'* They note that these can be, *'...broken down into components which can give this built form a more domestic feel.'* Although indicative, they note that the scheme will include a variety of roof forms and orientation, materials to suit the typical character of the area, including a mix of slate, tile, facing brickwork, render and hung tiles.
- 7.43 The set back of the proposed block of flats from the main street frontage of Upper Halliford Road has been positioned between the 2 sets of development to the north, which is closer to the highway, and to the south which is further away. The care home is to be set back further into the site. Although indicative, this is considered to be acceptable from a design point of view and is considered to be in keeping with the character of the area, providing a linkage between the 2 sets of building lines. The houses will be semi-detached and detached, fronting the road ways with their gardens behind. As such the proposed layout is considered to be acceptable on design grounds.
- 7.44 Landscaping is to be provided which will help to complement the proposed built form and play area. It will help to provide visual benefit to the built form and soften the areas of hardstanding and parking. The scheme provides a usable play area including landscaping which is visible from public areas and will add to its visual amenity. Much of the parking has been provided in front/side of the dwellings, behind and to the sides of the flats, which will help to limit views from the public domain and to break up areas of hardstanding. The rear of the site is proposed to be landscaped for use by the public and is shown to be open with landscape features and paths, which will provide valuable visual and usable asset to the local community. As such the proposed development is considered to be acceptable in design terms and conforms to Policy EN1.

Impact on neighbouring residential properties

7.45 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.”

7.46 The submitted plans are illustrative, except for the roads which show the ‘access’ which is being assessed at this outline stage. As such the plans indicate a way in which the houses will be laid out and it as such has been assessed on this basis. The scale of the development and proximity to the boundaries with existing properties needs to be given consideration to ensure that there is an acceptable relationship and that existing residential properties will not be significantly adversely affected by the proposal, albeit that the layout of the buildings etc. are illustrative only. 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.

7.47 The SPD in para 3.6 acknowledges that ‘most *developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.*’ It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for 2 storey development of 10.5m for back to boundary distance, and 21m for back to back development. Three storey development has a back to boundary distance of 15m and back to back distance of 30m. There is also a minimum distance for back to flank elevations of 13.5m (2 storey) and 21m (3 storey).

7.48 The indicative plans show that the proposed built form will be 2 storey in nature. The proposed units to the south adjoin the rear boundary with existing properties on Halliford Close. These existing dwellings have relatively long rear gardens. The proposed 2 storey dwellings will be set back from the common boundary by at least the minimum 10.5m requirement as set out in the SPD. In addition they will exceed the separation distance from back to back of some 31m between the back of the proposed dwellings and those of the existing properties at Halliford Close, which exceeds the requirement. The indicative plans also show that the separation distance between proposed dwellings meet the required 21m separation distance. It should be noted that the layout is indicative at this stage, however the proposal will have an acceptable relationship with the existing dwellings.

7.49 The dwellings located on Upper Halliford Road at 137 and 139 are set in from the boundaries with the application site and have large outbuildings to the rear. The proposed indicative built form is shown to be set in from these boundaries and as such the proposal will have an acceptable relationship with the existing properties on Upper Halliford Road. To the north of the application site will be the proposed care home, although this is now set further back into the site. This will be located adjacent to the former Bugle

public house site which is currently being re-developed to flats. There is an access road between the 2 sites and as such the proposed development will have an acceptable relationship with the new flats and will not lead to a significant overlooking, be overbearing or cause loss of light.

- 7.50 The proposal is considered to have an acceptable relationship and therefore an acceptable impact on the amenity of existing neighbouring residential properties, conforming to the SPD and Policy EN1.

Amenity Space

- 7.51 The Council's SPD on Residential Extensions and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats it requires 35 sq. m per unit for the first 5 units, 10 sq. m for the next 5 units and 5 sq. m per unit thereafter. On this basis some 235 sq. m would be required for each of the blocks of 12 flats. Previously there was concern about the amount of space around the proposed block of flats, with no useable amenity space. The front block has been amended to provide a larger area of land to the front which could be a useable garden area for the occupants of this block. However the new block of flats, located centrally in the site, has a lack of space around the block which is relatively small and provides only landscaping around the building, rather than useable amenity space for use by the future occupants of the flats. However the application is only outline at their stage and this can be addressed as the reserved matter stage. Notwithstanding this, the proposal also includes a large area of open space very close to the block which will ensure that there is an acceptable level of amenity space for the occupants of the flats and the proposed scheme, conforming to Policy EN1.
- 7.52 There is no minimum amenity space standard for residential care homes. However, the proposed care home will include an enclosed garden area which is limited in size but will provide a useful asset to have for people in care. In addition the application site includes a large area of open space which is accessible to the public and in close proximity of the care home residents.
- 7.53 The proposed houses have their own private gardens and policy requires this to be a minimum of 70 sq. m for each of the detached or 3 bed semi-detached houses, or 60 sq. m for the terraced or 2 bed semi-detached homes. The proposal does provide this and in addition all residents will have access to the open space to the rear of the site which will be easily accessible by all future residents.

Proposed dwelling sizes

- 7.54 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, as well as to 2 and 3 storey houses. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sq. m.

- 7.55 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 and includes minimum sizes for studio flats. 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.
- 7.56 All of the illustrative proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards and the SPD. Therefore, it is considered their standard of amenity overall to be acceptable.

Highway/Servicing issues

- 7.57 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.”

- 7.58 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.

- 7.59 The County Council was consulted as the Highway Authority and has made no objection to the proposal. In terms of trip generation, the existing use of the site does generate a small number of vehicular movements. Surveys of the site access have demonstrated that there were 15 two-way vehicle movements across the site access in its busiest hour of the survey period (07:00-08:00). It is considered that there is some potential for the site to attract slightly more vehicular movements without requiring any further planning permissions, but it is not likely to be significant. The Transport Assessment provided includes an analysis of the likely trip generation of the proposed development using the TRICS database. The provided data shows that the peak hour departures would be 29 vehicles between 08:00-09:00, and for arrivals would be 23 between 17:00-18:00. It is unlikely that this scale of trip generation would cause any capacity issues at any of the junctions on Upper Halliford Road. Traffic modelling at the site access junction with Upper Halliford Road has been undertaken and demonstrates that the junction would operate within capacity, without significant queuing. The modelling demonstrates that the impact on the flow of Upper Halliford Road would be very minor.

- 7.60 In relation to the access arrangement, the Transport Assessment proposes to modify the existing access to Upper Halliford Road in the centre of the site, which would be widened and provided with footways on either side. A drawing has been provided which demonstrates that visibility of 120m in either direction is achievable, and this is acceptable.
- 7.61 The County Highway Authority (CHA) has noted that early discussions identified the local demand for a new crossing facility across Upper Halliford Road, in the vicinity of the development site. Upper Halliford Road is a busy road with a speed limit of 40mph. There is an existing controlled crossing approximately 650m south of the site access. To the north of the access, there is no formal pedestrian crossing provision. The proposed crossing would therefore provide a necessary pedestrian facility to enable pedestrian access to the bus stop and public park opposite the site, but also the schools and other facilities to the east of Upper Halliford Road. The proposed crossing is provided with signal controls. As discussed in their pre-application meeting, the CHA is not insistent that this type of crossing be provided, and considers that pedestrian refuge islands could be sufficient. It is understood, however, that the applicant does wish to provide the signalised crossing, and this would provide a safer and more convenient facility to pedestrians. Feedback has been sought from the CHA colleagues in Road Safety, and the Police. They have raised no objections to the proposed crossing, but have recommended that high friction surfacing be provided either side of it.
- 7.62 Subject to the recommended conditions, the highway and access arrangements are considered to be acceptable.

Parking provision

- 7.63 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.
- 7.64 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).
- 7.65 The illustrative proposed parking provision for the residential properties is 111 spaces. The Council's Parking Standards as set out in the Supplementary Planning Guidance requires 80 spaces for the dwellings and flats and then an additional 17 for the care home, some 97 in total. As such the proposed parking provision is policy compliant.
- 7.66 The submitted Transport Assessment has applied Spelthorne Borough Council's and Surrey County Council's parking guidance documents to identify acceptable parking provision levels for each use on site. Overall, 69 allocated spaces have been provided for the residential properties, with a further 15 unallocated spaces that are likely to be used for residential parking as well as 27 for the proposed care home.

- 7.67 The CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision noting that generally it is considered that the spaces are reasonably located with respect to the dwellings which they will serve. Houses that are provided with more than one parking space tend to have a tandem parking layout, whereby the first vehicle parked is blocked in by a second. As a result, it is considered likely that some on-street parking will take place. Given the low traffic volumes, and assumed low traffic speeds, it is unlikely that some on-street parking will cause an issue, providing sufficient width is available to allow refuse vehicles to negotiate the site. 27 car parking spaces are proposed for the 72 bed care home. Whilst this is in line with Surrey and Spelthorne standards, it is notable that the expected number of staff is 20 – 25 and the applicants note that they are not likely to all be on site at one time.. It is unlikely that all 25 of these staff will drive to work, but the ratio of parking space to employees does emphasise the importance of the proposed Travel Plan, which should aim to reduce single-occupancy employee car trips. The parking for the care home will also have to accommodate visitors. It is worth considering that the unallocated residential parking spaces will be open for anyone to use, and the peaks in residential and care home demand for parking are unlikely to coincide.
- 7.68 Therefore the proposed parking provision is acceptable. As such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

Affordable housing

- 7.69 Policy HO3 of the CS & P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. The Council seeks to maximise the contribution to affordable housing provision from each site having regard to the individual circumstances and viability, including the availability of any housing grant or other subsidy, of development on the site. Negotiation is conducted on an 'open book' basis.
- 7.70 The applicant is proposing to provide 25 affordable housing units (16 no. for affordable rent and 9 for shared ownership). The 25 units represent an affordable housing provision of 49%. Given the total number of units is odd, (i.e. 51) it is considered acceptable to provide 49% rather than 50%.
- 7.71 Policy HO3 states that the provision within any one scheme may include social rented and intermediate units, subject to the proportion of intermediate units not exceeding 35% of the total affordable housing component. The proposal is to provide 9 out of 25 units for intermediate (shared ownership) and this equates to 36%. Given the odd number of units and the fact that this is only 1% away from the requirement, the provision is considered acceptable in this instance.

Flooding

- 7.72 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by requiring all development proposals within Zones 2, 3a and 3b and

development outside these areas (Zone 1) on sites of 0.5ha or of 10 dwellings or 1000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA).

- 7.73 The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded on flooding grounds. The applicant has submitted a Flood Risk Assessment (FRA) & Surface Water Drainage Strategy, as is required by Policy LO1 of the CS & P DPD.
- 7.74 In terms of flood risk, the site is located outside of the high flood risk area and as displayed in the FRA there is no risk to the future occupants of the site from flooding.
- 7.75 With regards to surface water drainage, the applicant is proposing to implement infiltration drainage devices to discharge surface water to the underlying soil in the form of permeable paving to provide improved surface water drainage than currently on parts of the site.
- 7.76 The Lead Local Flood Authority at Surrey County Council has raised no objection to the proposed sustainable drainage scheme, subject to conditions. The Environment Agency have not commented on the current application. However, they did respond to the previous application and raised no objection. Accordingly, the application complies with the requirements of Policy LO1 of the CS & P DPD.

Renewable Energy

- 7.77 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sqm to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.78 The applicant has submitted an energy statement in which they have not proposed any measures to meet our minimum 10% renewable requirement assert that they do not need to meet our renewable requirement due to updates to the NPPF. The Councils Sustainability Officer has been consulted and notes that if they are intending to take a fabric first approach, they will need to set out justification for doing so, clear figures demonstrating this will provide the equivalent energy savings to meeting the minimum 10% renewable requirement. We would then review this on a case by case basis as to whether this is an acceptable alternative to meeting our renewable requirement. As such the proposal is lacking in detail and as such the renewable energy proposals are currently unacceptable and does not accord with Policy CC1. However further detail can be submitted at a later date to overcome this, (i.e. at the Reserved Matters stage) which can be required by condition and this is not a reason to refuse the scheme.

Ecology

- 7.79 Policy EN8 of the CS and P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest.
- 7.80 The site includes a number of buildings and trees, which are capable of being used as a habitat for protected species (i.e. bats). During the previous application the most up to date ecology report recommended that another bat survey should be carried out and at the time of the determination, this had not been done. It was considered that the extent that bats may be affected by the proposed development had not been fully established and given the requirements of Circular 06/2005, the application was recommended for refusal on this basis.
- 7.81 Since the determination of the previous application, another bat survey has been carried out which recommends a number of measures to mitigate any adverse impacts on bats. This can be covered by the imposition of a condition. As such the proposal is acceptable in relation to Policy EN8.
- 7.82 The site is located a considerable distance from any Site of Special Scientific Interest/Special Protection Area (SSSI/SPA). The nearest SSSI/SPA is the Knight and Bessborough Reservoirs which is at least 2.4km and is located across the river in Elmbridge. Taking into account the scale of the proposed development and the distance from the nearest SSSI/SPA, it is not considered necessary for a Habitats Regulations Assessment screening exercise to be carried out. Natural England was consulted on the planning application and has raised no objection. It is relevant to note that in 2018 the Council issued a screening opinion which confirmed that an Environmental Impact Assessment would not be required for the redevelopment of the site.

Open space

- 7.83 Policy CO3 of the CS & P DPD requires new housing development of 30 or more family dwellings (i.e. 2-bed or greater units) to provide a minimum of 0.1ha of open space to provide for a children's play area. Such provision is to be increased proportionally according to the size of the scheme and the policy includes 2 bed flats as family houses. The proposal includes 43 family units which would require some 0.14 ha of open space. The proposal includes a children's play area to the rear of the central block of flats and in addition a large open space for the public to access. In addition there is an existing park with play area opposite at Upper Halliford Park. As such, it is considered that sufficient on-site open space is acceptable.

Dwelling mix

- 7.84 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. The

Supplementary Planning Document “Housing Size and Type” 2012, goes on to note that, *‘...where there is a predominance of larger dwellings a mix with less than 80% one and two bedroom dwellings may be appropriate with a greater proportion of 3 bedroom dwellings. However, the majority should still have one and two bedrooms.’*

- 7.85 The previous scheme failed to comply with this policy with only 49% of the total units being smaller units. However, the current proposal does comply with the requirements of Policy HO4. In particular, the number of proposed smaller units, (1 bed and 2 bed flats) is 41 out of the total 51 units and equates to 80% of the total units. As such the proposal complies with policy HO4 and is acceptable.

Archaeology

- 7.86 Whilst the site is not located within an Area of High Archaeological Potential the applicant has submitted an Archaeological Desk-Based Assessment as required by Saved Local Plan Policy BE26.
- 7.87 The County Archaeologist was consulted on the application and following the submission of an updated report, with the previous scheme has recommended that further archaeological works are required which can be imposed by condition. Subject to the imposition of the condition the impact of the development on archaeology is considered acceptable.

Loss of Trees/Landscaping

- 7.88 The applicant has carried out a tree survey at the site and land to the north outlined in blue, which shows that a total of 12 trees and 28 tree groups are present. The indicative layout plans show the proposed flats have been set further back from Upper Halliford Road to ensure an acceptable relationship with the preserved Oak Tree on the north eastern corner of the site.
- 7.89 An Arboricultural Survey and an indicative landscape masterplan have been submitted. The landscape plan shows tree planting along the proposed road ways, some of the existing trees along the site boundaries will be retained to provide screening and complement the proposed buildings and further planting in the form of focal trees, hedges and shrubs will also be provided. The applicants note that, *‘...the proposed planting will be a mixture of native and non-native tree, hedge and shrub species, This is to ensure that the sites ecological credentials can be enhanced within the residential area, whilst also achieving an attractive setting for the new development through the combination of existing and proposed landscape proposals.’*
- 7.90 The play area and private amenity spaces will also be landscaped. Hedgerows and tree planting will be used around hardstanding and car park areas to help break up hardstanding and add visual interest. In addition the area to the rear of the site will be landscaped to provide footpaths and landscaping, along with the removal of the recycling facility which will provide an attractive outlook to the proposed development and also other local people using the land.

- 7.91 Whilst the proposal will result in the loss of some of the existing trees, the proposed replacement planting and landscaping will help to enhance the proposed development and is considered to be acceptable.

Contaminated Land

- 7.92 The applicant has submitted a *Preliminary Risk Assessment & Geo-Environmental Ground Investigation and Assessment* report to ascertain the level of contamination of the existing ground conditions and proposed remediation measures. This is particularly important as the proposal introduces new residential development onto the site which has existing commercial uses and reflects our standard precautionary approach to contamination risk. The Council's Pollution Control Officer has raised no objection previously but requested a number of conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures. As such subject to these conditions, the proposal is considered acceptable.

Air Quality

- 7.93 The applicant has submitted an Air Quality Assessment (AQA), as is required by Policy EN3 of the CS & P DPD. The AQA assesses the impact of construction impacts of the proposed development and recommends that a Construction Method Statement be submitted. In addition the Environmental Health Officer (EHO) recommends conditions be imposed for a Dust Management Plan and a Demolition Method Statement. The EHO also recommends that mechanical ventilation be installed to ensure an improved air quality for future occupants.
- 7.94 The Council's Pollution Control section was consulted on the application and although no comments have been received with this application previously they raised no objection, subject to conditions.

Refuse Storage and Collection

- 7.95 The layout of the site has been designed to ensure that refuse collection vehicles can enter and exit the site in a forward gear. Refuse storage areas will need to be provided for the flats. The County Highway Authority has raised no objection on this particular issue. The Council's Group Head Neighbourhood Services raised no objection to the previous scheme. Accordingly, the proposed refuse collection facilities are considered acceptable.

Other matters

- 7.96 The existing industrial uses have evolved over time and do not have any planning permission. It is not located within a designated Employment Area so no objection can be raised in principle to the loss of the employment use at the site.

- 7.97 The application is for Outline consent only and the level of detail is only indicative, as some issues can be addressed further at the reserved matters stage.

Financial Considerations

- 7.98 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. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development (although not relevant at outline stage) and will generate a CIL Payment based on a rate of £60 per sq. metre of net additional gross floor space. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Conclusion

- 7.99 The proposal constitutes inappropriate development in the Green Belt and it will result in a harmful loss of openness. It will also conflict with 3 of the 5 purposes of the Green Belt set out in paragraph 134 of the NPPF. Whilst it is recognised that the proposal will lead to the removal of the existing industrial estate and waste transfer station, it is not considered that these particular benefits (and the other consideration put forward by the applicant) would clearly outweigh the substantial harm the development would cause to the Green Belt. Consequently it is not considered that 'very special circumstances' exist. The application is recommended for refusal.

8. Recommendation

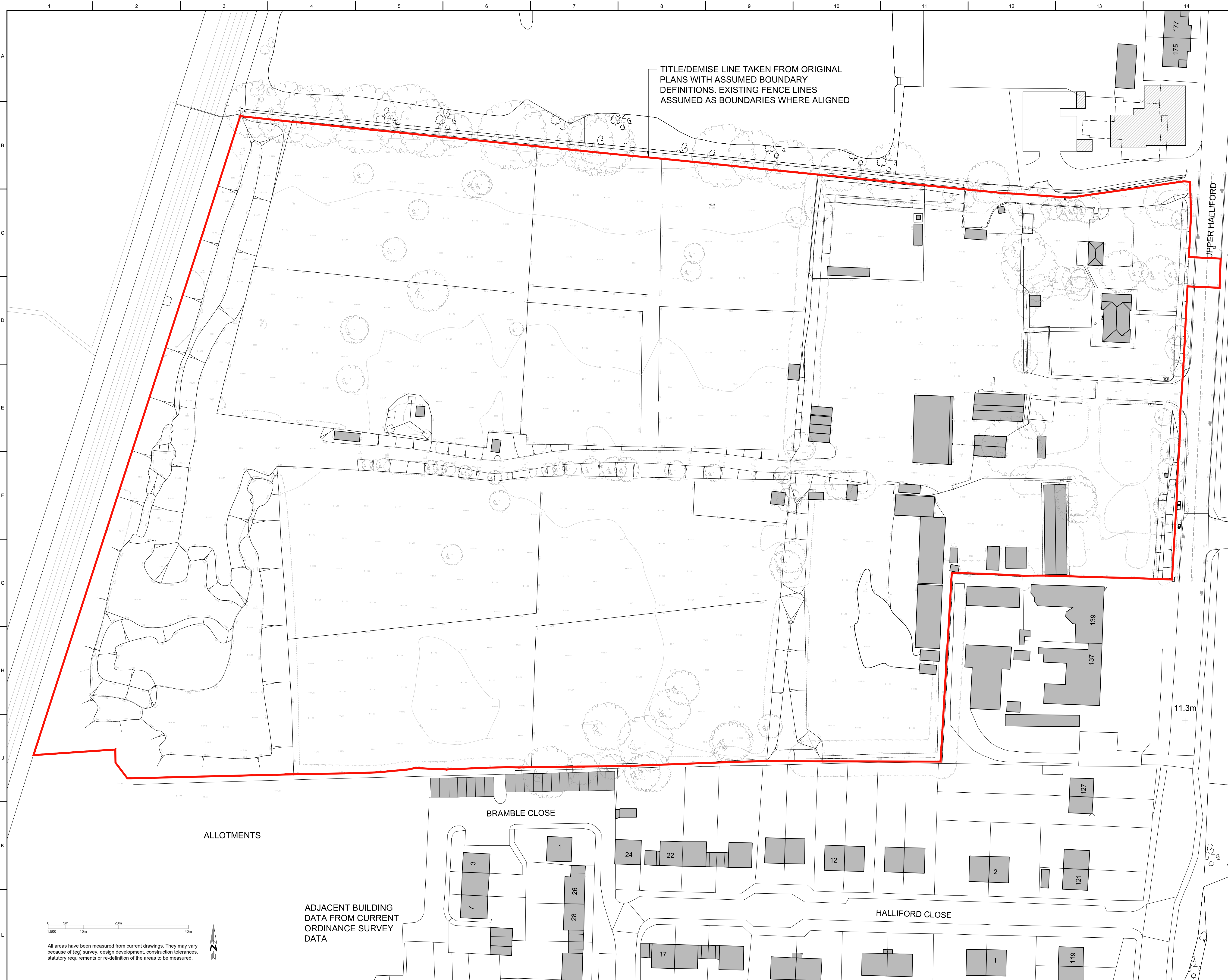
8.1 REFUSE for the following reasons:-

1. The development represents inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It will result in the site having a more urban character, will diminish the openness of the Green Belt and conflict with the purposes of including land within it. In particular, it would not comply with the Green Belt purposes: to check the unrestricted sprawl of large built-up areas, to prevent neighbouring towns merging together; and to assist in safeguarding the countryside from encroachment. It is therefore contrary to Saved Policy GB1 of the Spelthorne Borough Local Plan 2001 and Section 13 (Protecting Green Belt Land) of the Government's National Planning Policy Framework 2018.

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 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;
- b) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.



TITLE/DEMISE LINE TAKEN FROM ORIGINAL
PLANS WITH ASSUMED BOUNDARY
DEFINITIONS. EXISTING FENCE LINES
ASSUMED AS BOUNDARIES WHERE ALIGNED

CLIENT
ANGLE PROPERTY (RLP SHEPPERTON) LLP

STRUCTURAL ENGINEER

SERVICES ENGINEER

CONSULTANT



AREAS
4.8427 Hectares - 11.97 Acres

NOTES:

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P1	15.10.18	ISSUED FOR PLANNING	MD	NH
No.	Date	Comment	Drawn	Chk'd

Revisions	Issue Status
	PLANNING APPLICATION

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Project
BUGLE NURSERY
SHEPPERTON - SURREY

Drawing Title
EXISTING SITE PLAN

Drawn	Date	Scale @ A1	Alt. Ref.
MD	04.10.2018	1:500	A11562F0100

tp bennett Project No.	Drawing Number	Rev
A11562	F 0010	P1

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Drawing Title			
PROPOSED SITE PLAN			
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MD	01.10.2018	1:500	A11526D0100
to Bennett Project No.		Drawing Number	Rev
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18/01424/FUL - The Old Post Office, 1 Knapp Road, Ashford.

Scale: 1:1,250

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Planning Committee

06 February 2019



Application No.	18/01424/FUL		
Site Address	The Old Post Office, 1 Knapp Road Ashford TW15 2JA		
Proposal	Conversion and alterations to existing former post office building to provide 6 flats, erection of new two storey building to provide 8 flats following demolition of outbuildings together with car parking, landscaping, access and associated works.		
Applicant	Mr P Doble		
Ward	Ashford Town		
Call in details	N/A		
Case Officer	Kelly Walker		
Application Dates	Valid: 10/10/2018	Expiry: 09/01/2019	Target: over 13 weeks Extension of Time Agreed.
Executive Summary	<p>This planning application seeks the conversion and alterations of the existing post office building which is locally listed to provide 6 flats, along with the erection of a new 2 storey building to provide 8 flats, following the demolition of the existing outbuildings, as well as car parking, landscaping, access and associated works.</p> <p>The proposal is considered to be a sustainable form of development reusing an existing locally listed building for a residential use, along with the provision of a new building in a design which pays due regard to the locally listed building and will make a positive contribution to the street scene in this Town Centre location. Consequently, the proposal, is acceptable on design grounds. It would be an efficient use of land providing a good standard of housing, with sufficient amenity space provision. It is considered to be acceptable in terms of flooding, and will conform to policies on highway issues, parking provision and renewable energy.</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:

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN5 (Buildings of Architectural and Historic Interest))
- EN15 (Development on Land Affected by Contamination)
- EM1 (Employment Development)
- TC3 (Development in Ashford, Shepperton and Sunbury Cross Centre)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

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

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

1.3 The advice contained within the National Planning Policy Framework (NPPF) 2018 is also relevant.

2. **Relevant Planning History**

98/00253/FUL Construction of storage building to replace existing enclosure for storage.

Granted
12.06.1998

STAINES/ COU/P16210	Change of use of post office garage, stores and W.C.s to store and W.C. s. ancillary to new sorting office.	Refused 02.08.1973
STAINES /FUL/P16211	Erection of a single-storey sorting office.	Refused 02.08.1973

3. **Description of Current Proposal**

- 3.1 The site comprises an area of 0.16ha and is located to the north/west of Knapp Road to the south of Clarendon Primary School, which is a locally listed building. On the opposite side of Knapp Road to the south is the Old Fire Station which is currently in a retail use. Beyond this is the old public house of the Royal Hart, which is now used as an antiques shop. To the west of the site is Church Road which begins to increase in height forming a bridge over the railway line to the north and as such the land is adjacent to the embankment to the west. The site comprises the existing old post office building which is a locally listed building with its distinct design. The site is currently used as Peter Dobles bathroom store with a number of large outbuildings adjacent to the boundary with the school to the north of the site and car park. The site is accessed via Knapp Road to the east.
- 3.2 The site is located within the urban area and within Ashford Town centre. It is within the town centre designated Employment Area and the defined shopping areas.
- 3.3 Although the site is located within the town centre, there are residential properties in close proximity, including the detached and semi-detached houses to the east along Village Way. There are a large number of commercial uses at ground floor level in the area including those properties fronting Church Road and Woodthorpe Road, some with residential use above.
- 3.4 The common height of buildings in this location is 2 storey including the houses along Village Way to the east. Properties opposite on Church Road are taller, although these are in their own street scene context with the bridge having the impact of segregating the subject site from these properties on the opposite side of Church Road.
- 3.5 The proposal is for the conversion of the existing old post office building which is locally listed to 6 flats with various alterations including creating a mezzanine floor. In addition it involves the erection of a new 2 storey block to the rear of the site following the demolition of the existing outbuildings to provide an additional 8 flats, along with the proposed parking, landscaping and access. The proposed new block has been designed in character with the design of the existing locally listed building on the site. It will be built of bricks with a tiled pitched roof, traditional in design with a parapet feature on the front elevation centrally to provide symmetry.

- 3.6 The existing access to the east of Knapp Road, close to the entrance with Clarendon School, will be modified but continued to be used to access the site. Parking spaces for 5 cars will be provided to the front of the access and proposed buildings. Refuse storage facilities will be provided adjacent to the highway, and landscaping will be used to soften the car parking areas and buildings and provide some amenity space for the proposed residents.
- 3.7 The proposed site layout and elevation plans are provided as an Appendix.

4 Consultations

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

Consultee	Comment
County Highway Authority	No objection subject to conditions
Environment Agency	No comments received
Conservation and Listed Buildings Officer	No objection
Group Head Neighbourhood Services (refuse)	No objection
Sustainability Officer	No objection. Recommends conditions
Local Lead Flood Authority (Surrey County Council)	No objection. Recommends conditions
Crime Prevention Officer	No objection. Makes a number of detailed security related comments. Requests a condition to require the development to achieve the Secure by Design award.
Tree Officer	No objection.
Thames Water	No objection with regard to sewage infrastructure.
Environmental Health (Contaminated land)	No objection. Recommends conditions
Environmental Health (Air Quality)	No objection. Recommends conditions
Environmental Health (construction/dust)	No objection. Recommends conditions
SCAN (Spelthorne Committee for Access Now)	Comments that there is a lack of disabled access to flats, facilities and parking provision

5. Public Consultation

5.1 Neighbouring properties were notified of the planning application. Furthermore, statutory site notices were displayed and the application was advertised in the local press. Letters have been received from 24 properties including Clarendon School. These range from ones nearby along Village Way but also further afield from other roads in Ashford

5.2 Reasons for objecting include:-

- danger to school children
- noise and disturbance
- loss of access during construction
- lack of parking
- too large on corner location
- do not need more flats in Ashford – former Brooklands site under development for large no. of units.
- loss of sunlight to no. 2 Village Way
- overlooking and loss of privacy to no. 2 Village Way
- increase traffic
- highway safety issues
- overbearing
- overdevelopment
- reduction in house value
- access too close to school, cause safety issues with school users
- location of new block is too close to school, concerns about safety and safeguarding of children
- lack of facilities such as doctors and schools
- more history being pulled down for ugly new builds
- the land should be used to extend Clarendon School, doctors or dentist
- residential use not suitable on commercial site and area.
- plans do not show school clearly enough.

6. Planning Issues

- Principle of the development
- Housing density
- Reuse of locally listed building
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Flooding
- Renewable energy
- Dwelling mix
- Impact on trees
- Air quality

7. **Planning Considerations**

Need for housing

- 7.1 In terms of the principle of housing development regard must be had to paragraphs 59-61 of the National Planning Policy Framework (NPPF) which state the following:-

“Para 59. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Para 60. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

Para 61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”

- 7.2 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 policies set out in the National Planning Policy Framework (NPPF).
- 7.3 Para 11 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 noting that:
“...Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
(i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
(ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 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). In September 2017, the government produced a consultation paper on planning for the right homes in the right places which included proposals for a standard method for calculating local authorities' housing need. A figure of 590 dwellings per annum for Spelthorne was proposed by the application of this new approach. The draft methodology has yet to be formally adopted by the Government and is being reviewed in the light of the new 2016 household projection forecasts which appeared to indicate lower growth rates. The Government is now consulting on changes to the standard methodology in the light of these new forecasts and, for the time being, the Council will continue to rely on the provisional figure of 590 based on the 2014 household formation projections as suggested by the Government in its latest consultation (Oct – Dec 2018). Despite recent uncertainties the draft methodology provides the most recent calculation of objectively assessed housing need in the Borough and is therefore the most appropriate for the Council to use in the assessment of the Council's five-year supply of deliverable sites.

- 7.5 In using the new objectively assessed need figure of 590 as the starting point for the calculation of a five year supply it must be borne in mind that this 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. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period.
- 7.6 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised 5-year housing land supply figure. Whilst this has shown that notionally we have identified sufficient sites to demonstrate that we have a five year supply of housing sites we have recently been advised that we need to apply an additional 20% buffer rather than the previously used 5%. This is because Government guidance (NPPF para 74) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years. When assessed against the adopted Local Plan annual requirement figure of 166 the Council has delivered well in excess of the requirement. However, we now have to have regard to the draft Objectively Assessed Need figure of 590 dwellings per annum and, on this basis, the Council has failed to deliver a sufficient number of dwellings in recent years. It therefore has no choice now but to apply the additional buffer for the five year period from 1 April 2019 to 31 March 2024. The effect of this increased requirement is that the identified sites only represent some 4.5 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites.
- 7.7 As a result, current decisions on planning applications for housing development need to be based on the "tilted balance" approach as set out in paragraph 11 of the NPPF (2018) which requires that planning permission should be granted unless "any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole"

- 7.8 Having regard to the proposed development and 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 merits of this development. In the urban area it should also be noted that each planning application must be assessed in its own right and permission cannot be refused on the basis that other schemes for housing have been approved nearby.

Principle of the development

- 7.9 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.”

- 7.10 As referred to above, the NPPF emphasise the government’s overall housing objective to significantly boost the supply of housing.
- 7.11 The site is within the urban area and is a brownfield site within an accessible location, close to local facilities and public transport links. The creation of residential units at the site is considered to be acceptable in principle.
- 7.12 Policy TC3 relates to development in the employment and retail areas of the three centres, Ashford, Shepperton and Sunbury Cross. It seeks to maintain their current role and give support to proposals that enhance their vitality and viability and encourages in principle a mix of uses which may contribute positively to the centres. Policy TC3 should be read in conjunction with Policy EM1 which seeks to maintain the current level of employment floor space within the defined Employment Areas. In relation to Ashford, it notes that redevelopment which improves the centre will be supported and seeks to maintain a balance between retail and non-retail uses in the shopping frontages, in which the majority of units remain in retail use. It goes on to say that exceptionally a non-retail use may be accepted where it is demonstrated that it will contribute to the long term vitality and viability of the centre. However, it should be noted that current permitted development rights allow the change of use from retail to residential under a Prior Approval application with no assessment of amenity. As such the benefits of this scheme are that units with good amenity levels are to be provided, it retains the locally listed building and the residents of the proposal scheme will use the High Street and its facilities, adding to the town centres viability. In addition the site is located at the end of the main shopping and employment area, adjacent to residential uses and not within the main shopping frontage. As such it is not considered that an objection could be raised to the loss of the existing retail unit or its employment provision and in addition the creation of residential units at the site is considered to be acceptable in principle.

Housing density

- 7.13 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.”

- 7.14 Policy HO5(c) states that within Ashford, Shepperton and Sunbury Cross centres, new development should generally be in the range of 40 to 75 dwellings per hectare.

- 7.15 The proposal is for 14 units and is on a site of some 0.16 ha, equating to 87.5 dwellings per hectare (dph). Whilst the proposed density is above the recommended 40-75 dph range stipulated in Policy HO5, the policy 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 all 14 units are 1 bed or 2 beds and accordingly it is possible to accommodate many more small units within a given floor space and an acceptable numerical density can be much higher. Therefore, whilst the development is above 75 dph, it is considered that the proposed density is acceptable in this particular sustainable location. The proposal is considered to comply with the Policy EN1 which is explained in the following paragraphs.

Re-use of Locally Listed Building

- 7.16 The main building on the site was constructed in 1931 as a post office and sorting office. The post office closed some 25 years ago and the premises has been used as a plumber’s merchant and retail showroom for the sale and display of bathroom fixtures to trade and the public. The property is a locally listed building with many of the original features remaining. It is listed in the Spelthorne Local List Feb 2004 (ref LL/076), which notes that the property is, *‘...Early 20th Century neo-Georgian style. Single storey, steeply pitched plain tiled hipped roof. Symmetrical with raised parapetted centre section. Red brick, barred windows generally. Three brick arches in centre section span main entrance and adjacent windows; stepped string painted white. Tall flanking windows break eaves line on side elevation.’*
- 7.17 Policy EN5 of the Core Strategy and Policies DPD notes that the Council will seek to preserve its architectural and historic heritage. The foreword in paragraph 10.27 states that:-

‘Buildings on the local list do not have the same legal protection over demolition, alterations and minor extensions. However, the Council will oppose redevelopment proposals that would involve their loss, or unsympathetic proposals that would damage their character and setting.’

- 7.18 The Council's Conservation Officer was consulted and raises no objection to the proposal. He notes that. *'...Both the old Post Office and the primary school on the adjacent land are locally listed buildings. The new build block has the potential to affect the setting of the school building, however the design of this new block is competent and sympathetic to the character of the school building. Also the new block relates, stylistically, very well to the character of the retained Old Post Office building in form, materials and scale. The Old Post Office is characterised by its dominant roof form and this has been retained largely unaltered save for new roof windows and a limited number of well-proportioned dormers. This has enabled much of the large attic volume to be utilised for accommodation without destroying the essential character of the building. I have no design or heritage asset criticisms of this proposal.'*
- 7.19 As such the re-use of the existing locally listed building is considered to be a benefit of the scheme and ensures that this heritage asset is retained and not lost. As such the re-use of the locally listed building should be afforded significant weight and the proposal is considered to accord with Policy EN5.

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 The existing locally listed building will be retained and modified in order to accommodate residential units, including the installation of a mezzanine level inside. Externally the building will remain very much like it is now, with the retention of all the window openings, which form part of the main character of the building. There will be the removal of a ground floor element to the north, installation of 2 small roof dormers in the sides of the roof and the introduction of some roof lights to serve the units, while some existing larger roof lights will be removed. The proposal also includes the introduction of doors and windows particularly at ground level, which are considered to be in keeping with the design of the existing building, most of which line up with and replace existing fenestration. The proposal is considered to pay due regard to the character of the host building and will enable the conversion of the locally listed building to a residential use. As such these changes to the building will have an acceptable impact on the character.
- 7.22 The proposed new building will replace the existing outbuildings located at the rear of the site. They are located across the back of the site. The one in the north western corner is set away from the boundary and the one to the north east, closest to Knapp Road is abutting the northern boundary with the school. The buildings have pitched roofs with a maximum height of 6m, and one has a flat roofed section. There is a gap between the 2 buildings. The proposed building will be 2 storey with a pitched roof and will extend across

most of the width of the plot, some 35m in length and 7m in depth. It will be set back from the northern boundary by approx 1.5m. The building will have a lower eaves and ridge height to the side elements, with the first floor windows located within the roof form. The middle section of the proposed building will have a parapetted feature, and the ridge of the roof will be taller, providing a symmetrical design. It will be built of materials to match the existing building and the design is considered to pay due regard to the design and character of the existing locally listed building on the site which is to be retained.

- 7.23 Landscaping is to be provided around the buildings which will help to provide an attractive setting to the well-designed buildings and to provide a good standard of amenity for future occupants. This will help to complement the proposed built form and visual amenities of the area. The access to the site will remain as existing and the proposal will provide 5 parking spaces which will allow for better landscaping and limit the amount of hardstanding at the site. The scheme is considered to provide an attractive form of development, which will have its own sense of place and provide an attractive place to live, adding to the visual amenity of the area, while retaining a heritage asset. As such the proposed development is considered to be acceptable in design terms, and will make a positive impact on the street scene of Knapp Road and the surrounding area, conforming to policy EN1.
- 7.24 With regard to the comments from SCAN (Spelthorne Committee for Access Now) the proposed ground floor has been designed to be at a similar level to the existing ground level. Ramps could be incorporated into the scheme, and also includes the conversion of an existing building. There are no lifts provided for access to the upper floors and no disabled parking spaces provided. The units are reasonable in size and it is considered that they could be adapted if necessary to disabled occupiers. The proposal is acceptable on planning grounds and the applicant will need to carry out the development in accordance with part M of the Building Control regulations requirement (access to and use of building).

Impact on neighbouring residential properties

- 7.25 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.”

- 7.26 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 met.
- 7.27 The SPD in para 3.6 acknowledges that ‘most *developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.*’ It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for 2 storey development of 10.5m for

back to boundary distance, and 21m for back to back development. Three storey development has a back to boundary distance of 15m and back to back distance of 30m. There is also a minimum distance for back to flank elevations of 13.5m (2 storey) and 21m (3 storey).

- 7.28 The site is located to the south of Clarendon School. The closest residential properties are located to the west on the opposite side of the road at Village Way. These are a single detached and semi-detached dwellings which face towards the application site. The proposed units are not full 2 storey, with the first floor accommodation provided within the roof space and the proposal also involves the conversion of an existing building. In addition the distance between the buildings is in excess of 20m, and the space between the properties is the public domain. Therefore it is considered that the proposal will have an acceptable relationship with the existing dwellings and will not cause significant overlooking, loss of privacy or overbearing/overshadowing or loss of light impacts. Residential properties on the other side of Church Road located above the commercial units are also located some distance away and partly shielded by the bridge, as such the proposal will have an acceptable impact on the amenity of neighbouring residential properties and accords with the SPD and Policy EN1.
- 7.29 The site is located in close proximity to Clarendon School. The flats in the proposed new building will have windows serving their open plan kitchens and bathrooms on the elevation facing the school. These windows will be obscurely glazed and as such they will not provide an outlook or allow the future occupants to overlook the school premises from their dwellings. The building will be located 1.5m from the boundary with the school and will extend across the width of the application site, some 35m with a height of 4m to the lower eaves (5m to higher eaves) and overall height of 8m to the main ridge and 8.5m to the taller ridge). The proposed building will replace 2 smaller and lower outbuildings and the school is not a residential use. As such the location of the proposed building is not considered to give rise to a loss of light or over-shadowing impact or indeed loss of privacy issues that would cause detriment to the school or its staff or pupils. As such the proposed building is considered to have an acceptable relationship with the existing school.

Amenity Space

- 7.30 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). 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. On this basis some 245 sq. m would be required for the 14 flats. The flats have access to landscaped areas of the site including an area of grass to the west of the site with an area of approximately 180 sq. m which will have some benefit and use by residents of the units but is below the minimum SPD standard. It should be noted that the site has landscape areas to the front of the properties which will add to the visual amenities of the locality and benefit not only the future occupants but improve the street scene. The site is located within the town centre and in addition there is a public green space located a short walk away, over the railway bridge on the opposite side of the road with

a pedestrian crossing accessing it, outside St James School. There is also a park along Woodthorpe Road. As such the amenity space provision at this site is considered to be acceptable in this location.

Proposed dwelling sizes

- 7.31 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, as well as to 2 and 3 storey houses. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sqm.
- 7.32 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 and includes minimum sizes for studio flats. 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.
- 7.33 All of the proposed 2 bed flats exceed the 61 sq. m minimum requirement. The existing old post office building proposes 3 one bed units with the bedroom located in the roof space. The bedroom floor space at first floor level is set away from the external wall with a void below to accommodate the design of the large windows above ground level. This will provide a larger sense of space than the actual floor area provided. These 1 bed flats will have a floor area of some 42.5 sq. m which accords with the minimum of 1 bed 1 person flats of 39 sq. m but is below the 1 bed 2 person requirement of 50 sq. m. The floor space provided is below the guidance for a 1 bed 2 person flat, however, it is considered to be acceptable in this instance given the fact that accommodation is provided within an existing locally listed building which will be retained and the flats would provide an attractive living space. The units in the new building will have a good outlook to the front towards the landscaping and parking areas with the scheme providing its own sense of place with a courtyard feel. Therefore, it is considered that their standard of amenity overall to be acceptable.

Highway and parking provision

- 7.34 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.

- 7.35 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.
- 7.36 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).
- 7.37 The proposed parking provision for the site is 5 spaces. The Council's Parking Standards as set out in the Supplementary Planning Guidance requires 1.25 spaces per 1 bed unit and 1.5 spaces per 2 bed unit. As such the current proposal for 14 units (11 no. 1 bed and 3 no. 2 bed) would require 18.25 rounded up to 19 car parking spaces. The SPG goes on to state that a reduction in parking requirement will normally only be allowed in the following situations within the borough 4 town centres defined in the Core Strategy: where public transport accessibility is generally high including frequency and quality of train and bus services, distance to public transport nodes, pedestrian and cycling routes and the range and quality of facilities supportive of residential development within a reasonable walking distance, e.g. retail, leisure, education and possibly employment. It also goes on to state that other situations which are relevant to less parking provision include units specifically designed for single person occupation and residential conversions where there are limited off street parking opportunities both of which are also relevant to this scheme. As such it is not considered that the proposal could be refused on parking grounds and accords with parking policy.
- 7.38 The County Highway Authority (CHA) have been consulted and note that *'...the submitted application proposes 5 parking spaces for 14 residential units. This is less than a third of the parking provision recommended by Spelthorne Borough Council's Parking Standards. The parking standards do, however, state that parking provision can be reduced in locations which are well suited to enabling sustainable travel, and where residents are not likely to be reliant on a private car. The application site is located a suitable distance from Ashford Rail Station and local bus stops on Church Road to make these modes viable. There are also a number of key amenities within walking distance of the site in Ashford Town Centre. It is, therefore, considered that the site is suitably located to justify a reduced parking provision. Due to the parking restrictions on the local roads, it is unlikely that any overspill parking that may be generated by the development will result in on-street parking in a location that will compromise highway safety.'*
- 7.39 The proposal for the provision of 5 car parking spaces will limit the number of vehicles accessing and leaving the site, in particular it is considered that the use by vehicles at the site will be less intense than the current use as a bathroom showroom and retail unit, which has deliveries by large lorries, and staff and customers (including trade) accessing the site throughout the day. As such it is not considered that the proposal will result in a greater impact

compared to the existing use and therefore will not result in a significant impact in terms of traffic generation.

- 7.40 Therefore given the above and the fact that the majority of the units are 1 bedroom and the site is located in a highly accessible location, close to local facilities, the proposed parking provision is acceptable. This meets the policy requirements and it should also be noted that future occupants will be aware of the parking provision and whether they have an allocated parking space or not when they choose to live here. The CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision. As such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

Flooding

- 7.41 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by not requiring all development proposal within Zones 2, 3a and 3b and development outside the area (Zone 1) on sites of 0.5ha or of 10 dwellings or 1000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA).
- 7.42 The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded on flooding grounds. The applicant has submitted a Flood Risk Assessment & Surface Water Drainage Strategy, as is required by Policy LO1 of the CS & P DPD.
- 7.43 In terms of flood risk, given the development site is located outside of the high flood risk area and as displayed in the FRA there is no risk to the future occupants of the site from flooding.
- 7.44 The Lead Local Flood Authority at Surrey County Council has been consulted in regards to the SUDS and have made no objection subject to conditions.
- 7.45 The Environment Agency (EA) was consulted and have made no comment.

Renewable Energy

- 7.46 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sqm to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.47 The applicant has been indicated that their proposed renewable energy option to provide a total reduction of at least 10% would be solar panels. The Council's Sustainability Officer has been consulted and raises no objection subject to condition. Therefore the proposal is acceptable on these grounds.

Dwelling mix

7.48 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.

7.49 The proposal complies with the requirements of Policy HO4 with all 14 of the units being one and two bedroomed.

Impact on Trees/Landscaping

7.50 The applicant has submitted a Tree Survey as there is a tree located adjacent to the site within the grounds of Clarendon School. The report notes that the tree is unlikely to be impacted by the proposal and is not considered to affect the living conditions of the new units in particular in terms of overshadowing or loss of light impact. The Council's Tree Officer has raised no objection to this noting the tree has little merit. In addition the landscape plan shows tree planting, paths and hedgerows to the frontages of the site, including the amenity area with pedestrian access along Knapp Road. This will provide a pleasant visual amenity to future occupants and to the locality and complement the proposed and existing buildings.

7.51 Amenity spaces will also be landscaped with grass and trees. In addition landscaping will be used around car park areas to help break up hardstanding and add visual interest which will help to enhance the proposed development and is considered to be acceptable.

Contaminated Land

7.52 The applicant has submitted an Environmental Statement, which is particularly important as the proposal introduces new residential development onto the site and reflects our standard precautionary approach to contamination risk. The Council's Pollution Control Officer has raised no objection but has requested conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures. Subject to these conditions, the proposal is considered acceptable in accordance with Policy EN15.

Air quality

7.53 The applicant has submitted an Air Quality Assessment (AQA), as is required by Policy EN3 of the CS & P DPD. The AQA assesses the impact of both construction and operational impacts of the proposed development and recommends mitigation measures.

7.54 The Council's Pollution Control section was consulted on the application and has raised no objection, but has recommended conditions.

Refuse Storage and Collection

7.55 The layout of the site has been designed to ensure that refuse vehicles can easily carry out their collection at the front of the site. Refuse storage areas

have been located to the front of the site and is also easily accessible by future residents.

- 7.56 The Council's Group Head of Neighbourhood Services has raised no objection to the arrangement. Furthermore, the County Highway Authority has raised no objection on this particular issue. Accordingly, the proposed refuse storage and collection facilities are acceptable.

Financial Considerations

- 7.57 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. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development, but the existing floor space is currently in use and can be deducted. As such it will generate a CIL payment based on £140 per square metre of approx. £69,000 in total. This money goes toward local infrastructure and as such 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.

Conclusion

- 7.58 The proposal will secure the redevelopment of a previously developed site, reuse and retain a locally listed building of value which should be afforded significant weight, make effective use of urban land in a sustainable location, and meet a need for housing. As noted previously the "tilted balance" approach as set out in paragraph 11 of the NPPF (2018) requires that planning permission should be granted unless "any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole" There is a presumption in favour of sustainable development, and the benefits of the scheme in this sustainable location clearly outweighs any harm, as such the NPPF requires permission to be granted.
- 7.59 Therefore, the proposal to provide 14 units by building a 2 storey block of 8 units and also utilising the existing locally listed building on the site is considered to be acceptable and 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

P01, P02, P03, P04, P05, P06, P07, P08, P09P10, P11 rec on 11.10.2018 and amended plan no. 01A and 05A received on 21.01.2019

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

3. No development above damp-proof course level shall take place until details of the materials and detailing to be used for the external surfaces of the buildings and surface material for parking areas are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials.

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, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.

(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:-

- (a) 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. Following construction of any groundwork and foundations, no construction of the development above damp-proof course level shall take place until a report is 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.

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. Details of a scheme of both soft and hard landscaping works shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The approved scheme of tree and shrub planting and other associated works shall be carried out prior to first occupation of the buildings and/or site. The planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the

sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

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

8. Prior to the occupation of the buildings hereby permitted details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall be implemented prior to the occupation of the buildings and shall at all times accord with the approved details.

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

9. No part of the development shall be first occupied unless and until the proposed modified access to Knapp Road has been constructed in accordance with the approved plans.

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 2018 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009

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) no HGV movements to or from the site shall take place between the hours of 8.00 and 9.00 am and 3.00 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Knapp Road, Church Road, Village Way or Station Road during these times
 - (e) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2018 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009

11. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the

parking and turning areas shall be retained and maintained for their designated purposes.

Reason: - This 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 2018 and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

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

Reason: This condition is required in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2018, and to accord with policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

13. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40%) allowance for climate change storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a maximum discharge rate of 5 litres/sec (as per the SuDS pro-forma or otherwise as agreed by the LPA).
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- c) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

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

14. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

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

15. The development hereby approved shall not be first occupied unless and until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details and 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.

16. The refuse and recycling facilities hereby approved shall be provided prior to the occupation of the development hereby approved and retained thereafter.

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.

Informatives to be attached to the planning permission

1. If it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.

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 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 to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
4. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers' expense.
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).
- 7 Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
8. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.
9. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

10. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
11. 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.

- 12 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.

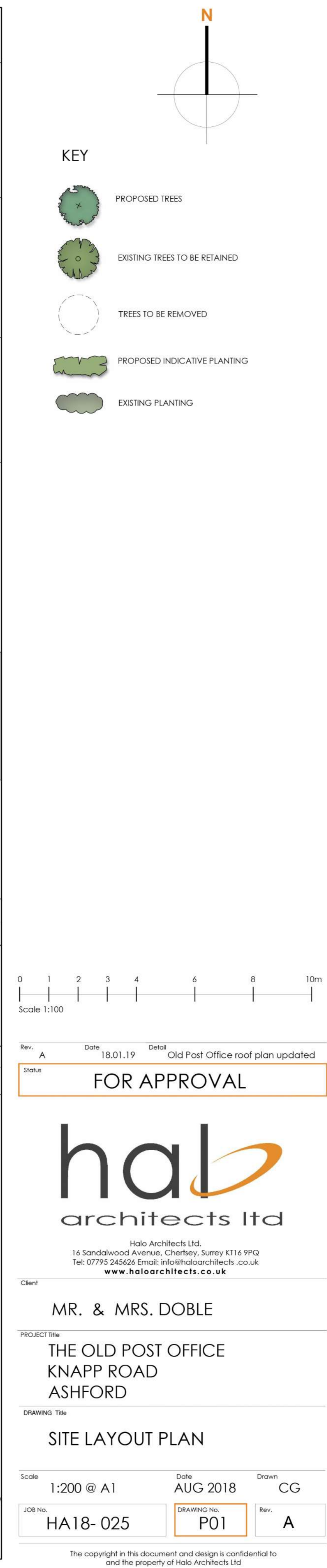
13. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:
 - (a) How those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities 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.
14. The applicant is advised that all gas fired boilers should meet a minimum standard of less than 40mgNOx/kWh. All gas-fired CHP plant should meet a minimum emissions standard of 50mgNOx/Nm3 for gas turbines - note other limited apply for spark or compression ignition engines. Where biomass is proposed within an urban area it is to meet minimum emissions standards of: Solid biomass boiler 275 mgNOx/Nm3 and 25 mgPM/Nm3
15. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent.
 If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

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:-

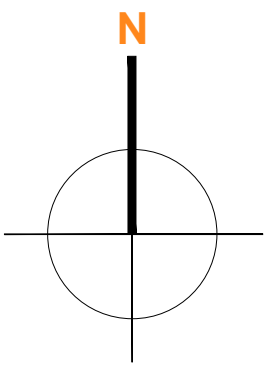
- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application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

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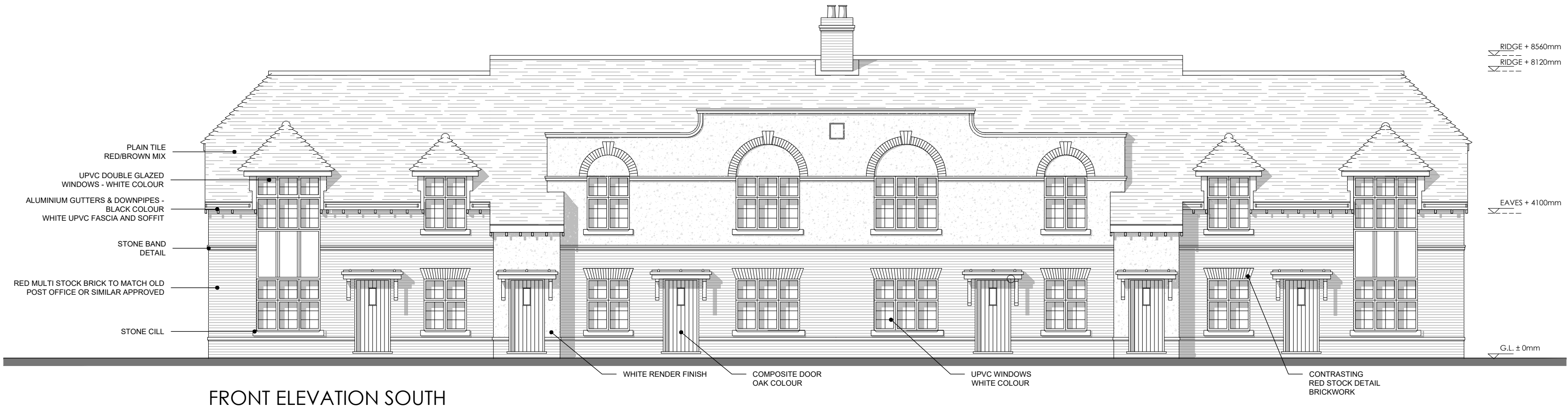


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This drawing is scaled for cross referenced to the scale bar for planning purposes only. Do not scale for any other purposes. Use figured dimensions only. Subject to site survey and all necessary consents. All dimensions to be checked by user and any discrepancies to be reported to Halo Architects Ltd before work commences. This drawing is to be read with all other relevant materials.



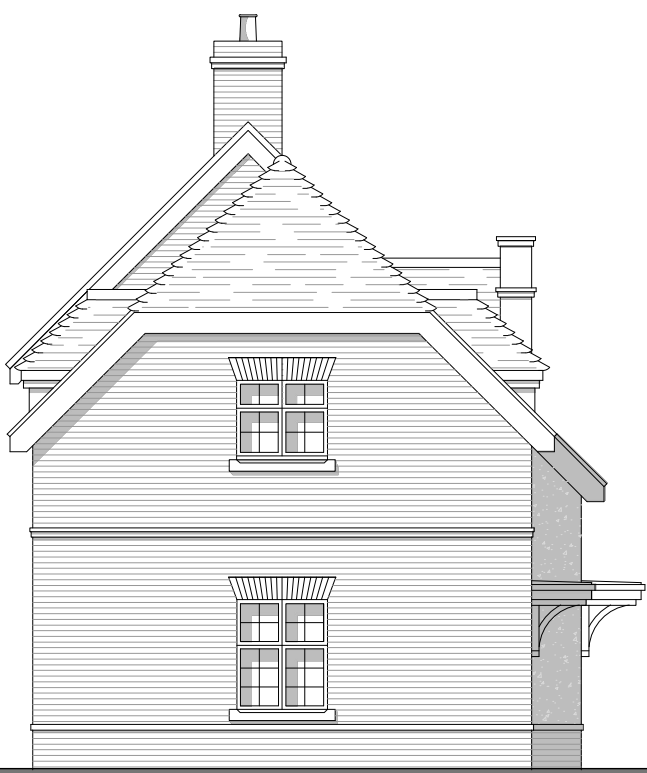
REFERENCE PLAN - NOT TO SCALE



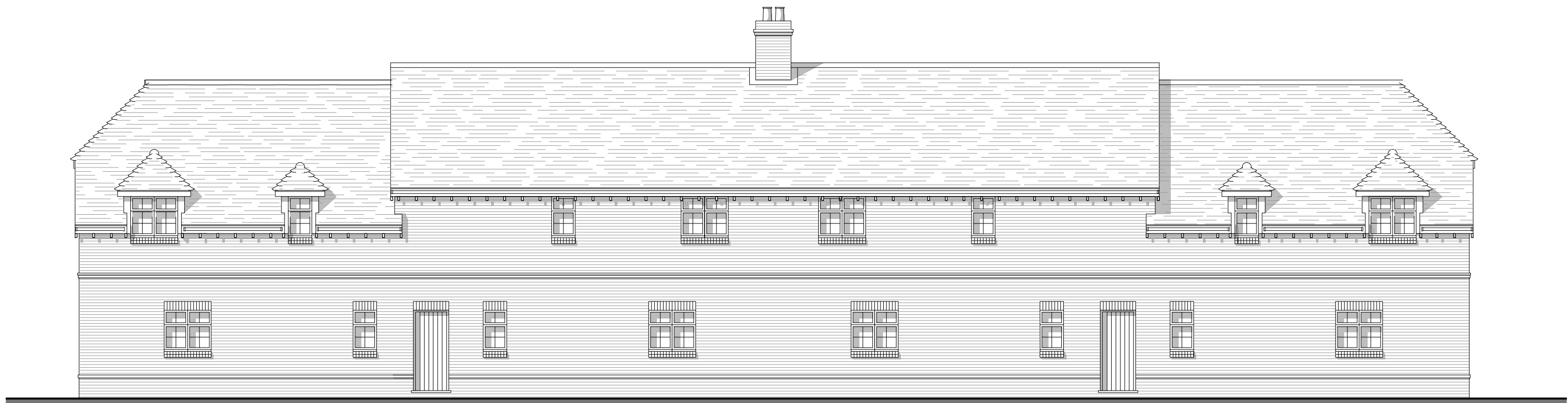
FRONT ELEVATION SOUTH



SIDE ELEVATION EAST



SIDE ELEVATION WEST

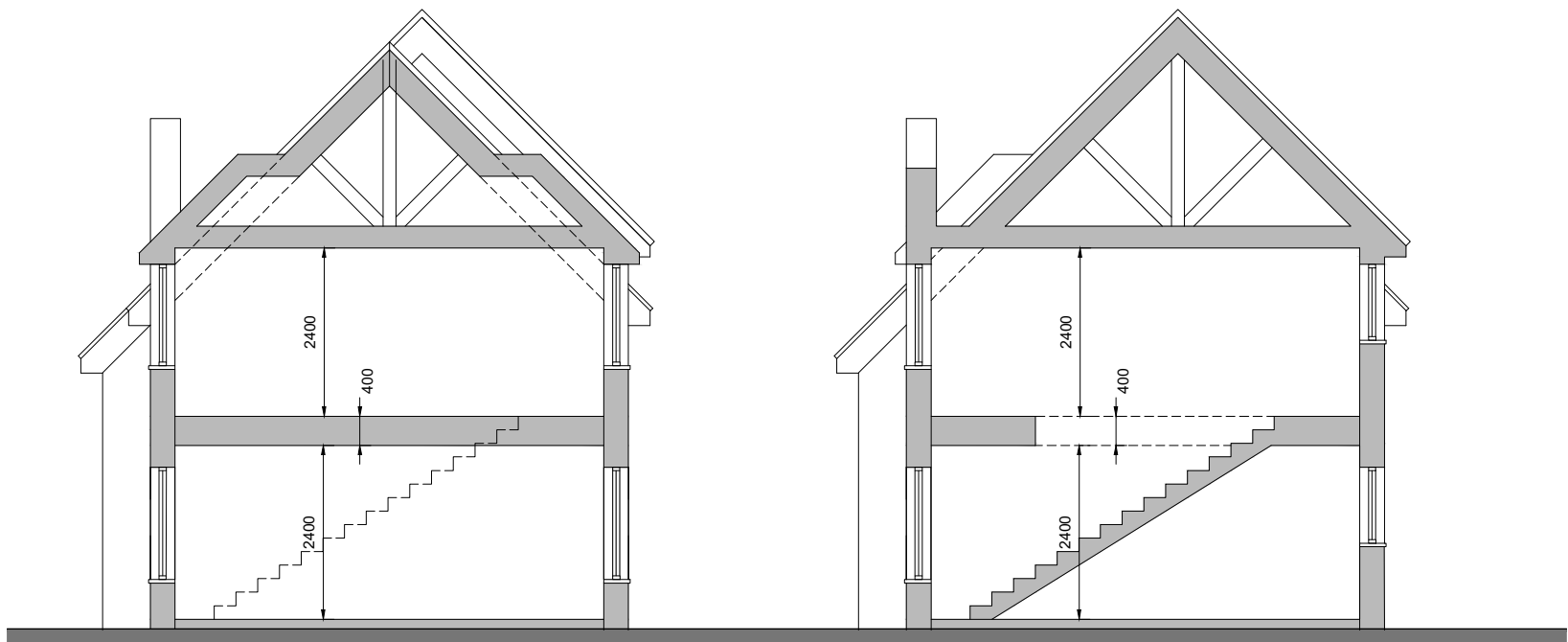


REAR ELEVATION NORTH

NOTE ALL WINDOWS TO REAR ELEVATION TO BE OBSCURE GLAZED



Rev.	Date	Detail
Status		
FOR APPROVAL		



SECTION A-A

SECTION B-B

ELEVATIONS / SECTION A-A / B-B
AS PROPOSED

Halo Architects Ltd,
16 Sandalwood Avenue, Chertsey, Surrey KT16 9PQ
Tel: 07795 245626 Email: info@haloarchitects.co.uk
www.haloarchitects.co.uk

Client

MR. & MRS. DOBLE

PROJECT Title

THE OLD POST OFFICE
KNAPP ROAD
ASHFORD

DRAWING Title

NEW BUILD APARTMENT BLOCK
ELEVATIONS AS PROPOSED

Scale	Date	Drawn
1:100@A1	AUG 2018	CG

JOB No.	DRAWING No.	Rev.
HA18-025	P08	-

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