

Public Agenda



Please reply to:

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Date: 31 January 2017

Notice of meeting

Planning Committee

Date: Wednesday, 8 February 2017

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)	R. Chandler	N.J. Gething
H.A. Thomson (Vice-Chairman)	S.M. Doran	A.C. Harman
R.O. Barratt	P.C. Forbes-Forsyth	A.T. Jones
I.J. Beardsmore	M.P.C. Francis	D. Patel
J.R. Boughtflower	C.M. Frazer	R.W. Sider BEM

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Call Over Meeting

Guidance Note

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

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

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

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

Planning Committee meeting

Start times of agenda items

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

Background Papers

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

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

AGENDA

Page nos.

- 1. Apologies**
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 8**
To confirm the minutes of the meeting held on 14 December 2016.
- 3. Disclosures of Interest**
To receive any disclosures of interest from councillors under the Councillors' Code of Conduct, or contact with applicants/objectors under the Planning Code.
- 4. Planning Applications and other Development Control matters**
To consider and determine the planning applications and other development control matters detailed in the reports listed below.

 - a) 16/00972/FUL - Former Brooklands College, Church Road, Ashford, TW15 2XD **9 - 80**
 - b) 16/02045/FUL - Churchill Hall. Churchill Way, Sunbury-on-Thames, TW16 7RY **81 - 98**
 - c) 16/01900/FUL - 381-385 Staines Road West, Ashford, TW15 1RH **99 - 128**
 - d) 16/01934/HOU - Ambleside, Penton Hall Drive, Staines-Upon-Thames, TW18 2HP **129 - 144**
 - e) 16/00305/UNDEV - 2 Wolsey Road, Ashford, TW15 2RB **145 - 152**
- 5. Standard Appeals Report** **153 - 174**
To note details of the Planning appeals submitted and decisions received between 4 November 2016 and 26 January 2017.
- 6. Urgent Items**
To consider any items which the Chairman considers as urgent.

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**Minutes of the Planning Committee
14 December 2016**

Present:

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

Councillors:

I.J. Beardsmore N.J. Gething
R. Chandler A.C. Harman

Apologies: Apologies were received from Councillor R.O. Barratt, Councillor J.R. Boughtflower, Councillor S.M. Doran, Councillor M.P.C. Francis, Councillor C.M. Frazer and Councillor R.W. Sider BEM

In Attendance:

Councillor I.T. Harvey

267/16 Minutes

The minutes of the meeting held on 16 November 2016 were approved as a correct record.

268/16 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

There were none.

269/16 16/00819/FUL - Bridge House, Bridge Street, Staines-upon-Thames, TW18 4TW

Description:

The creation of 9 residential flats through the conversion of the existing office building into residential and the erection of an additional storey. 14 car parking spaces are provided in the undercroft area and to the rear in an open external parking area. 9 bicycle spaces are also to be provided.

Additional Information:

The Assistant Head of Planning (Development Management) advised the Committee that the Council's Pollution Control Officer had raised no objection on air quality grounds and recommended that an informative should be imposed relating to contaminated land.

It was also recommended that an additional condition be imposed that no development should take place until a plan has been submitted and agreed by the Local Planning Authority showing the rear facing balconies on all elevations as approved.

Public Speaking:

There was none.

Debate:

During the debate the following key issues were raised:

- Loss of offices in Staines Town Centre
- Limited amenity space
- Query over adequacy of parking

Decision:

The application was **approved** as per the agenda, subject to the following additions:

Condition: Notwithstanding condition no. 7 above, no development shall take place until a plan has been submitted and agreed by the Local Planning Authority showing the rear facing balconies on all elevations as approved. The development shall be carried out in accordance with the agreed details.

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

Informative: The applicant is advised that the site to which this planning permission relates is located on or near land that may contain harmful substances. Under Part C of the Building Regulations the applicant will be required to consider this when designing the foundations of the development.

The applicant is advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.

270/16 16/01683/FUL - Venture House, 42 – 54 London Road, Staines-upon-Thames, TW18 4HF

Description:

The removal of the existing surface level car park at the rear of the site and the erection of a two-storey building to provide 6 flats (4 no. 1-bed and 2 no. 2-bed) together with associated car and cycle parking, bin storage and landscaping

Additional Information:

The Assistant Head of Planning (Development Management) informed the Committee of the following:

The Planning Committee report should be updated as follows:

1. The application for a Non-Material Amendment to the 2016 Prior Approval - 16/00978/PDO (referred to in paragraphs 7.1 and 7.12) has now been granted.
2. The first sentence of paragraph 7.3 needs correcting to: "Whilst the main part of the site ~~is still~~ *was up until recently* occupied as offices, "

Public Speaking:

There was none.

Debate:

During the debate the following key issues were raised:

- Is in character with the town centre location
- Concerns over adequacy of parking
- Concerns over street scene
- Building in this location is better than building outside the town centre

Decision:

The application was **approved** as per the agenda.

271/16 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 Assistant Head of Planning and Housing Strategy.

Resolved that the report of the Assistant Head of Planning and Housing Strategy be received and noted.

272/16 Urgent Items

There were none.

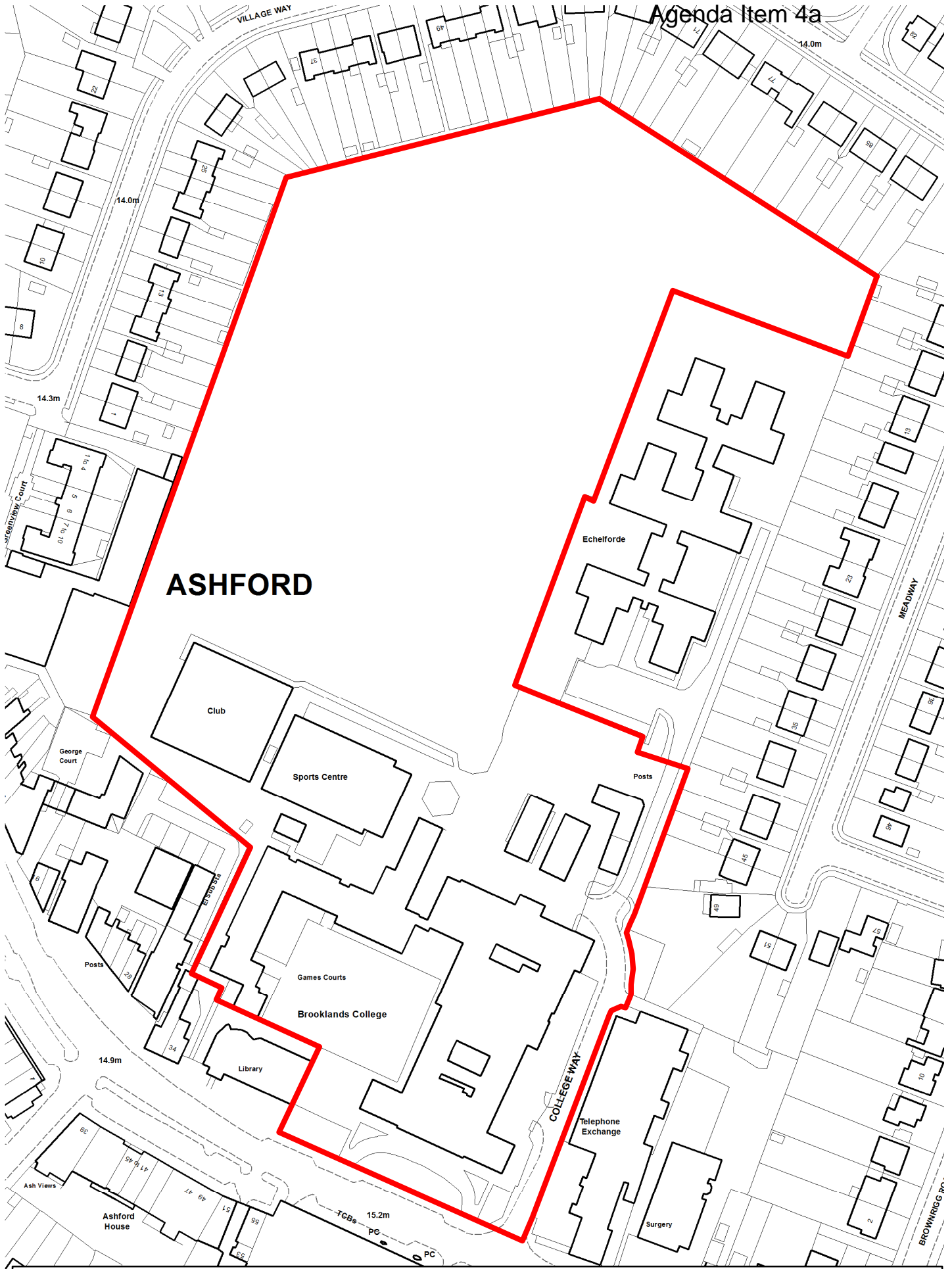
273/16 Thanks from the Chairman

The Chairman thanked all the Council's officers for the comprehensive reports and presentations they gave over the past year, including Paul Tomson, Peter Brooks, Matthew Clapham, Janet Ferguson and Siri Thafvelin; he also thanked Esme Spinks, who so ably stepped up to replace John Brooks.

The Chairman expressed his thanks to the committee members; he had heard from the Chief Executive, Lee O'Neil and visitors from other councils how impressed they were with the standard of debate.

Finally, the Chairman also thanked his vice chairmen, Councillor Chris Frazer and Councillor Howard Thomson who so ably led the debates; as well as Committee Services and Legal.

The Chairman handed a small gift to Esme Spinks, the Assistant Head of Planning (Development Management) in recognition of the officers' work.



ASHFORD

16/00972/FUL
Former Brooklands College, Church Road
Ashford, TW15 2XD



1:1,500

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Planning Committee

8 February 2017



Application Nos.	16/00972/FUL		
Site Address	Former Brooklands Collage, Church Road Ashford		
Proposal	Planning application for the redevelopment of the site comprising the demolition of the existing buildings and the construction of new buildings between one and six storeys to accommodate 366 dwellings (use class C3), 619 sqm (GIA) of flexible commercial floorspace (use classes A1, A2, A3, A4, A5, B1(a)) and 442 sqm (GIA) of education floorspace (use class D1), provision of public open space and associated car parking, cycle parking, access and related infrastructure and associated works.		
Applicant	Brooklands Helix Developments Ltd		
Ward	Ashford Town		
Call in details	N/A		
Case Officer	Paul Tomson/Kelly Walker		
Application Dates	Valid: 17/06/2016	Expiry: 16/09/2016	Target: Extension of time agreed
Executive Summary	<p>This planning application seeks the demolition of the existing buildings on site comprising the original college buildings, sports halls and temporary buildings and the redevelopment of the site for 366 dwellings, ground floor commercial units and education space fronting Church Road, the creation of public open space to the rear of the site and other associated works.</p> <p>The scheme is considered to be an acceptable form of development which will provide an active frontage within this town centre location, and residential units in a sustainable location. It is considered to provide an attractive form of development which is in character with the surrounding area and is acceptable on design grounds and will be an efficient use of land providing a good standard of housing and a large area of open space for public use. It is also considered to conform with policies on open space and recreation, highway issues, parking provision, affordable housing, flooding, renewable energy, ecology, open space, loss of trees, archaeology and air quality.</p>		
Recommended Decisions	<p>This planning application is recommended for approval, subject to the completion of a S106 agreement.</p> <p>In the event that the S106 agreement is not completed to the satisfaction</p>		

	of the Local Planning Authority, and in the event that the applicant does not agree a further extension of time for determination, the recommendation is to refuse planning permission.
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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)
- TC3 (Ashford Town Centre)
- CO1 (Providing Community Facilities)
- CO2 (Provision of Infrastructure for New Development)
- CO3 (Provision of Open Space for New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN5 (Buildings of Architectural and Historic Interest)
- EN4 (Provision of Open Space and Sport and Recreation Facilities)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (Development and Noise)
- EN13 (Light Pollution)
- 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 Policy is relevant to this proposal:

➤ BE26 (Archaeology)

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

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

2. Relevant Planning History

08/00334/FUL	Demolition of existing store building and erection of temporary college buildings and associated parking, infrastructure and ancillary works for a period of 28 months.	Approved 24.07.2008
08/00335/OUT	Demolition of existing buildings and erection of a part 3 storey and part 4 storey building comprising up to 34 flats. Provision of associated car parking, replacement access onto College Way, related highway works, infrastructure and ancillary works.	Lapsed Legal Agree- ment not signed
08/00336/FUL	Demolition of existing buildings and erection of a new college building with four floors, hard and soft landscaping proposals, replacement parking, related highway works, associated infrastructure and ancillary works.	Approved 26.08.2008
08/00937/FUL	Erection of a new construction training building for the college and a new car park for the existing gymnasium and associated internal access road. The reconfiguration of the existing car park and amenity space for the new college, including the erection of a single outbuilding comprising plant room and refuse and recycling compound (as a variation to approved application 08/00336/FUL). Hard and soft landscaping proposals and associated infrastructure and ancillary works.	Approved 04.03.2009
10/00828/FUL	Erection of new railings on dwarf brickwork wall and gates to Church Road frontage.	Approved 14.12.2010
11/00617/FUL	Retention of existing temporary college buildings and associated parking, infrastructure and ancillary works (approved under planning permission 08/00334) until September 2014.	Approved 16.11.2011

- | | | |
|--------------|---|------------------------|
| 13/01804/FUL | Recladding and refurbishment of existing sports hall including removal of glazed lobby to the front and removal of garage between sports hall and gymnasium. | Approved
14.02.2014 |
| 15/00009/FUL | Retention of existing temporary college buildings and associated parking, infrastructure and ancillary works (approved under planning permission 11/00617/FUL) until 31 January 2017. | Approved
10.03.2015 |

Also relevant is the planning permission at Thomas Knyvett College, Stanwell Road, Ashford

- | | | |
|--------------|--|------------------------|
| 15/00140/FUL | Provision of educational facilities for Brooklands College and joint use sports facilities for Brooklands College and Thomas Knyvett College including the erection of a 2 storey building and relocation and upgrading of existing MUGA together with associated access, parking and landscaping works. | Approved
08.05.2015 |
|--------------|--|------------------------|

In addition the planning permission at Bishop Wand School, Laytons Lane, Sunbury is also relevant

- | | | |
|--------------|--|------------------------|
| 14/02159/FUL | Erection of gymnasium building with associated lighting provision, landscaping, access road and the provision of 62 car parking spaces, 20 bicycle spaces and refuse storage facilities. | Approved
06.03.2015 |
|--------------|--|------------------------|

3. Description of Current Proposal

- 3.1 This planning application seeks permission for the demolition of existing college buildings and gymnasium and redevelopment of the site to provide buildings ranging from 1 to 6 storeys in height comprising 366 dwellings (use class C3), 619 sq. m gross internal floor space (GIA) of flexible commercial floor space (use classes A1, A2, A3, A4, A5, B1(a)) and 442 sq. m (GIA) of education floor space (use class D1), provision of public open space and associated car parking, cycle parking, access and related infrastructure and associated works.
- 3.2 The site comprises an area of 4.04ha and is located to the north east of Church Road, Ashford. The site comprises school buildings (Brooklands) to the front with an open area to the rear.
- 3.3 The current site consists of the original 2 storey college buildings built in 1911/1920 with subsequent additional part 3 storey college buildings, with a car park to the front and various other additions including 2 gymnasiums to the rear and large playing fields to the north. Some temporary buildings consisting of 2 storey porta-cabins and a warehouse style building for bricklaying have already been removed from the site.

- 3.4 The site is located within the urban area. The open space located towards the rear of the site is designated Protected Urban Open Space.

Surrounding area

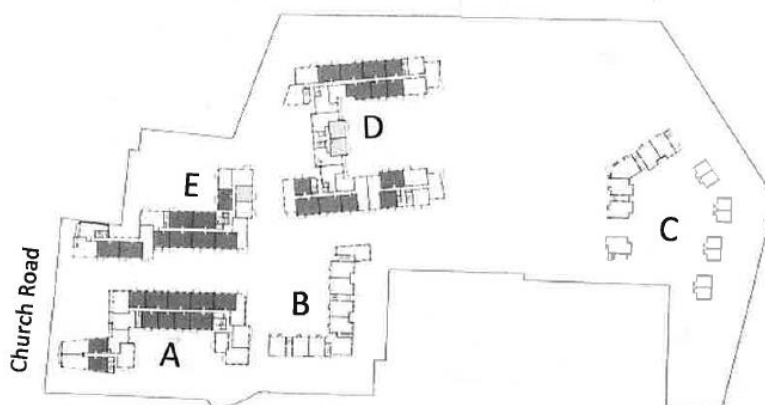
- 3.5 Immediately to the west of the site along Church Road is the Ashford Library, which is a 2 storey building with hardstanding to the front. The application site runs behind this and other further commercial uses along Church Road, including the small commercial development including Tesco and Subway, accessed further along Church Road to the north west. There are residential uses to the rear of these commercial units on Church Road which adjoin the site. These properties vary in height, they are generally 3 stories high, although there are 4 storey buildings also. The northern part of the site is surrounded by existing residential properties, mainly family housing located along Village Way and Meadway. These dwellings are of a distinct design with traditional materials and design, which are mainly 2 storey with tiled pitched roofs. Adjoining the site to the east is College Way which is the main access to the rear of the college site and also to Echelford Care Home which borders the site. This is a single storey care home for the elderly. To the south east, across College Way is the 2 storey building with a large mansard roof, occupied by British Telecom and a more traditional element on the corner of College Way and Church Road. Adjacent to this is the 2 storey Studholme Medical Centre which is traditional in design and materials with a pitched roof.
- 3.6 Directly opposite the site, on the other side of Church Road is the Ashford multi-storey car park and other buildings with a similar design. Most of these are 3 storey with a commercial function on the ground floor and has a greater floor to ceiling height on upper floors. Adjacent to the car park is a detached building traditional in design and materials with pitched roof occupied by a dentist.
- 3.7 The site lies within the Ashford Town Centre and is characterised by a mixture of residential and commercial properties. The common height of buildings fronting Church Road is 3 storey however, although many are of a commercial scale and higher than 3 storey residential. There are many 4 storey buildings including the block of flats at Perrin Court on the corner with Parkland Grove. There is also Insignia Court located on the corner with Percy Avenue, which has 5 floors of accommodation. This displays a variety of heights of buildings and uses in the locality.
- 3.8 There are many trees within the site, mostly close to the boundaries and none of them are subject to a Tree Preservation Order.

Proposal

- 3.9 The proposal is for the demolition of all existing buildings on site, including the building of the former Brooklands College, constructed in 1911/1920. In 2015 (ref 15/00140/FUL) permission was granted for the relocation of the college to Thomas Knyvett College in Stanwell Road. Spelthorne Gym and the hairdressing college are currently still on site. However, Spelthorne Gymnastics will be re-locating to the Bishop Wand School in Sunbury later this year, with their new gym currently under construction (14/02159/FUL).

New accommodation for the hairdressing college forms part of this proposed development.

- 3.10 The layout of the proposed development comprises five main plots A - E. Plot A comprises retail floor space, flats and public car parking; B and D contain flats; C contains a mixture of houses and flats, whilst E has educational facilities and flats. An indicative plan is shown below.



- 3.11 Along the Church Road frontage, the proposal includes a large commercial unit, suitable for a retail use, along with a unit for educational purposes for the hairdressing college, with the remaining development for residential use. The development consists of 5 distinct blocks (A -E). Plots A and E front Church Road and are mainly 4 and 5 stories in height with a pitched roof element at the front of each block with a gable feature facing Church Road. These blocks extend back into the site with an access road located between them. Plot A includes an open area set back from the street frontage, forming a 'Town Square' in front of the commercial unit.
- 3.12 Plot B is set behind A and is 2 and 3 stories in height. It is located within a corner of the site, adjoining the Echelford care home and is L shaped. It has a 'Pocket Park' feature to the front which will be visible from Church Road along the main access into the site. Plot D is located within the site and is the tallest block. It is mainly 4 and 5 stories with an element of 6 stories within the central linking section of the building which joins the 2 larger blocks running parallel to one another. Directly to the rear of this building will be a large amenity area for the occupants of this plot.
- 3.13 To the rear of the site, on the northern side is Plot C which consists of houses and flats of 2 and 3 stories in height. These properties share their rear boundaries with existing dwellings on Village Way and Meadway. Between this plot and the rear of plot D is an area of open space which will consist of a large grass area with paths and also a children's play area. This area will be accessible by the public.
- 3.14 Parking is provided at ground level around the buildings and along the road to the rear of the site and in addition, much of it is provided below ground level as basement parking at Plots A, D and E. The proposal also includes areas of landscaping, refuse and cycling parking facilities,

Use

3.12 A summary of the different uses and their size/floorspace is set out below:

Residential

3.13 A total of 366 units, including 8 houses, are to be provided comprising, 115 no. 1-bedroom, 236 no. 2-bedroom, 7 no. 3-bedroom units and 8 no. 4-bedroom units. The flats will be situated on all floors except the ground floor of the buildings fronting Church Road. The proposed mix and tenure is as follows:

	PRIVATE	AFFORDABLE		TOTAL
		Rented	Shared	
One bed flat	109	6	0	115
Two bed flat	200	28	8	236
Three bed flat	5	0	2	7
Four bed house	0	0	8	8
	314	34	18	366

Commercial/educational space

3.14 The scheme includes a commercial element at ground floor with a Gross Internal Area (GIA) of 619 sqm. This unit will front Church Road and a range of possible Use Classes are at this stage proposed (Use Class A1/A2/A3/A4/A5/B1 (a)). Also proposed is 442 sqm of educational floor space, consisting of the relocation of the existing hairdressing college currently operating within the existing college site which will be open to the public.

Private/public amenity space

3.15 Private amenity spaces will be provided in the form of balconies, private gardens for the houses and some ground floor apartments and communal areas for residents. There will be a large communal garden at the rear and side of flats at Plot D and also to the north of plot E. The total amount of private amenity space for residents is some 6,386 sqm.

3.15 There are also some areas of land which will be open to the public including the Pocket Park and Town Square. Public amenity space will be provided in the form of a large public park, consisting of an open grass area and children play area. The proposal will provide public space of some 19,473 sqm in total.

3.16 Most existing trees on site will be retained with only 6 to be removed. The landscape plan includes substantial tree planting to help enhance the proposed development and its visual appearance.

Parking

3.17 A total of 412 parking spaces will be provided for residential properties, including 38 visitor parking spaces. These will be provided around the buildings and also in the form of under croft parking. There will also be a 25 space public car park next to Plot A at the front of the site, and in addition, 9 spaces for retail staff and 4 spaces for the Brooklands College Hairdressing Academy. There will also be 7 motorcycle parking spaces and 358 secure bicycle spaces provided across the site is several locations.

3.18 Site layout and elevation plans are provided as an Appendix.

4 **Consultations**

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

Consultee	Comment
County Highway Authority	No objection subject to conditions
Community Safety and Economic Development Manager (Keith McGroary)	No objection
Environment Agency	No comments
Head of Street Scene (refuse)	No objection
Crime Prevention Officer	No objection
Valuation Advisor	No objection
Sustainability Officer	No objection to revised scheme.
Local Lead Flood Authority (Surrey County Council)	No objection, recommend conditions
County Archaeologist	No objection, recommend condition
Surrey County Council (Planning)	Responded requesting the amount of money which would have required if the proposal was subject to S106 payments in terms of education contributions. However SCC are aware that this is now covered by CIL contributions.
BAA	No objection, recommends informative regarding landscaping and cranes
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.
Spelthorne Borough Council Conservation Officer	No objection.

Natural England	No objection, subject to a condition requiring the recommendations in submitted report to be carried out in full.
Surrey Wildlife Trust	No objections, comments regarding lighting and biodiversity enhancement will be covered by the imposition of conditions.
Wildlife and Commons officer	No objection
Historic England	Do not consider necessary for them to be consulted on this application.
Tree Officer	No objection
Thames Water	No objection with regard to sewage infrastructure, recommends informative
Sports England	Objects to the loss of the playing field
Surrey Sportsfields Association	Await comments, will update verbally
National Grid	Await comments, will update verbally
Environmental Health (Contaminated land)	No objection recommends conditions
Environmental Health (Air Quality)	No objection recommends conditions
Environmental Health (construction/dust)	No objection recommends conditions
Environmental Health (noise)	No objection recommends conditions
Victorian society	Await comments
Leisure Services	Comments that there are a surplus of existing playing pitches in the Borough and that the proposed public open space and children's playground will be a benefit to the area.

5. **Public Consultation**

- 5.1 229 neighbouring properties were notified of the planning application. Furthermore, statutory site notices were displayed and the application was advertised in the local press. 70 letters have been received regarding the proposal, as well as representatives from Studholme Medical Centre and one on behalf of Care UK Community Partnerships (the adjacent care home). A petition with 771 names and addresses was also received. In accordance with normal procedures, copies of the letters of objection have been uploaded onto the Council's website and will be placed into the Member's room prior to the committee meeting.

5.2 Reasons for objecting include:-

- overpopulation of area
- impact on local services and infrastructure including schools, doctors
- overlooking and loss of privacy
- lack of parking provision
- Increase in traffic
- loss of iconic building
- loss of school/education facility
- noise and pollution during demolition and construction
- overdevelopment of site
- out of character with surrounding area – height and materials.
- ugly design.
- loss of green spaces
- concerns about more development in future
- impact on light of nearby properties
- increase in crime and anti-social behaviour
- loss of Ashford's 'village' feel
- no more supermarkets are needed
- loss of site for community events (Ashford on the map)

5.3 In addition, it should be noted that the applicants carried out two separate public exhibitions prior to the submission of the proposal in November 2015 and February 2016.

6. Planning Issues

- Principle of the development
- Loss of education/leisure facilities
- Housing density
- Loss of open space and recreation
- Loss of existing playing pitch
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Affordable housing
- Flooding
- Renewable energy
- Ecology
- Open space
- Dwelling mix
- Loss of trees
- Archaeology
- Air quality

7. Planning Considerations

Principle of the development

7.1 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.”

7.2 The National Planning Policy Framework (NPPF) set out the Government’s policy in respect of town centres and housing developments. At paragraph 47 the NPPF emphasises the government’s overall housing objective to, *“boost significantly the supply of housing,”* whilst at para 45 it states that, *‘housing applications should be considered in the context of the presumption in favour of sustainable development.’*

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

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

7.4 The site is located within Ashford Town Centre within an accessible location close to facilities and public transport links. It is not located within a high flood risk area or the Green Belt. Most of the existing education use of the site is no longer required and Spelthorne Gymnastic Club are relocating. To the north and west of the site are residential properties bordering the site and as such the proposed use of the site as mainly residential with commercial and education functions, within the ground floor of the buildings fronting Church Road, is considered to be an acceptable use of the site in principle, provided other policies requirements are met as discussed further below.

7.5 Policy CO1 of the Core Strategy and Policies DPD 2009 (CS & P DPD) seeks to ensure community facilities are provided to meet local needs, as well as resisting the loss of existing facilities except where they are no longer needed or are provided in an alternative location.

7.6 In terms of community facilities, the site was previously in educational use. Permission has previously been granted at Thomas Knyvett College, Stanwell Road (ref 15/00140/FUL) for the provision of educational facilities for Brooklands College and joint use sports facilities for Brooklands College and Thomas Knyvett College including the erection of a 2 storey building and relocation and upgrading of existing MUGA together with associated access, parking and landscaping works. As such, most of the college function at the Brooklands site has been relocated to a nearby site and is already operating. The only element of education that will remain on the site is the hairdressing college which has been provided for within the proposed scheme. Consequently there is no conflict with Policy CO1 relating to community facilities as the education and facility is being re-provided in an alternative location within the Borough.

- 7.7 In addition it should be noted that the existing gymnasium use on the site is being relocated to the Bishop Wand School site, Sunbury (ref 14/02159/FUL) and construction for this is already underway. It is understood that the Spelthorne Gymnastic Club who currently use the gym at the application site will be relocating to the new gymnasium at Bishop Wand in May 2017.
- 7.8 Considerable attention has been given to the layout and design with extensive evolution of this through pre-application discussion and pre-application public consultations to optimise the key design elements. The aim has been to achieve residential development with commercial and education featuring on the Church Road frontage to contribute to the vitality and viability of Ashford Town Centre, with a large open area to the rear to be used by members of the public.
- 7.9 Permission has previously been given for the demolition of the college buildings and for the erection of a new college building (Ref 08/00336/FUL). This was never implemented however the principle of the demolition of the existing college building on the site has already been agreed in principle with this permission. Although the original college building does have a distinct character and is of some age, given it was built in 1911/1920, it is not a listed building or a locally listed building, or within a Conservation Area and as such it has not statutory protection and the application cannot be objected to due to its loss.
- 7.10 The principle of housing development within the urban area such as this site is acceptable provided all other policy requirements are met satisfactorily. These are considered below.

Housing density

- 7.11 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.”*
- 7.12 Policy HO5(c) states that within Ashford, Shepperton and Sunbury Cross centres development should generally be in the range of 40 to 75 dwellings per hectare. The supporting text to Policy HO5 states that the centres of Ashford, Shepperton and Sunbury Cross for the purposes of the policy is defined by the fullest extent of the designated Shopping and Employment Areas as shown on the proposals map.
- 7.13 The principle of a high density development is consistent with the Government’s core planning principles are set out in paragraph 17 of the National Planning Policy Framework 2012 (NPPF). There are 12 core planning principles, which the NPPF states should underpin both plan making and decision-making. One of these principles (8th bullet point) is:

“Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”

- 7.14 The scheme involves a high density development which partly has existing buildings on and will maintain a large area of open space to the rear of the site. The proposal is for 366 units and is on a site of some 4.04 ha, equating to 90 dwelling per hectare (dph).
- 7.15 The application site is located just outside the Ashford designated Shopping and Employment Areas which abut the south and west of the site. Its use as a college was functionally an integral part of the town centre and the proposed development, particularly the commercial, educational, flatted development and the Town Square situated towards the southern end of the site is designed to be a part of it. Indeed, the existing college buildings and the proposed development both front onto the main shopping street (Church Road) and the new scheme will comprise a Town Square fronting Church Road. Church Road contains various commercial development along it typical of a town centre location. The site is within walking distance of the railway station, which has a fast and frequent service, and has good bus connections. For this reason, it is considered that Policy HO5 (c) can be applied to this site.
- 7.16 As already mentioned, the proposal involves the creation of 366 residential properties (4.04 hectares) and the proposed housing density is 90 dwellings per hectare (dph). Whilst the proposed density is slightly above this 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 some 95% of the units are either 1 bed or 2 bed 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 location. The proposal is considered to comply with the Policy EN1 which is explained in the following paragraphs.

Loss of Open Space

- 7.17 The relevant development plan policies for the loss of protected urban open space are contained in policies SP6, EN4 and CO1 of the CS&P DPD.
- 7.18 Policies SP6 and EN4 seek, amongst other matters, to maintain and improve existing provision and to maintain open space in the urban area. The site is Protected Urban Open Space (Site C3) The Policy SP6 states that:

“The Council will seek to ensure there is sufficient open space which is well sited and suitable to meet a wide range of outdoor sport, recreation and open space needs by:

- (a) providing additional space where required (see also Policy CO3)*
- (b) maintaining and improving provision and access to open space through the design and layout of new development, encouraging owners and users of private sites to make improvements and also improving provision on Council owned land,*
- (c) seeking to maintain, improve and where appropriate expand networks of green space and pedestrian and cycle routes with a recreational role,*
- (d) retaining existing open space in the urban area used, or capable of use, for sport an recreation or having amenity value where*
 - i. there is a need for the site for sport or recreation purposes, or*
 - ii. the site as a whole is clearly visible to the general public from other public areas and its openness either:*
 - makes a significant contribution to the quality and character of the urban area by virtue of its prominence, layout and position in relation to built development in the locality, or*
 - is of particular value to local people where there is a shortage of open space in the locality.*
 - iii. the site is of particular nature conservation value, of at least SNCI or equivalent quality.*

Exceptionally, development may be allowed on part of a site within the urban area which should otherwise be maintained for the above reasons where:

- (e) the remainder of the site is enhanced so its public value in visual and functional terms is equivalent to the original site or better, or*
- (f) essential ancillary facilities are proposed to support outdoor recreational use of the site, or*
- (g) the sport or recreational use is relocated to an alternative site of equivalent or greater value in terms of quantity, quality and accessibility to users of the original site, and other factors do not justify retention.”*

7.19 Policy CO1 seeks to resist the loss of community facilities and will ensure they are provided to meet local needs by:

- a) “supporting the provision of new facilities for which need is identified in locations accessible to the community served,*
- b) supporting improvements to existing facilities to enable them to adapt to changing needs,*
- c) resisting the loss of existing facilities except:*
 - (i) where it is demonstrated that the facility is no longer needed, or*

- (ii) *where it is established that the services provided by the facility can be provided in an alternative location or manner that is equally accessible to the community served.”*

7.20 The application site currently has an area of Protected Open space comprising 2.2 ha but to which the public have no access other than for specific events by arrangement e.g. Ashford on the Map. It is proposed to re-provide 1.94 ha of space of which 1.29 ha (open space at the rear, Town Square and Pocket Park) will be public and a further 0.66 ha will be private space for occupiers of the new housing. As such the proposed open space provision of 1.94 ha is a loss of only 12% of the original 2.2 ha open space. The open space provision is shown in the table below:-

Open space	Area in hectares (ha)
Existing Designated Open Space	2.2 ha
Proposed public open space (including the Pocket Park)	1.18 ha
Proposed Town Square	0.11 ha
Proposed private residential amenity space	0.66 ha
Total proposed open space	1.95 ha

7.21 The two planning issues to address are whether the site is needed for sport and recreation purposes; and secondly, if the site as a whole makes a significant contribution to the quality and character of the urban area by virtue of its prominence, layout and position in relation to built development in the locality (the issue of the loss of the playing pitch is addressed separately in the following section of the report). Most of the college use has been relocated to Thomas Knyvett College to the north west, with a new gym building. In addition to that site, Ashford Park on Clockhouse Lane is located to the east and both have playing fields. The site is visible from the rear of adjoining properties, but not from the public domain and is private land which is not, therefore publicly accessible. It should be noted that an Inspector in considering the appeal for residential development at the London Irish site in Sunbury, which was designated Urban Open Space, commented that as that site was essentially private land with no formal public access, other than a right of way to the leisure centre, it meant that it could not fulfil many of the functions normally expected of public open space areas.

7.22 In assessing the proposal against Policies EN4 and CO1, it must be recognised that the recreational use of the open space has not been fulfilled since the college has relocated to a different site. Under part (d) of Policy EN4 we have to consider its existing recreational use, visibility and any nature conservation value. The field is currently an unused managed green space and is not open to the public. It is not readily visible to the general public from

a public place, and access is behind the college buildings. As such it does not make a functional or visual contribution to open space need or the quality and character of the urban area, despite it being visible from the rear of neighbouring residential properties which border the site. Also it is relevant to note that much of the land at the rear of the site currently designated as urban open space will continue to be so, but will benefit from being accessible by the public and include a children play area. In addition further areas have been included in the scheme to be open space, including the Pocket Park and Town Square

- 7.23 The applicants have included an assessment of the open space at the site, with the designated open space providing approx. 2.2 ha of the site. However part of this designated open space has been occupied by temporary college buildings over recent years. The temporary buildings were approved in 2008 and erected soon after (08/00334/FUL). They also show that the proposed scheme will provide a large area of open space accessible by the public at the rear of the site along with a 'Pocket Park' area which is also open to the public of some 1.18 ha. In addition to this the scheme will provide private amenity space for the residents of some 0.66 ha and the Town Square area of some 0.11 ha. Therefore although there is a reduction in the amount of private open space on the site, the scheme benefits from providing a large area which will be accessible by the public. The large area of open space, open to the public at the rear, is described by the applicant to provide, '*... a multi-functional space that is accessible to the general public and suitable for formal events, such as 'Ashford on the Map.'*' It is therefore considered that the small reduction in the existing open space is acceptable.

Loss of existing playing pitch

- 7.24 The proposed development involves the loss of an existing playing pitch on the open space. This pitch was last used in 2015, and since the sale of the site to applicant it has been abandoned. As the proposal involves the loss of a playing pitch which was used within the last 5 years, it has been necessary to consult Sport England as a Statutory Consultee. Sport England have since responded by raising an objection as they consider that the proposal does not comply with their own Exceptions Policies and paragraph 74 of the National Planning Policy Framework (NPPF). A summary of Sport England's Exception Policies, and paragraph 74 of the NPPF are set out below:

Sport England Policy	
Summary of Exceptions	
E1	An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no special significance for sport
E2	The development is ancillary to the principal use of the playing field and does not affect the quantity/quality of pitches
E3	The development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of playing pitch
E4	Playing field lost would be replaced, equivalent or better in terms of quantity, quality and accessibility
E5	The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field

Paragraph 74 of the NPPF

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”*

7.25 Whilst the comments from Sport England are noted, it is considered that the loss of the existing playing pitch is acceptable in this particular case and complies with paragraph 74 of the NPPF. I have responded to each of the bullet points below:

- The Council carried out a Playing Pitch Strategy for Spelthorne 2013 – 2018 (PPS), which identified that there was a surplus of adult playing pitches in the Borough. There are playing fields available at the nearby Clockhouse Lane Recreation Ground, plus at Thomas Knyvett School/Brooklands College, and at St James’ School in Ashford. There is also a playing pitch at Long Lane Recreation Ground. Whilst the PPS states that there is a deficiency in mini/junior pitches, the Council’s Leisure Services section comment that the two Council owned adult pitches at Clockhouse Lane Recreation Ground and Long Lane Recreation Ground are not currently booked. As there is a surplus of adult pitches in the Borough, the Council could mark any of the pitches as mini, junior or 9 v 9 or full size according to demand locally, but at present they are not receiving enquiries for these pitches. They would still have fewer junior pitches (if the surplus adult playing pitches were converted) than the projected peak demand but there is not the demand at present. It is also important to note that there is a shortage of public Amenity Green Space in the Ashford Town Centre as shown in the Council’s ‘*Assessment of Open Space, Sport and Recreation Provision in Spelthorne 2005*’. There is no public open space or children’s playground in the Ashford town centre area of Spelthorne. This proposal will provide 1.29 hectares.
- The loss of the existing private (now abandoned) playing field will be clearly outweighed by the re-use of much of the playing fields area for the provision of the new public open space and children’s playground. The replacement open space will be slightly smaller, but will result in a substantial qualitative improvement. It will provide this area of Ashford, which is deprived of public amenity space, with a new high quality public open space with playground and therefore provide a significant public benefit to the residents of Ashford.

- Whilst a new playing field will not be provided in the proposed scheme, the public open space and children's playground will provide the opportunity for alternative sports/recreational provision which, in my view, will assist in encouraging outdoor recreation and sporting activity generally in the interests of the whole population, and outweighs the loss of the private, now abandoned, playing field. The replacement open space is substantial in size and could be used by the public for a number of alternative recreational purposes. Likewise, the new playground is a significant recreational benefit. This would be consistent with the Government's recent sports policy document: 'A New Strategy for an Active Nation 2015', which looks beyond simple participation to how sport changes lives and wellbeing, and encourages those who are less active.

7.26 Given the above assessment, it is considered that the loss of the playing pitch will be outweighed by the benefits provided by the proposed public open space and children's playground with enhanced quality. It will make a positive contribution to the area and the functional shortage of accessible public open space generally in this part of Ashford.

Design and appearance

7.27 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.*"

7.28 The existing college buildings consist of the original 2 storey brick and tiled pitched roof building which fronts Church Road, which is of a distinct design with traditional materials including an ornate door way. Later additions to the college are 2 and 3 storey flat roofed buildings which are 'boxy' in design with large windows. Other additions include the large gym buildings to the rear and other single storey buildings. Immediately to the west of the site along Church Road is the Ashford Library, which is a 2 storey brick built building with large windows and pitched roof. Other properties further to the west of the site vary in height. Although most are 3 stories in height, there are some 4 storey buildings in this direction. These buildings are generally traditional in design with pitched roofs and some dormers facing the road. To the north of the site is a detached single storey modern church building. The rest of the site is surrounded by residential properties. These are mainly family housing located along Village Way and Meadway, which are of a distinct character with traditional materials and design. These properties are mainly 2 storey with tiled pitched roofs. Mock Tudor features are common characteristic of these dwellings, along with a full pitched roof which slopes down over the ground floor.

7.29 Echelford Care Home adjoins the site to the east. This is a single storey care home for the elderly, built from bricks with a low level pitched roof. To the

south east, across College Way is the 2 storey building with a large mansard tiled roof, occupied by British Telecom. This building is attached to a more traditional building on the corner of College Way and Church Road with brick, render and pitched roofs. It has bay windows and gable features fronting Church Road. Adjacent to this is the 2 storey building of Studholme Medical Centre which is traditional in design and materials, with a pitched roof and front facing dormer. Further south on the corner of Parkland Grove is the 4 storey block at Perriin Court. Opposite are other 4 storey buildings and on the corner of Percy Avenue is Insigna House, which comprises 5 floors of accommodation.

- 7.30 Directly opposite the site, on the other side of Church Road is the Ashford multi-storey car park and other buildings with a similar 'boxy' design. Most of these are 3 stories in height however permission has been given for a further storey taking it up to 4 stories on the property opposite at 51-53 Church Road (10/00438/FUL). Adjacent to the car park is a detached building which is traditional in design and materials with pitched roof, occupied by a dentist.
- 7.31 As such, the area consists of a variety of heights and designs. Many buildings are traditional in design, which is particularly visible in the residential nature of properties to the rear of the site which are more domestic in scale mainly being 2 stories in height. However, there are some larger scale traditional buildings located on Church Road. Also along Church Road are other post war 3 and 4 storey buildings of a more 'boxy' design.
- 7.32 The scale of the proposed buildings ranges across the site vary depending on the location and relationship with neighbouring properties. Along the Church Road frontage, the proposal includes a large commercial unit, along with a unit for educational purposes for the hairdressing college, with the remaining development for residential use. The development consists of 5 distinct blocks (A - E). Plots A and E front Church Road and are mainly 4 stories in height with the fifth storey being set back from the main elevation. This building will be set back from the road frontage with Church Road. The fifth floor will also be set back from the main elevation of the proposed building and therefore will not appear prominent. Plot A and E have a pitched roof element at the front of each block with the gable feature facing Church Road, enclosing the Town Square. These pitched roof elements display a feature of the existing college building and that of neighbouring properties, in particular the existing building on the corner of Church Road and College Way, which had a traditional style. This frontage will be visible when the site is viewed as part of the street scene of Church Road at pedestrian level and is considered to be in keeping with the character of the area.
- 7.33 Plots A and E extend back into the site with an access road located between them. Plot A includes an open area set back from the street frontage, forming a 'Town Square' in front of the commercial unit. These buildings will be detailed in a contemporary way, with deep reveals and 'set-in' balconies to allow shadows to provide contrast. It provides a commercial high street style, which is expected in such a location, within the town centre. This gives an attractive frontage to the site, which has a wide frontage in a prominent location within the main street in the town. The layout will help to provide a 'sense of place' and the 'Town Square' will assist in improving the vitality of

the town centre. The central access road travels north into the site between blocks A and E towards Plot B, which is located behind plot A. Plot B is 2 and 3 stories in height and incorporates a more traditional pitched roof element, to reflect the design of houses adjoining the site; given that these proposed buildings are located closer to existing residential properties. It is located within a corner of the site, adjoining the care home and is L shaped. It has a 'Pocket Park' feature which will be visible from Church Road.

- 7.34 Plot D is set back within the site partly behind Plot E and is the tallest block, It is mainly 4 stories with the fifth storey set back from the main elevation, like plots A and E, but has a sixth storey element forming the central linking section of the building which joins the 2 larger blocks running parallel to one another. Although this is tall, it is located within the site, set well back from Church Road and away from the existing 2 storey family housing adjoining the site. It will not significantly affect views of the proposed development when viewed from off the site. This is particularly true of views from along Church Road as it will be viewed in the context of the proposed development, and only limited views from gaps within the street frontage will afford views of the proposal. The 6 storey element is only a small part of the scheme and contains 4 flats.
- 7.35 To the rear of the site is Plot C which consists of houses and flats of 2 and 3 stories in height, with pitched roof features and some accommodation within the roof space. These properties share their rear boundaries with existing dwellings on Village Way and Meadway and also display design features of this properties reflecting their scale, pitched roof design and materials. Between this plot and the rear of plot D is the publicly accessible open park land, giving a real sense of space to the scheme as a whole.
- 7.36 Landscaping is to be provided which will help to complement the proposed built form and public spaces. It will help to provide a corridor through the site to the public space at the rear and soften the areas of hardstanding and parking. The scheme provides usable public space and areas of landscaping which are visible from public areas and will add to the visual amenity of the area. Much of the parking has been provided beneath ground level and behind buildings where possible, to try to limit views from the public domain. As such the proposed development is considered to be acceptable in design terms and conforms to policy EN1.

Impact on neighbouring residential properties

- 7.37 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.”

- 7.38 With any town centre there will be an interface at the edges between town centre uses and larger scale buildings generally and the more suburban scale of development that surrounds them. There are already larger commercial buildings close to residential development. 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. 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.

- 7.39 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).
- 7.40 Part of Plot A, as well as Plots B and C adjoin existing residential properties along Meadway and Village Way and the care home. The proposed units adjacent to the boundaries with these existing dwellings have been designed to be lower in scale and height to ensure an acceptable relationship with these dwellings and are 2 and 3 stories high.
- 7.41 The proposed dwellings within Plot C which back onto the rear gardens of dwellings located along Village Way are 2 storey on their rear elevation and meet the minimum separation distance requirements as set out in the SPD. Properties within Plot A, fronting College Way facing the rear boundaries of gardens of existing dwellings along Meadway, are 2 storey in height. They have a separation distance to the rear boundary of the existing dwelling of some 14m and a minimum separation distance between the built form of approx. 34m. This meets the minimum separation distance and as such will have an acceptable relationship with these existing properties.
- 7.42 Properties within Plot B facing north towards the existing care home, will be 3 storey in height and are located within 16m of the boundary with the care home. There is a distance of some 37m between the built form and as such this meets the separation distances for 3 storey development as set out in the SPD.
- 7.43 Within Plot C there are some proposed buildings which are to be located relatively close to the boundary with the existing Echelford care home. These are all 2 storey in height. The back to flank minimum separation distance is 13.5m and this is exceeded. However because these units are close to the boundary it will be important to ensure the position of windows and balconies do not cause overlooking issues. The applicants have been requested to remove a number of balconies and other changes to ensure that this does not occur. Amended plans have since been received addressing these issues
- 7.44 Plot D will be mainly 4 stories in height with a fifth floor set back from the main elevation. The 6th storey element is only a small part of this building containing only 4 flats (2 no. 2 bed and 2 no. 1 bed). It links the 2 main parts

of the building together and is located within the site. The SPD does not contain minimum separation distances for development in excess of 3 storeys.

- 7.45 The existing residential properties to the west at George Court, accessed along Church Road, adjoin the site and are located relatively close to the boundary with the application site. Currently, the existing gym building is located behind part of this built form and is within 7m of the southern boundary with this site and is set in some 18m from the western boundary. Although the proposed Plot D is taller in height than the existing gym building, it will be located further away from the boundaries of the site, with a minimum set in of 16m from the boundary with the residential units at George Court and 23m from the western boundary. As such the built form will not be as close to the existing residential buildings and will not be located directly behind it, when compared with the existing gym building. This will allow for an improved outlook for the existing properties. It should also be noted that some of the rooms at George Court with windows facing towards the application site, are dual aspect with windows in the side elevation also. There are also a line of mature trees along the boundary within the application site which will help to partly screen the development from adjoining sites. This set back from the boundary, together with the fact that the buildings at Plot D and George Court will not directly face one another, (Block D faces towards the electricity station), results in an acceptable impact on the amenity of occupiers at George Court, and will not cause a significant loss of light, be overbearing or lead to a loss of privacy. I also consider the proposal to have an acceptable impact on the other residential properties in Church Road
- 7.46 The side elevation of Plot D facing west towards the rear of properties along Village Way and a church building, is set back some 23m on the corner but reduces in depth to 18m. The fifth storey will be set back further. The proposal will have an acceptable impact on the church, given the distance away from the boundary and given its community use. The residential gardens of properties along Village Way are located beyond the church site and the rear boundary of these residential gardens will be located 30m away. There will be a separation distance of 40m between the back of the existing houses and the elevation of Plot D facing them. The 6 storey element is located centrally within this block and will be further away at 45m from the western boundary. The church building is located between the residential gardens and the site, providing a 'buffer' to the proposal. Therefore it is considered that the proposal will have an acceptable relationship with the existing properties to the west of the site.
- 7.47 With regard to daylight, the Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) states that no extension (or new dwelling) should break a 25° line as measured from the centre of the main window to a habitable room at a point 2 metres above ground level. The SPD states that the purpose of the 25° guide is to ensure that in the area to the front or rear of a property no extension (or new dwelling) is so close that a significant view of the sky is lost. Importantly the introduction to the SPD sets out the approach to applying the document's requirements: By meeting the minimum separation distances, it ensures that the built form does not break the 25 degree line. The separation distances in

the SPD only refers to up to 3 storey development. However, the applicants have demonstrated that the proposed built form will not cross the 25 degree line (as specified in the SPD) when taken from existing residential properties neighbouring the site. As such the proposal conforms to this policy and will have an acceptable impact on the amenity of neighbouring residential properties in terms of daylight and outlook.

- 7.48 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

- 7.49 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 3805 sqm would be required for the 358 flats. The 8 houses have their own private gardens and policy requires this to be a minimum of 70 sqm for each, (which they conform to). This combined area would be a minimum requirement of 4365 sqm for the proposed houses and flats. These requirements are however, generally applicable to suburban sites. In the case of higher density town centre residential development and mixed use schemes paragraphs 4.46 – 4.47 states:

“Such schemes will usually involve high density flatted development. Mixed use schemes will only be appropriate on sites in town or local centres which are already identified for employment or retail use. The opportunities for on-site open space provision will be limited, particularly where ground floor non-residential uses and access/delivery areas occupy most of the site area. Family accommodation is therefore unlikely to be appropriate.

Some amenity space can be provided in the form of large balconies as well as at roof level, subject to design and safety considerations.”

- 7.50 Private amenity spaces will be provided in the form of balconies, private gardens for the houses and some ground floor apartments and communal areas for residents. There will be a large communal garden at the rear and side of the flats at Plot D and also to the west of plot E. The total amount of amenity space (not including balconies) proposed for residents is some 6,581 sqm. This is substantially above the minimum SPD standard of 4365 sqm and is therefore acceptable. As noted above a further 1.29 ha of public space is provided for within the scheme and residents will have access to and views of the new public open space.

Proposed dwelling sizes

- 7.51 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.

- 7.52 The Government has since published national minimum dwelling size standards in their “*Technical Housing Standards – nationally described space standard*” document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD. This national document must be given substantial weight in consideration of the current application in that it adds this additional category of small dwellings not included in the Council’s Standards.
- 7.53 All of the proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards and the SPD. Therefore I consider their standard of amenity overall to be acceptable.

Highway/Servicing issues

- 7.54 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.”

- 7.55 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.

- 7.56 The County Council was consulted as the Highway Authority and has noted the following:-

“In the developers transport assessment it was originally stated that the current use of the site as a college could have generated the following movements as shown in table 1:

Table 1: Existing traffic generation by developer

	Arrivals	Departures	Total Movements
AM	175	47	222
PM	49	96	145

This is unrealistic given the location of the site in a town centre surrounded by residential development close to bus and train services. The developer has selected sites which were agreed by Transport Development Planning but were not modified by the developer to take account of the site's location. This has implications for the number of vehicle movements. In this case the use of the data without modifying it gives a higher figure that can be used to

show the existing use generates more movements compared to the proposed use of the site. This is considered unrealistic.

Transport Development Planning at Surrey County Council has carried out its own assessment using the agreed person trip rates that were used to generate the above movements but modified further with agreed modal split data and data on the proportion of staff and students from a travel survey that was carried out by the transport consultant acting on behalf of Brooklands College for their planning application to relocate some courses to a new building within the grounds of Thomas Knyvett School under application 15/00140/FUL. Using the above data shows that the college would have generated the movements which are shown in table 2. These movements are considered realistic because they are based on data from the school.

Table 2: Existing traffic generation as modified by SCC

	Arrivals	Departures	Total Movements
AM	143	38	181
PM	38	73	111

The use of person movements is considered acceptable because the data is collected using persons arriving and departing from a site and does not distinguish between the different modes of transport and is therefore not location sensitive unlike using vehicle trip rates. Using previously agreed modal split data from the college allows us to establish a likely number of vehicle movements that would be representative of the location of the existing use.

The proposed 358 apartments and 8 houses are likely to generate the movements shown in table 3 below:

Table 3: Proposed residential traffic generation

	Arrivals	Departures	Total Movements
AM	27	85	112
PM	74	42	116

The proposed commercial use of the site is likely to generate the movements shown in the table below. These movements are based on a convenience store which is likely to generate the most movements. This assumes that 20% of trips would be new to the site because it is considered that most customers to the commercial use would already be in Ashford. This is considered a realistic assumption given the range of existing land uses and the size of the town centre. The commercial use is likely to generate the movements shown in table 4:

Table 4: Proposed commercial traffic generation

	Arrivals	Departures	Total Movements
AM	10	9	19
PM	11	13	24

The combined number of vehicle movements are shown in table 5 below:

Table 5: Total proposed traffic generation

	Arrivals	Departures	Total Movements
AM	37	94	131
PM	85	55	140

The difference in vehicle movements between the existing use and the proposed use is shown below in table 6.

Table 6: Difference in vehicle movements

	Arrivals	Departures	Total Movements
AM	-106	+56	-50
PM	+47	-18	+29

Table six shows that the proposed use would generate less vehicle movements in the morning peak but more in the evening peak. This increase is the amount of vehicle movements at the development access. It can be reasonably assumed that there would be a roughly 50 50 split between the number of movements via locations east and west of the access resulting in approximately 15 more movements via each of those points of the compass. That is one extra vehicle every four minutes in either direction.

The now defunct Guidance on Transport Assessments states that any development generating 30 or more two way vehicle movements in any hour should be accompanied by a Transport Assessment. The development generates less than this, however a Transport Assessment has been submitted and on balance it is considered that junction assessments are not necessary given the increase in movements and the travel plan and accompanying measures such £50.00 vouchers towards purchasing a bike or public transport season tickets, provision of up to two car club vehicles with parking space at the developer's own cost with one year membership and 25 miles of free travel for the first residents.

The development is in a sustainable location with good access to bus and rail services which would encourage use of non car modes of transport. Furthermore the range of on street parking restrictions in the vicinity of the site and the number of parking spaces proposed for the development would encourage use of non car modes of transport.”

7.57 The proposal itself has more parking than currently exists at the site. The County Council has recommended that if the proposal is to be approved the following should be required by a legal agreement:

-Payment of a travel plan audit fee of £6,150.

-Provision of two car club vehicles for a minimum of two years, with all costs associated with the provision of the vehicles including provision of parking space being met by the developer.

- Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.

-Provision of one year free membership of the car club for the first occupants of each of the proposed residential units.

-Provision of one £50 sustainable travel voucher per household (equates to £18,300 for the 366 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £18,300 is not spent within one year towards purchasing a public transport ticket or towards purchasing a bicycle, it shall be reinvested into other non-private vehicle modes of transport use.

- 7.58 The County Council note that the proposed access would have adequate visibility in both directions and complies with the minimum requirement of 43 metres in both directions from 2.4 metres back along the middle of the access. The County Council also notes that the site has adequate on site turning space for large vehicle up to refuse vehicles as shown by turning overlays. The County Council has recommended a condition requiring tactile paving and details of the traffic calming measures to be submitted at the junction fo Church Road and the site.
- 7.59 Subject to these conditions, other standard highway related conditions, and the matters proposed for the legal agreement, the highway and access arrangements are considered to be acceptable.

Parking provision

- 7.60 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.
- 7.61 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). The supporting text to the Parking Standards stipulates a number of important exceptional situations where a reduction in parking will only be allowed. One of these situations includes town centre locations where the reduction in parking will be assessed against, amongst other considerations, the range and quality of facilities within reasonable walking distance and where there is good access to public transport.
- 7.62 The proposed parking provision for the residential properties is 374 with another 38 for visitors. 412 in total. This equates to an overall standard on site of 1 space per flat and 2 spaces per house. Whilst the proposed parking provision is below the Council's residential Parking Standards of 532, it is considered that there are sufficient grounds for justifying a shortfall of this level in this particular case. The County Highway Authority (CHA) was consulted on the planning application and has raised no objection to the proposed parking provision. The CHA has made the following comments on this issue:

The CHA, *'accepts a reduction in parking provision in town centres such as Ashford town. Furthermore the proposed parking provision of one space for each of the one, two and three bed apartments would accommodate existing demand for parking in similar developments in similar locations. According to Census statistics existing one, two and three bed apartments the Ashford Town ward have an average vehicle ownership of 0.99 vehicle.*

With regards to parking for the commercial units, Spelthorne Parking Standards still require a maximum level of parking for such land uses. Since the proposed development is located in Ashford Town Centre, the proposed parking provision is considered adequate. Furthermore it is considered that shoppers already in the town centre and residents would use the commercial units.

The total on-site parking provision represents a shortfall of 128 parking spaces compared to recommendations in Spelthorne Parking Standards. The proposed parking provision of one space per unit would accommodate existing parking demand of one car per one, two and three bed unit. The proposed 4 bed dwelling houses should provide a minimum of 2.5 spaces per units, but two per unit is proposed. That is a short fall of four spaces"

In regards to on street parking the CHA note that streets surrounding the site have a range of double yellow line parking restrictions at junctions and single lines and controlled time limited parking bays elsewhere. *'The developer has carried out a parking survey which shows that there could be 87 spaces available for use, this takes account of existing parking demand. If parking demand from the proposed development does exceed the number of available parking spaces this is unlikely to result in a highway safety problem because the combined width of carriageways and footways in the vicinity of the site would prevent the available width of footways being so reduced that pedestrians would have to walk on the carriageway in the event of drivers parking partly on the footway. Furthermore double yellow line parking restrictions at junctions would prevent parking that is dangerous for other highway users.'*

- 7.63 As mentioned above, it is relevant to note that the roads in the surrounding area are subject to on-street parking restrictions (i.e. single and double yellow lines), which limit the scope for on-street parking demand. A material consideration in this report is the provision of 358 secure cycle parking spaces to be provided on the site (1 space per flat), which will facilitate some non-car based journeys and those who choose not to have a car.
- 7.64 The site is located within Ashford Town Centre where there is a range of facilities. These include a variety of shops, banks, cafes a doctors' surgery, dentist, a public library, offices and churches. The site is also close to Ashford railway station which is located approximately 500 metres to the west. In addition there are a number of existing bus services which run along Church Road, which borders the application site (4 bus routes run past the site and a further 2 bus routes stop nearby). The proposal includes a range of measures to provide for a more sustainable development in transport terms as highlighted above and as recommended to be involved within a S106

agreement. In addition, the applicants are providing 25 public car parking spaces. Given the site's town centre location, the availability of public transport and the proposed measures to be provided with this scheme, it is considered that in this particular case, there is a genuine case for a reduced car parking provision as proposed.

- 7.65 Therefore the CHA have 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.
- 7.66 The proposal includes the provision of 25 public car parking spaces which were provided at the Council's request. A legal agreement will be necessary to ensure that these spaces are managed and maintained for this purpose.

Affordable housing

- 7.67 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.
- 7.68 The applicant has increased the affordable provision from the original submission of 18 shared ownership units and are now proposing to provide 52 affordable housing units (34 no. for affordable rent and 18 no. for shared ownership). The 52 units represent an affordable housing provision of 14.2%. It also includes 25 public car parking spaces provided by the applicant on the site. The Council's affordable housing advisor has been consulted and raised no objection to the provision noting that this, *'...is a fairer reflection of the level that we consider new build values currently support, whilst maintaining the viability of the proposed development.'*
- 7.69 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 18 out of 52 units for intermediate (shared ownership) and this equates to 34%. As such the proposal conforms to this requirement.
- 7.70 Although this affordable housing provision is only 14.2% of the total proposed 366 units and is lower than 50% as required by the Policy, the applicants have submitted a Viability Assessment on an open book basis in accordance with Policy HO3. This was reviewed by the Council's valuation advisor and is considered to provide an acceptable level of affordable housing provision.

Flooding

- 7.71 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 (Zone1) 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). .

- 7.72 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.
- 7.73 In terms of flood risk the development given 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.
- 7.74 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 soakaways and permeable paving to provide much improved surface water drainage than currently on site.
- 7.75 The Environment Agency (EA) were consulted but have replied to say they need not be consulted on this application. Furthermore, the Lead Local Flood Authority at Surrey County Council has raised no objection to the proposed sustainable drainage scheme, subject to conditions. Accordingly, the application complies with the requirements of Policy LO1 of the CS & P DPD.

Renewable Energy

- 7.76 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..
- 7.77 The applicant has submitted a Revised Energy Statement, which considers various renewable energy options for the site. The report concludes that the proposed development can provide solar photovoltaic panels on the roofs of the proposed buildings and confirms that a total energy reduction of at least 10% can be achieved. The Council's Sustainability Officer has been consulted and raises no objection. Accordingly, the renewable energy proposals are acceptable.

Ecology

- 7.78 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. It is also important to note the guidance regarding protected species in Circular 06/2005. This states that *"it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established*

before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

- 7.79 The front part of the application site is almost entirely built upon and has little ecological value. The rear portion of the site is open field which has been managed. There are also a number of existing trees, mostly located around the edges of the site which are likely to have some ecological value
- 7.80 An Ecological Appraisal has been submitted with the application, which includes a phase 1 Habitat survey and Bat survey. The report concludes that the habitats to be lost under the proposal are largely of negligible-low ecological values, dominated by existing buildings and hardstanding along with a small amount of ornamental planting. It considers the well managed grassland which was formerly the recreational area for the college, to be of low ecological value at site level. As such losses of elevated value are minimal under the proposal, however there is some limited potential for use of the site by faunal species whilst trees at the boundary of the site are of some value in the context of the site. It goes to set out measures to safeguard these features and makes recommendations for ecological enhancements at the site.
- 7.81 The proposed landscape scheme will be sympathetic to boosting biodiversity. The Surrey Wildlife Trust were consulted and have responded by raising no objection. Subject to the imposition of the conditions to enhance wildlife, the proposed development is considered acceptable on ecological grounds. I am satisfied that the presence or otherwise of protected species in line with Circular 06/2005 has been fully investigated prior to a decision and there will be no adverse impact on protected species.

Open space

- 7.82 Policy CO3 of the CS & P DPD requires the provision of public open space for residential developments where existing provision in the locality is inadequate or would become inadequate because of the development. A financial contribution towards the cost of new off-site provision can be made in lieu. In addition, new housing development of 30 or more family dwellings (i.e. 2-bed or greater units) the Council requires 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 251 family units which would require some 0.9 ha. would normally be required. As discussed above the site does include open space which will be accessible by the public (and includes a children's play area and Pocket Park) of some 11,807 sqm (1.18 ha). There is also additional communal areas which can be used by residents. The proposal fully conforms to this policy.

Dwelling mix

- 7.83 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.

- 7.84 The proposal complies with the requirements of Policy HO4. In particular, the number of proposed 1-bed and 2-bed flats is 351, which represents 96% of the total units.

Archaeology

- 7.85 Whilst the site is not located within an Area of High Archaeological Potential it is more than 0.4 hectares in size and consequently the applicant has submitted an Archaeological Desk-Based Assessment as required by Saved Local Plan Policy BE26.
- 7.86 The County Archaeologist was consulted on the application and has recommended that further archaeological works is 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

- 7.87 The applicant has carried out a tree survey at the site and a total of 51 trees with stem diameters of 75mm were surveyed and recorded. It is proposed that 6 trees will be removed.
- 7.88 An Arboricultural Impact Assessment and Method Statement, a Tree Report and a full landscape plan have been submitted. The landscape plan includes structural tree planting throughout the site to provide connective routes through a series of public open spaces. Existing trees along the site boundaries will mostly be retained to provide screening and complement the proposed buildings. Structural tree planting will be provided on the Church Road frontage, as well as some existing trees being retained. The proposed Town Square will provide an open area with block paved surfaces, raised planters, soft landscaping and arranged trees. The central boulevard will be a tree lined avenue providing access to the centre of the site and the Pocket Park, where it is proposed to feature the free standing existing doorway to the original college building fronting Church Road. This will also provide ornamental planting with groups of benches. Evergreen hedgerow will be used to segregate public areas from private ones. The large open space to the rear will include a play area with sensory planting. There will be a circular path to provide a route around the open space with a landscape buffer providing seasonal colour and visual screening.
- 7.89 Private amenity spaces will also be landscaped to provide raised wooden planters, structural planting and landscape features including small specimen trees and useable grass areas. Hedgerows and decorative tree planting will be used around car park areas to help break up hardstanding and add visual interest.
- 7.90 The loss of some of the existing trees and the proposed replacement planting and landscaping will help to enhance the proposed development and is considered to be acceptable.

Contaminated Land

- 7.91 The applicant has submitted an Environmental Site 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 and reflects our standard precautionary approach to contamination risk. The Council's Pollution Control Officer has raised no objection but requested standard 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.

Noise

- 7.92 Policy EN11 (Development and Noise) of the CS & P DPD states that the Council will seek to minimise the adverse impact of noise by a) requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level, and b) requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels.
- 7.93 The Council's Environmental Health section was consulted and has raised no objection on noise grounds subject to the imposition of conditions. Subject to these conditions, the impact of noise is considered acceptable.

Air quality

- 7.94 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 that a Dust Management Plan be submitted. We also recommend that a site specific Demolition Method Statement is submitted to minimise the impact on air quality, particularly dust. With regard to the completed development, the AQA concludes that the proposal will result in a negligible increase in daily traffic flows overall. Therefore no significant operational traffic air pollution impacts are anticipated as a result of the development.
- 7.95 The Council's Pollution Control section was consulted on the application and has raised no objection, subject to conditions. The department also support the Travel Plan and other sustainable transport measures recommended by the County Highway Authority (e.g. funding of two cars for a 'car club').

Refuse Storage and Collection

- 7.96 The layout of the site has been designed to ensure that delivery and refuse collection vehicles can enter and exit the site in a forward gear. Refuse storage areas have been dispersed across the site as much as possible to reduce their impact and maximise convenience. They are provided at ground floor level within reach of the refuse collection vehicles and easily accessible by residents. Separate refuse and recycling storage area have been provided for ease of collection. The proposed plans show that the storage areas are capable of accommodating a total of 156 'Euro Bin' type communal bins (1100

litre sized), and 56 x 140 litre food bins which is sufficient capacity for Spelthorne Council's general waste, recycling, and kitchen waste requirements. In terms of collection, refuse vehicles will enter the site and collect from various locations within the site and then will be able to turn around before leaving the site. The retail unit has its own dedicated refuse area accessed from a service bay along College Way.

- 7.97 The Council's Head of Street Scene has been involved at the design stage and has raised no objection to the arrangement now proposed. Furthermore, the County Highway Authority has raised no objection on this particular issue. Accordingly, the proposed refuse storage and collection facilities are considered acceptable.

Other Matters

- 7.98 With regard to the Crime Prevention Officer's comments, I do not consider it is appropriate to impose a condition, as requested, relating to "Secured by Design". Many of the requirements are very detailed (e.g. standards of windows, doors and locks), elements which are not normally covered and enforced under the planning regulations. Conditions are to be imposed requiring an external lighting scheme to be implemented and full details of cycle parking facilities to be submitted, partly for security purposes. However, a copy of the officer's response has been forwarded to the applicant and it is proposed to add a relevant informative to the decision notice
- 7.99 With regard to the response from the Surrey County Council (Planning), since the introduction of the Community Infrastructure Levy (CIL), it is no longer legally possible to require a financial contribution towards education places as part of a Section 106 agreement. The developers are required to pay a Community Infrastructure Levy, and it would be for the Council to direct those monies to appropriate infrastructure (which does include education facilities) in due course through yet to be agreed governance arrangements.

Conclusion

- 7.100 With most complex planning applications such as this there are a range of issues which have to be weighed up in the overall consideration of the proposal. There will be some which add weight in favour of the scheme and some weigh to some degree against it and some may be neutral. It is unusual in schemes of this nature for every aspect of the Council's standards/policies to be fully complied with.
- 7.101 These factors need to be considered alongside those elements that weigh strongly in favour of the development. The proposal will secure the redevelopment of an unused site, make effective use of urban land in a sustainable location, meet a need for housing and provide affordable housing. The development will secure substantial public benefits by creating a large area of public open space and a commercial frontage to Church Road creating an active frontage within Ashford Town centre.

7.102 The proposal will make a positive contribution overall to its immediate locality, in particular to this part of Church Road. The application is recommended for approval.

8. Legal Agreement

8.1 There are highway, affordable housing, public parking provision and public open space matters which need to be secured by way of a legal agreement pursuant to Section 106 which are to be delivered as part of the development. It is important that any legal agreement runs with the land and therefore ensuring that the obligations are enforceable under the terms of Section 106 of the Town and Country Planning Act. In the event that the S106 agreement is not completed to the satisfaction of the Local Planning Authority, and in the event that the applicant does not agree a further extension of time for determination, the recommendation is to refuse planning permission.

9. Recommendation

9.1 In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, refer to the Secretary of State with a recommendation to approve subject to the following:

9.2 (A) Subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 52 affordable housing units on site built in accordance with current Homes and Communities Agency Scheme Development Standards, the details of which shall be agreed with The Council's Head of Planning Services and Housing Strategy.

- The split of the type of affordable housing shall be at least 34 for affordable rent and at least 18 for shared ownership.
- Prior to implementation the Registered Social Landlord (RSL) shall enter into a Nominations Agreement in respect of the affordable housing (in order that the social housing meets local needs).
- Build and complete the affordable units and hand over to the Registered Social Landlord for occupation before more than 50% of the open market units are sold or substantially completed, whichever is the sooner.

That the affordable housing viability assessment be reviewed on an open book basis in the event that the scheme was not substantially commenced within 18 months of planning permission being granted.

2. To secure public access and maintenance of the public open space, the Local Equipped Area Play (L.E.A.P.), the Pocket Park and the Town Square in accordance with the following hours:-

Monday to Sunday:

08.00 to 16.00 hours November, December and January

08.00 to 17.00 hours February
08.00 to 18.00 hours October and March
07.00 to 20.00 hours April
07.00 to 21.00 hours May, June and July
07.00 to 20.00 hours August
07.00 to 19.00 hours September

3. To secure public access and maintenance of the 25 no. Public Parking Spaces. Details to be agreed with the LPA.
4. To provide the following sustainable transport financial payments and measures:
 - (a) Payment of a travel plan audit fee of £6,150
 - (b) Provision of two car club vehicles for a minimum of two years, with all costs associated with the provision of the vehicles including provision of parking spaces being met by the developer.
 - (c) Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
 - (d) Provision of one year free membership of the car club for the first occupants of each of the proposed residential units.
 - (e) Provision of one £50 sustainable travel voucher per household (equates to £18,300 for the 366 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £18,300 is not spent within one year towards purchasing a public transport ticket or towards purchasing a bicycle it shall be reinvested into other non-private vehicles modes of transport.

9.3 (B) 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:

2055-00-DR-0001 Rev. D01; /0099 Rev. P01; /0400 Rev. P01; /0401 Rev. P01; /0402 Rev. P01; /0403 Rev. P01; /0404 Rev. P01; /0603 Rev. P01; /0605 Rev. P01; /0650 Rev. D01; /0651 Rev. D01 received 09 June 2016.

2055-10-DR-0099 Rev. P01 received 09 June 2016.

2055-15-DR-0100 Rev. P01; /0101 Rev. P01; /0102 Rev. P01; /0600 Rev. P01 received 09 June 2016.

2055-30-DR-0099 Rev. P01; /0100 Rev. P01; /0101 Rev. P01; /0102 Rev. P01; /0103 Rev. P01; /0104 Rev. P01; /0105 Rev. P01; /0600 Rev. P01; /0601 Rev. P01; /0602 Rev. P01 received 09 June 2016.

Topographical Survey drawings 1, 2, 3 & 4 received 09 June 2016.

INL20124 15A received 09 June 2016.

INL20124 10F received 05 October 2016.

INL20124-03B (North 1 of 2) and INL20124-03B (South 2 of 2) received 20 October 2016.

2055-00-DR-0104 Rev. P02; /0105 Rev. P02; /0600 Rev. P03; /0601 Rev. P02; /0602 Rev. P02; /0604 Rev. P02 received 25th November 2016.

2055-10-DR-0100 Rev. P03; /0101 Rev. P02; /0102 Rev. P02; /0103 Rev. P02; /0104 Rev. P02; /0600 Rev. P02; /0601 Rev. P02; /0602 Rev. P02; /0603 Rev. P02; /0604 Rev. P02; /0450 Rev. P02 received 25th November 2016.

2055-00-DR-0100 Rev. P04; /0101 Rev. P03; /0102 Rev. P03; /0103 Rev. P03; /0110 Rev. P04; /0606 Rev. P02 received 20th January 2017.

2055-20-DR-0100 Rev. P02; /0101 Rev. P02; /0102 Rev. P02; /0600 Rev. P02; /0601 Rev. P02; /0602 Rev. P02; /0603 Rev. P02 received 20th January 2017.

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

3. Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the building and other external surfaces of the development be submitted to and approved by the Local Planning Authority.

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

4. No 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. No construction on the buildings shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained and maintained to

the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

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

7. No construction shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

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

8. Demolition works and construction of the development hereby approved must only be carried out on site between 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and none at all on Sunday, Public Holidays or Bank Holidays.

Reason:- In the interest of amenity

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

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

10. Before any construction commences, details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting on the site 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.

11. Notwithstanding the approved plans the proposed development shall not be occupied until the access with Church Road has been constructed with tactile paving in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, all to be permanently retained.

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

12. Notwithstanding the approved plans details of the proposed traffic calming measures for the first 90 metres of the access road into the site from Church Road shall be submitted to and approved in writing by the Local Planning Authority. The approved layout shall be provided before occupation of the proposed development and thereafter retained.

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

13. Prior to the occupation of the development a raised table at the junction of College Way with Church Road shall be provided in accordance with a scheme to be submitted to and approved in writing the Local Planning Authority, all to be permanently retained.

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

14. Notwithstanding the submitted Parking Management Note dated 22 September 2016 the proposed development shall not be occupied unless and until details of measures have been added to the submitted Parking Management Note dated 22 September 2016. The approved details shall be implemented upon first occupation and for each subsequent occupation of the development.

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

15. Notwithstanding the approved plans, the proposed development shall not be occupied until a minimum of 72 car parking spaces for the 358 one, two, and three bed apartment units have been fitted with electric vehicle trickle charging points and each of the 8 dwellinghouses have

been fitted with electric vehicle trickle charging points, all to be permanently retained.

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

16. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (k) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

17. Notwithstanding the submitted travel plan, prior to the commencement of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, and thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

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

18. Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will

cater for system failure or exceedance events, both on-site and off-site, must be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the proposal has been fully considered suitable flood pathway in the event of overland flows.

19. Prior to construction of the development hereby approved the following information and drawings need to be supplied to and approved in writing by the Local Planning Authority:

- A drainage layout detailing the exact location of SuDS elements, pipes, impervious areas and drainage sub-catchments (if applicable)
- Details of all SuDS elements and other drainage features, including long and cross sections, pipe diameters and respective levels.

Reason: To ensure that the design fully meets the requirements of the national SuDS technical standards.

20. Before the commencement of the construction of the development hereby approved, details of the proposed maintenance regimes for each of the Sustainable Drainage System (SuDS) elements shall be submitted to and approved by the Local Planning Authority. Permeable pavement rehabilitation/replacement requirements shall be included in the development's Health and Safety Plan.

Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard.

21. Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason: To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

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

Reason: To ensure the Sustainable Drainage System is built to the approved designs.

23. No building operations shall commence until a Dust Management Plan detailing dust suppression and other mitigation measures during construction shall be submitted to and approved in writing by the Local

Planning Authority. The agreed measures shall be implemented in accordance with the approved details.

Reason:- To safeguard the amenity of neighbouring properties.

24. No demolition, site clearance or building operations shall commence until a demolition method statement has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall be carried out strictly in accordance with the approved method statement.

Reason:- To safeguard the amenity of neighbouring properties.

25. No demolition, site clearance or building operations shall commence until a pre-demolition asbestos survey and removal strategy has been submitted to and approved in writing by the Local Planning Authority. Any asbestos on the site shall be removed in accordance with the agreed details.

Reason:- To safeguard the amenity and health of neighbouring residents.

26. The precautionary measures to safeguard bats during demolition shall be carried out strictly in accordance with the recommended mitigation measures in Section 6.5 of the Aspect Ecology Ecological Appraisal May 2016.

Reason:- In the interest of safeguarding bats on the site.

27. Prior to the construction of the buildings, a biodiversity enhancement scheme to be implemented on the site in line with the recommendations in Section 6.6 of the Aspect Ecology Ecological Appraisal May 2016 shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme and thereafter maintained.

Reason:- To encourage wildlife on the site.

28. The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T *, 30 dB LAeq T † , 45dB LAFmax T *

Living rooms- 35dB LAeq T †

Dining room - 40 dB LAeq T †

* - Night-time 8 hours between 23:00-07:00

† - Daytime 16 hours between 07:00-23:00.

Reason:- To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from

environmental and transportation sources in accordance with the National Planning Policy Framework 2012.

29. The habitable rooms within the development sharing a party wall shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that the party wall meets a minimum of 5dB improvement on the Building Regulations standard set out in Approved Document E.

Reason:- To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the adjacent premises accordance the National Planning Policy Framework 2012.

30. The habitable rooms within the development sharing a party ceiling/floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise from the commercial premises does not exceed NR25 (NR20 if the future use of the commercial unit is known to be a license premises or to contain loud processes or equipment.)

Reason:- To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with the National Planning Policy Framework 2012.

31. A scheme of sound insulation shall be installed to ensure that the L_{Fmax} sound from amplified and non-amplified music and speech shall not exceed the lowest $L_{90,5min}$ 1m from the facade of the nearby residential premises at all third octave bands between 31.5Hz and 8 kHz.

Reason:- To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities associated with non-residential premises in accordance with the National Planning Policy Framework 2012,

32. The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises.

Reason:- To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, .

33. Private and communal external amenity areas shall be designed to attain 55dB(A) LAeq, 16hr † .
†Daytime - 16 hours between 07:00-23:00hrs.

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

34. That the commercial premises shall not be used for the purposes hereby permitted before 8.00am or after 11.00pm on any day.

Reason: To safeguard the amenity of neighbouring properties.

35. Any deliveries or collections to the commercial units shall only be between the following hours: 08:00hrs to 20:00hrs on Monday to Saturday and not at all on Sunday.

Reason:- To ensure that occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with The National Planning Policy Framework 2012,

36. Any self-illuminated lighting fixtures on any facade of the development that face towards residential accommodation shall not exceed a surface brightness of 350 candelas/m² from 21.00 – 07.00hrs.

Reason:- In the interests of amenity and protection of nearby residents from potential light nuisance, in accordance with The National Planning Policy Framework 2012,

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

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

38. The proposed construction timetable, methods, and tree protection measures shall be carried out strictly in accordance with the details provided in the ACD Environmental Arboricultural Impact Assessment and Method Statement received 05 October 2016 and the Tree Protection Plans INL20124-03B (North 1 of 2) and INL20124-03B (South 2 of 2) received 20 October 2016.

Reason:- To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009.

39. Details of any proposed surgery to trees on site which are shown to be retained shall comply with best arboricultural practice as set out in

British Standard 3398 2010 and be submitted to and approved by the Local Planning Authority prior to the commencement of any work to the trees.

Reason:- To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009.

40. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior planning permission of the Local Planning Authority.

Reason:- To safeguard the amenity of neighbouring properties.

41. That the parking spaces shown on the submitted plan be constructed and the spaces shall be completed prior to the completion of the dwellings to which they relate, and thereafter the approved facilities together with the means of access thereto shall be maintained as approved, and be reserved for the benefit of the development hereby permitted.

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

42. Prior to the construction of the buildings here by approved, details of the Local Equipped Play Area (L.E.A.P.), including details of the number and type of equipment to be installed, means of enclosure, surface materials, seating, litter bins, planting and signage, shall be submitted to and approved in writing by the Local Planning Authority. The Local Equipped Play Area shall be implemented in accordance with the approved details prior to the occupation of the buildings and thereafter maintained.

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

43. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order), the commercial premises adjacent the Town Square shall be used only for purposes within Use Class A1, A2, A3, A4, A5 or B1(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason:-.To safeguard the amenity of neighbouring properties and in the interest of maintaining the vitality and viability of Ashford Town Centre.

44. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order), the College premises shall be used only for purposes within Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason:-.To safeguard the amenity of neighbouring properties and in the interest of maintaining the vitality and viability of Ashford Town Centre.

45. The existing stone porch shall be relocated on-site in a position to be agreed in writing by the Local Planning Authority prior to the demolition of the existing building. The porch shall thereafter be retained in the approved position.

Reason:- To ensure that the stone porch is retained on the site.

Informatives to be attached to the planning permission

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
2. 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.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from

uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

4. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

- 6 Groundwater Limitations
Infiltration is limited by groundwater table and the required unsaturated zone above it. High ground water tables can appreciably restrict infiltration efficiency causing poor soakage rates. The available information from submitted documents indicates the depth to water table is likely to be between 2.4m and 2.8m below the existing ground level for at least part of the year. This means discharge may be limited sometimes during the year. The applicant should considered the risk and suitable mitigations are proposed.

- 7 The development is close to the airport and the landscaping which includes may attract birds which in turn may create an unacceptable increase in bird strike hazard. Any such landscaping should, therefore, be carefully design to minimise its attraction to hazard species of birds. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/operation&safety/safeguarding.htm>)

7. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policysafeguarding.htm>)

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.

8. 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.

9. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc., may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
10. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
11. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
12. 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.

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:-

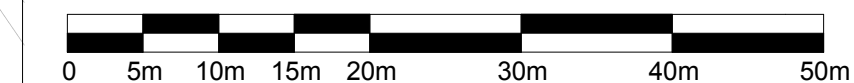
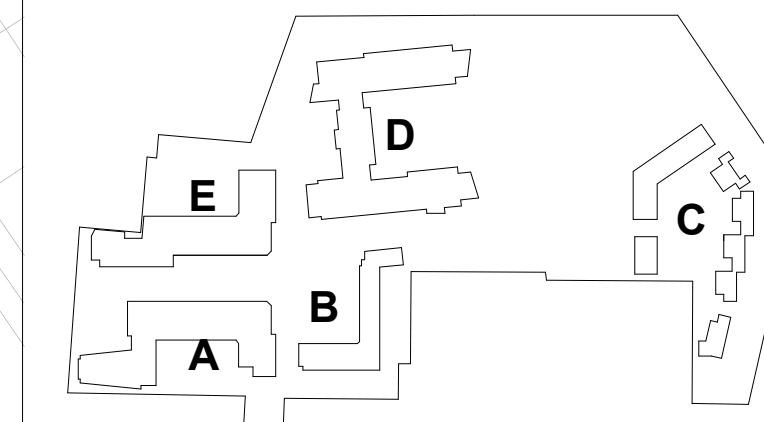
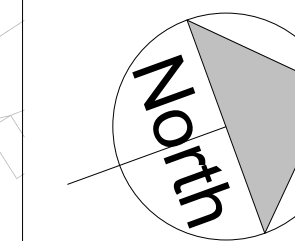
- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application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

Recommendation in the event that the Section 106 Agreement is not completed

- 9.3 In the event that the Section 106 agreement is not completed and the applicant does not agree an extension of time for the determination of the planning application, delegate to the Assistant Head of Planning (Development Management) in consultation with the Chairman of the Planning Committee the following: -

Refuse the planning application for the following reasons:

- 1) The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009.
- 2) The proposal does not provide a satisfactory level of public access to the proposed open space, contrary to Policy EN4 of the Core Strategy and Policies DPD 2009
- 3) The proposal fails to provide sustainable transport measures and is therefore contrary to Policy CC2 of the Core Strategy and Policies DPD 2009.



— Site Boundary

Key
① Number of storeys from ground level to eaves/parapet



Rev: P04 Date: 19.01.2017 Drw: TS Chk: AW
Planning officer comments for plot C - Balconies changed to Juliet balconies on Building C1&C5; Balconies removed on House 7&8; Window position changed on building C5 from south to west facing
Rev: P03 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments
Rev: P02 Date: 03.10.2016 Drw: JE Chk: TS
Revision of trees on Church Road frontage
Rev: P01 Date: 04.05.2016 Drw: TJ/TS Chk: AW
Issue for planning
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Report all errors and omissions to the Architect
Dimensions to be checked on site
Plot date: 19/01/2017 16:50:22

Client:
Brooklands Helix Developments Ltd

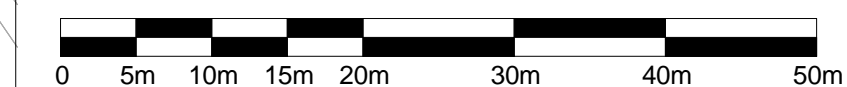
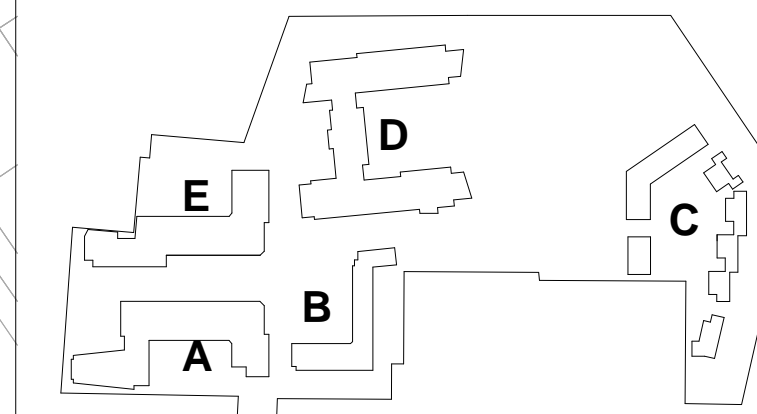
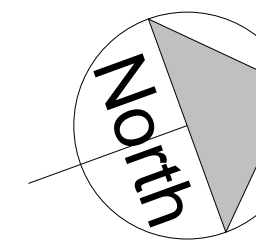
Project:
Church Road, Ashford

Title:
Site wide - Roof Plan

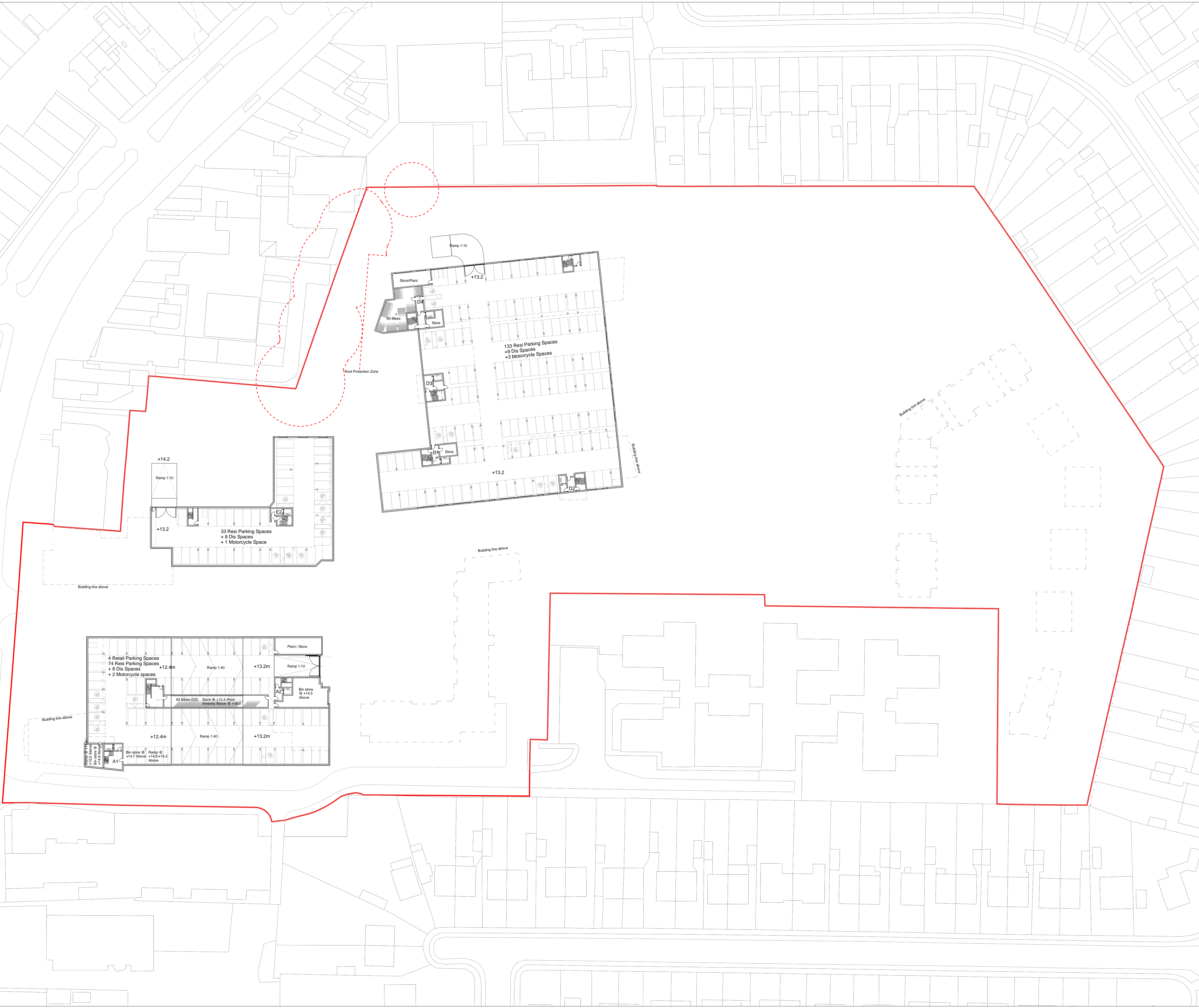
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Drawing No:
2055-00-DR-0110
Rev:
P04



— Site Boundary



Page 01

Rev: P01 Date: 04.05.2016 Drw: T.J/TS Chk: AW
Issue for planning

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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

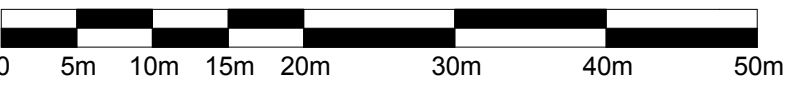
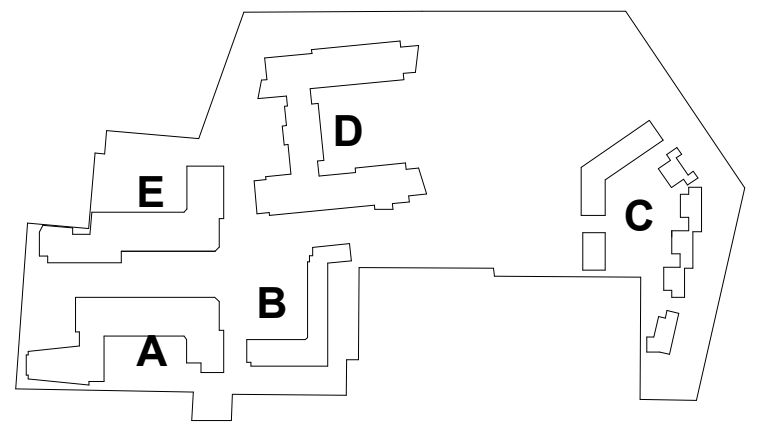
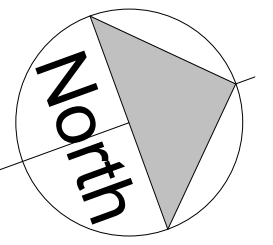
Title:
Site wide - Undercroft Parking Plan

Drawing status:
Planning



Scale @ A1
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Drawing No:
2055-00-DR-0099

Rev:
P01



— Site Boundary



Rev: P04 Date: 19.01.2017 Drw: TS Chk: AW
Planning officer comments for plot C - Balconies changed to Juliet balconies on Building C1&C5; Balconies removed on House 7&8; Window position changed on building C5 from south to west facing
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Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments
Rev: P02 Date: 03.10.2016 Drw: JE Chk: TS
Revision of trees on Church Road frontage
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Issue for planning

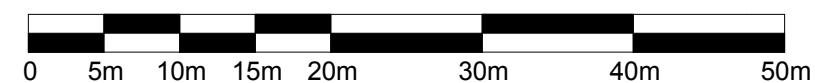
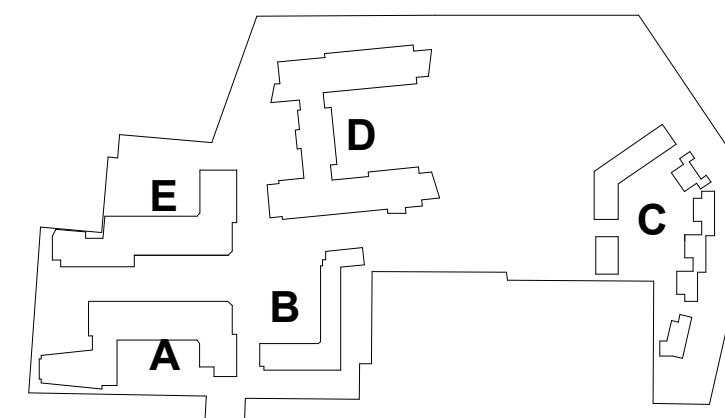
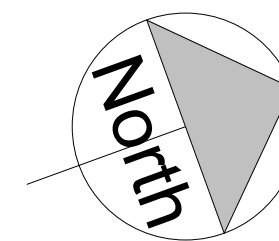
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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Ground Floor Plan

Drawing status:
Planning



— Site Boundary

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Rev: P03 Date: 19.01.2017 Drw: TS Chk: AW
Planning officer comments for plot C - Balconies changed to juliet balconies on Building C1&C5; Balconies removed on House 788; Window position changed on building C5 from south to west facing

Rev: P02 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments

Rev: P01 Date: 04.05.2016 Drw: T.J/TS Chk: AW
Issue for planning

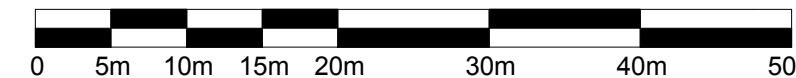
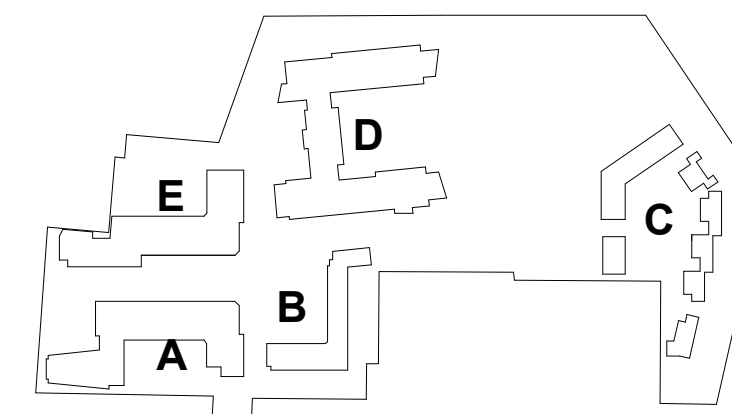
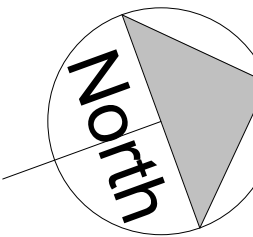
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Dimensions to be checked on site
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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - 1st Floor Plan

Drawing status:
Planning



— Site Boundary



Rev: P03 Date: 19.01.2017 Drw: TS Chk: AW
Planning officer comments for plot C - Balconies changed to Juliet balconies on Building C1&C5; Balconies removed on House 7&8; Window position changed on building C5 from south to west facing

Rev: P02 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments

Rev: P01 Date: 04.05.2016 Drw: TJ/TS Chk: AW
Issue for planning

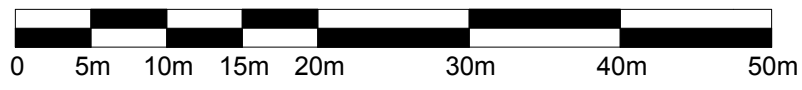
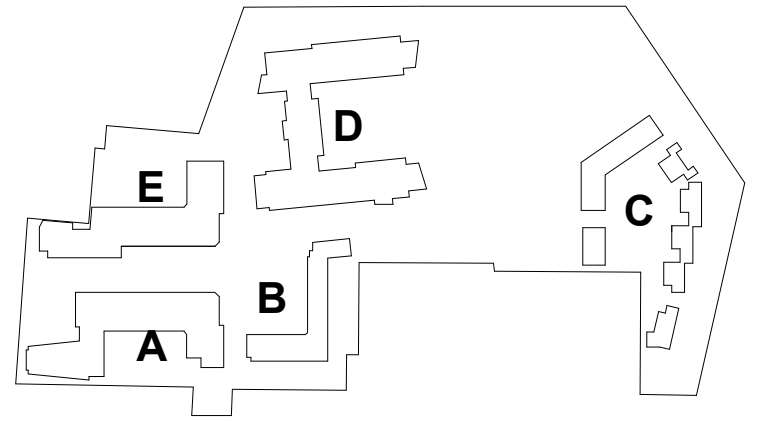
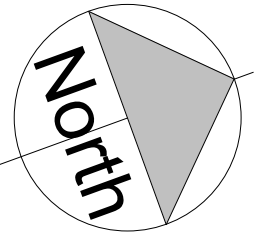
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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - 2nd Floor Plan

Drawing status:
Planning



— Site Boundary

Page 65



Rev: P03 Date: 19.01.2017 Drw: TS Chk: AW
Planning officer comments for plot C - Balconies changed to Juliet balconies on Building C1&C5; Balconies removed on House 7&8; Window position changed on building C5 from south to west facing
Rev: P02 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments
Rev: P01 Date: 04.05.2016 Drw: TJ/TS Chk: AW
Issue for planning

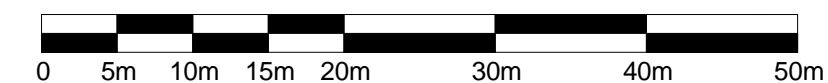
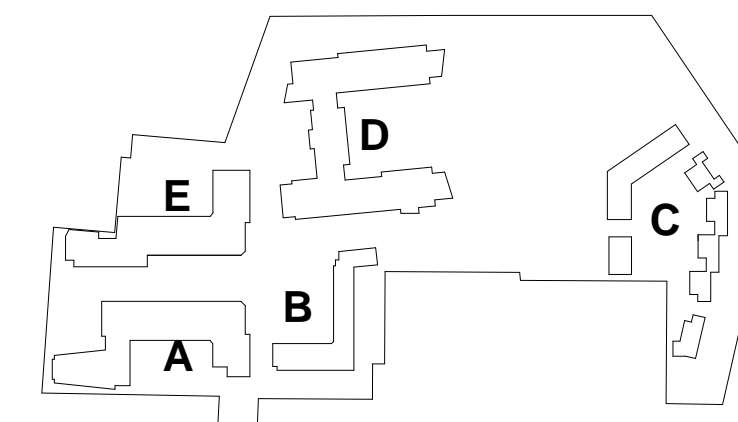
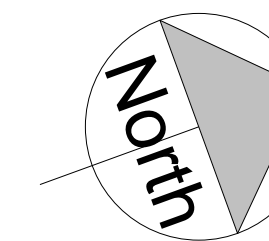
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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - 3rd Floor Plan

Drawing status:
Planning



— Site Boundary



Page 66

Rev: P02 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments

Rev: P01 Date: 04.05.2016 Drw: T.J/TS Chk: AW
Issue for planning

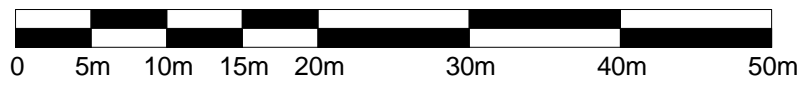
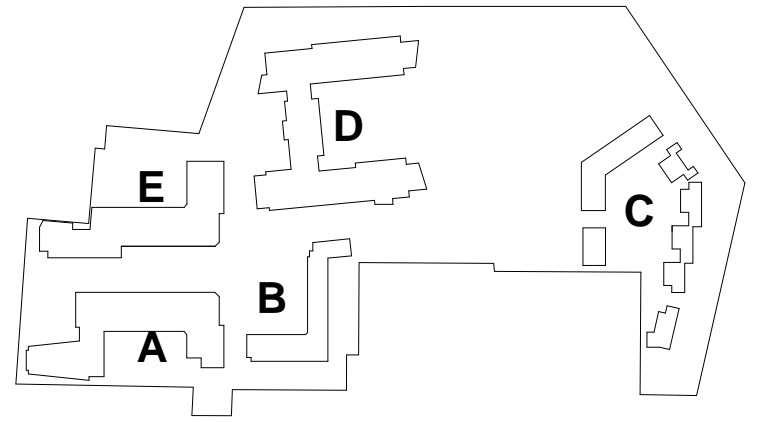
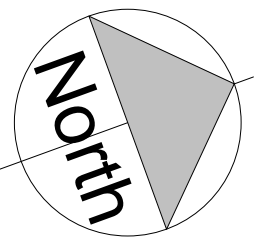
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Client:
Brooklands Helix Developments Ltd

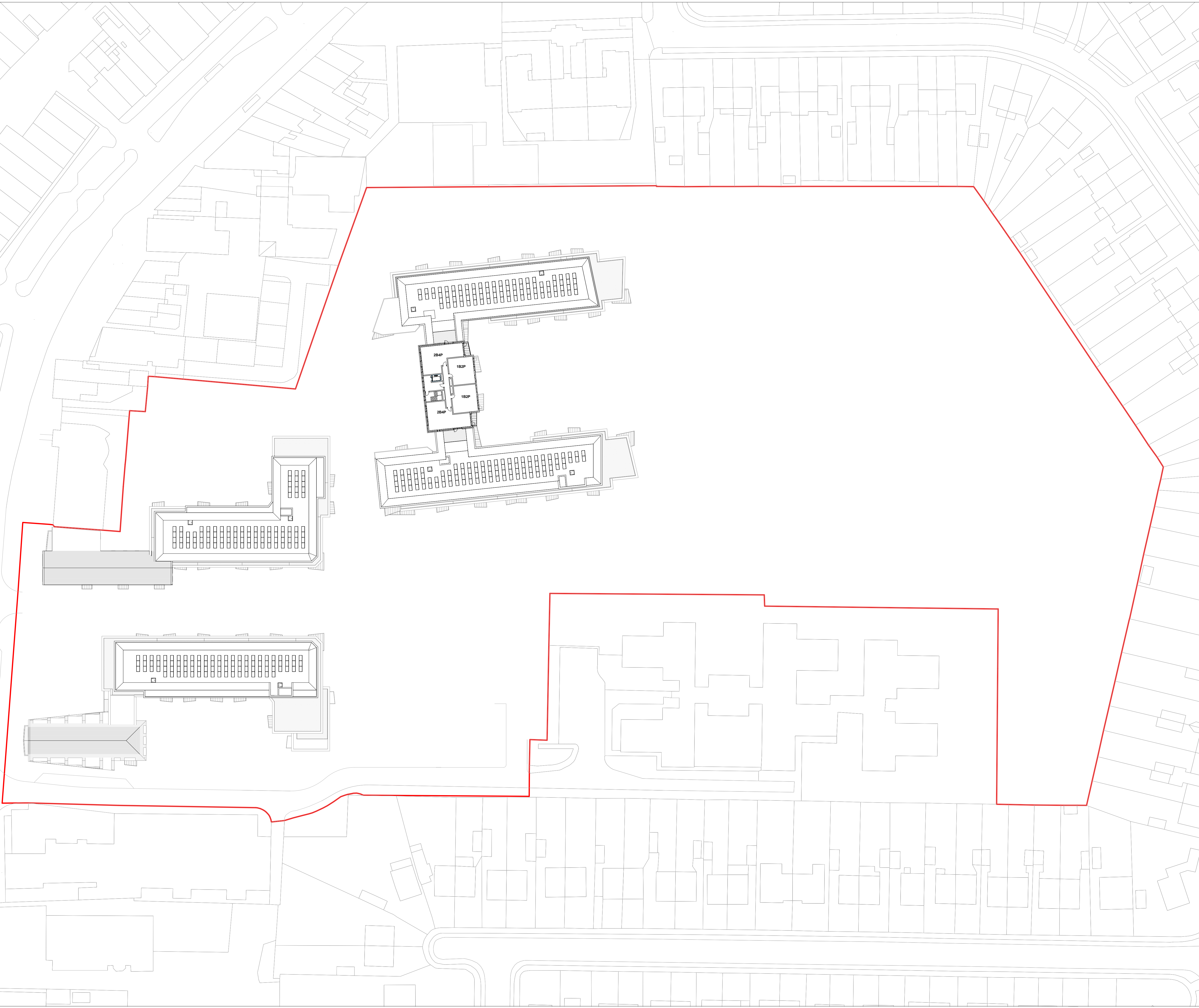
Project:
Church Road, Ashford

Title:
Site wide - 4th Floor Plan

Drawing status:
Planning



— Site Boundary



Rev: P02 Date: 24.11.2016 Drw: TS Chk: AW
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Rev: P01 Date: 04.05.2016 Drw: T.J/TS Chk: AW
Issue for planning

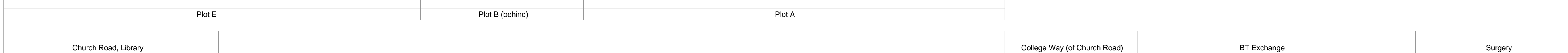
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Client:
Brooklands Helix Developments Ltd

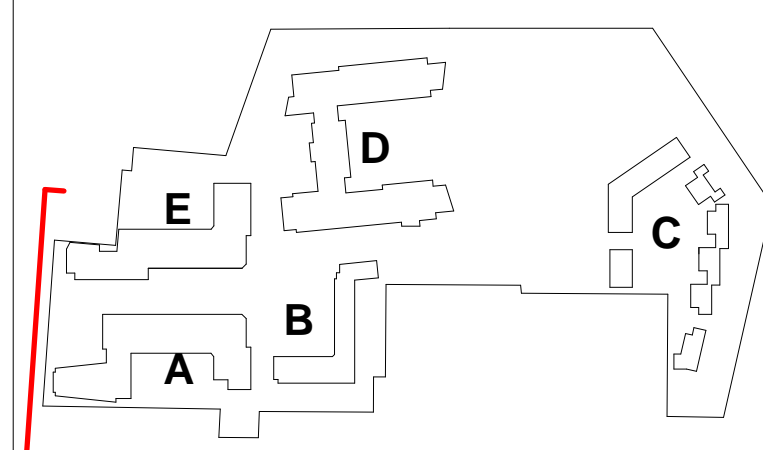
Project:
Church Road, Ashford

Title:
Site wide - 5th Floor Plan

Drawing status:
Planning



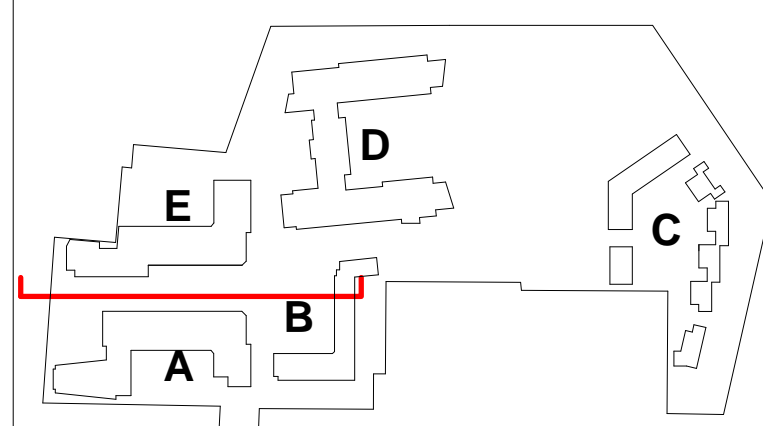
Town Square Elevation



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Plot E - East Elevation



Rev: P03 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments
Rev: P02 Date: 03.10.2016 Drw: JE Chk: TS
Revision of trees on Church Road frontage
Rev: P01 Date: 04.05.2016 Drw: TJ/TS Chk: AW
Issue for planning

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Report all errors and omissions to the Architect
Dimensions to be checked on site
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Client:
Brooklands Helix Developments Ltd

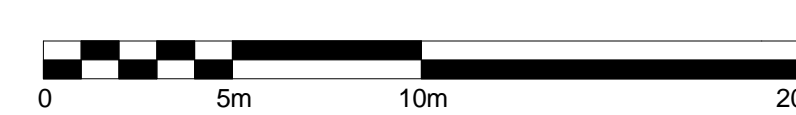
Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 1

Drawing status:
Planning



Scale @ A1
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Drawing No:
2055-00-DR-0600
Rev:
P03



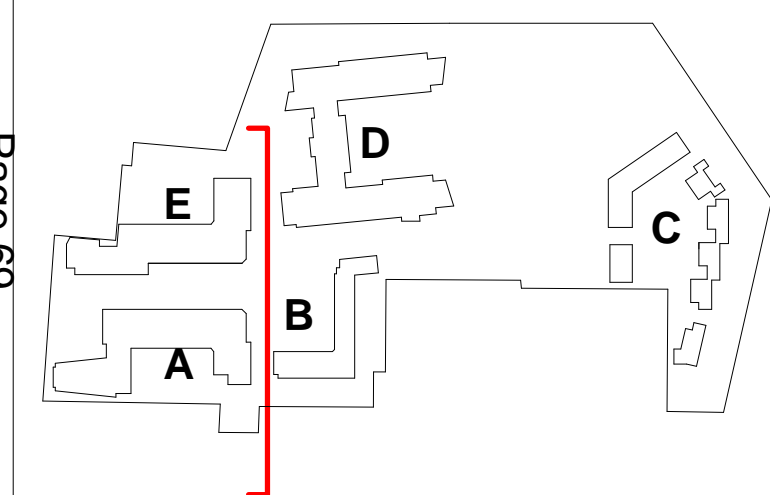


Plot A

Plot E

BT Exchange College Way

Plot A/E - North Elevation



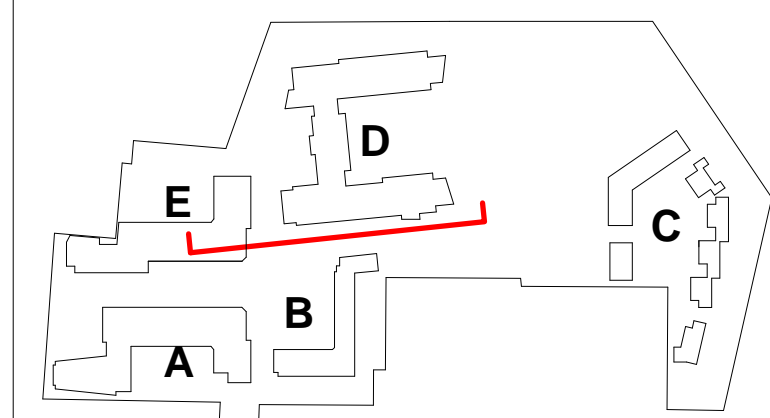
Page 09



Plot E (Sectional Elevation)

Plot D

Plot D - East Elevation



Rev: P02 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments
Rev: P01 Date: 04.05.2016 Drw: T/J/TS Chk: AW
Issue for planning

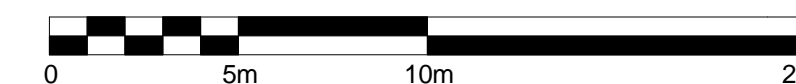
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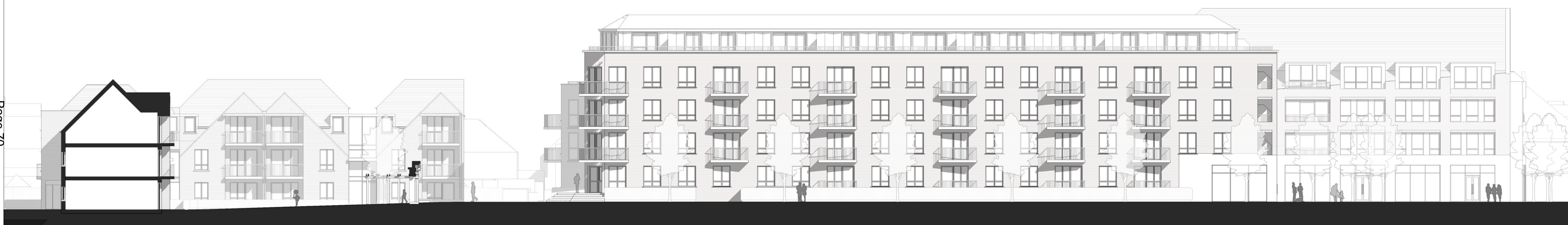
Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 2

Drawing status:
Planning

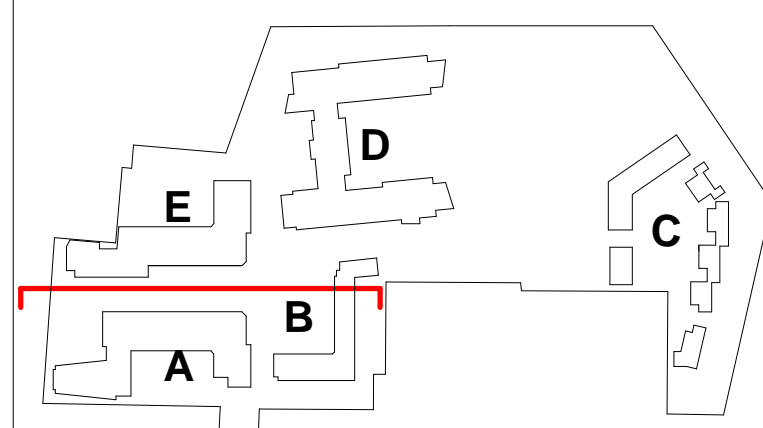




Plot B (Sectional Elevation)

Plot E

Plot A/B - West Elevation



Rev: P02 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments
Rev: P01 Date: 04.05.2016 Drw: T.J/TS Chk: AW
Issue for planning

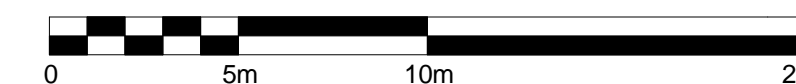
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Report all errors and omissions to the Architect
Dimensions to be checked on site
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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 3

Drawing status:
Planning



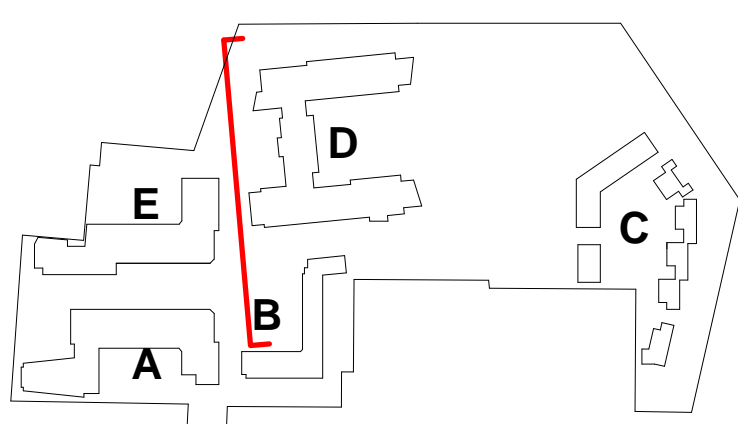


Plot D

Plot C (behind)

Plot B

Plot B/D - South Elevation



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Plot B

Plot D

Rev: P01 Date: 04.05.2016 Drw: TJ/TS Chk: AW
Issue for planning

Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 4

Drawing status:
Planning



Scale @ A1

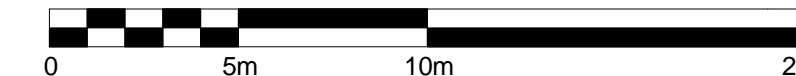
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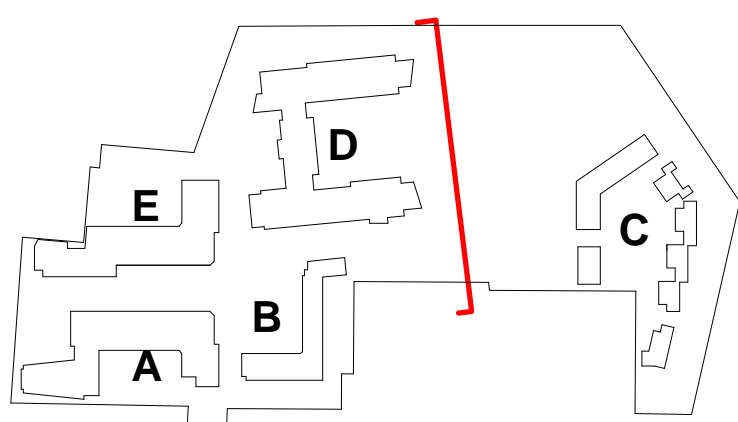
2055-00-DR-0603

Rev:

P01



Plot B/D - North Elevation



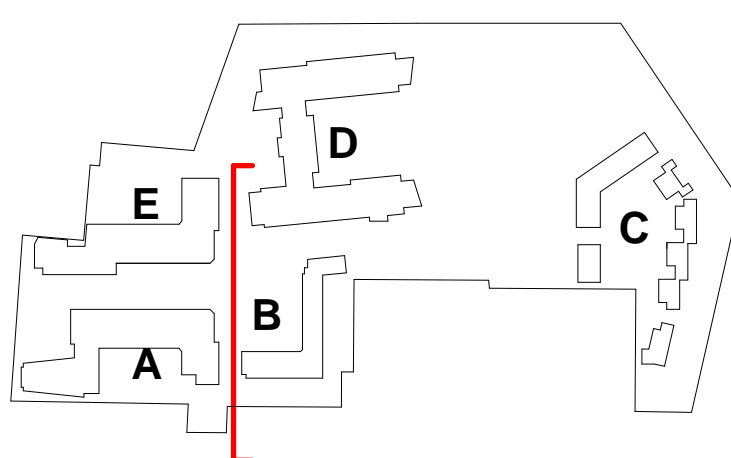


Plot D

Plot C (behind)

Plot B

Plot B/D - South Elevation

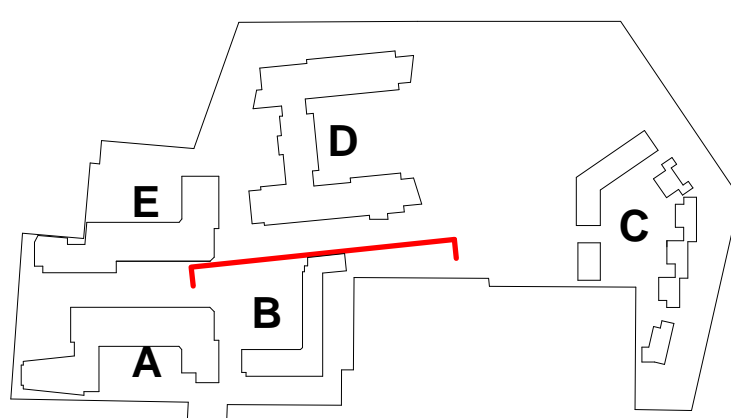


Echelforde

Plot B

Plot A

Plot A/B - West Elevation



Rev: P02 Date: 24.11.2016 Drw: TS Chk: AW
Balconies cut back for block A2 West elevation E2 East elevation as per tree officers comments
Rev: P01 Date: 04.05.2016 Drw: T.J/TS Chk: AW
Issue for planning

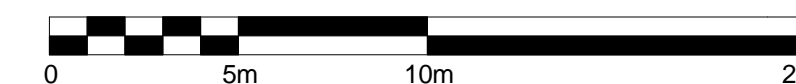
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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 5

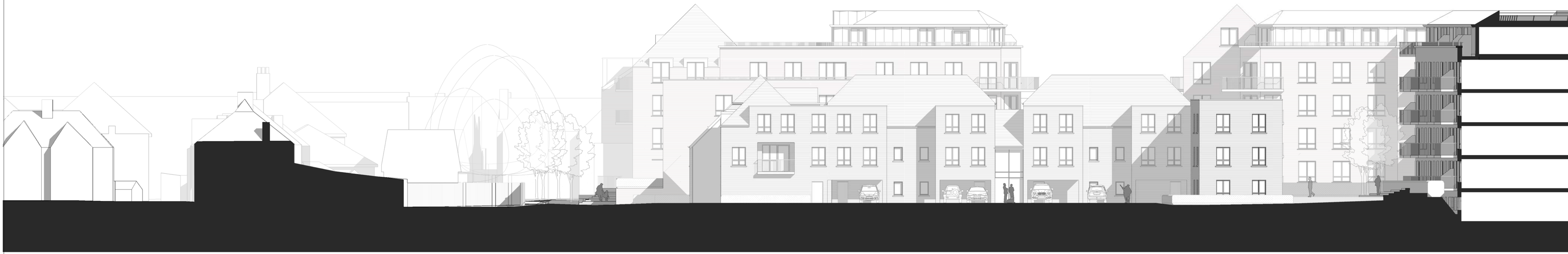
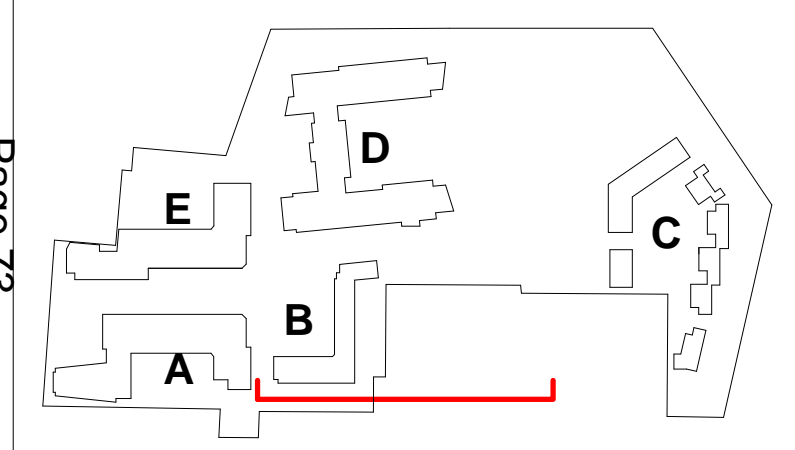
Drawing status:
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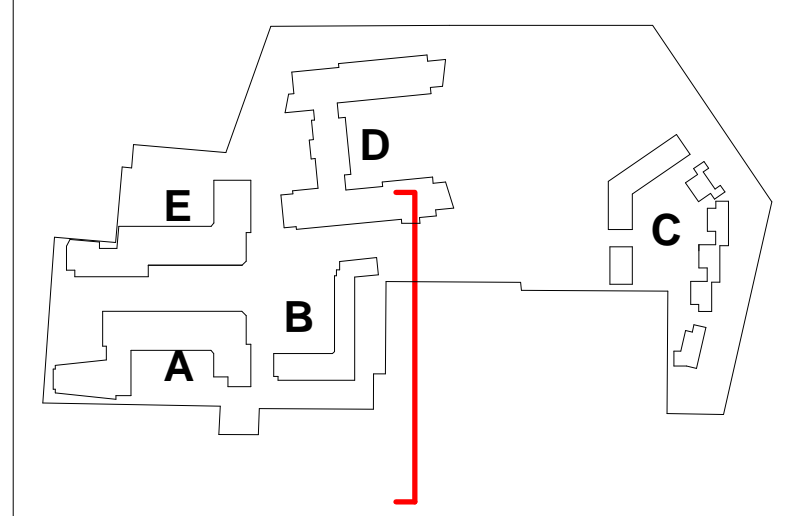
Plot A Plot B Plot D (behind) Echelforde

Plot B - East Elevation



Plot B Plot A (behind) Plot E (behind) Plot D

Plot B - North Elevation



Rev: P01 Date: 04.05.2016 Drw: TJ/TS Chk: AW
Issue for planning

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Report all errors and omissions to the Architect
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Client:
Brooklands Helix Developments Ltd

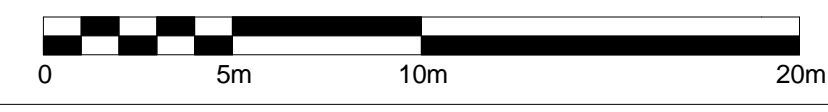
Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 6

Drawing status:
Planning



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Drawing No:
2055-00-DR-0605 Rev:
P01



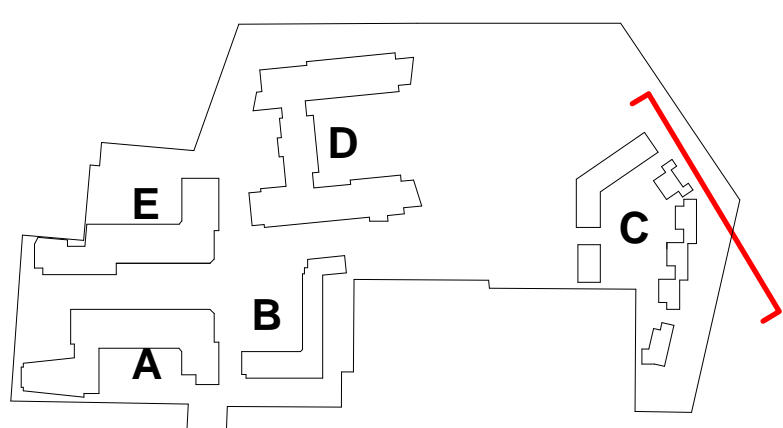


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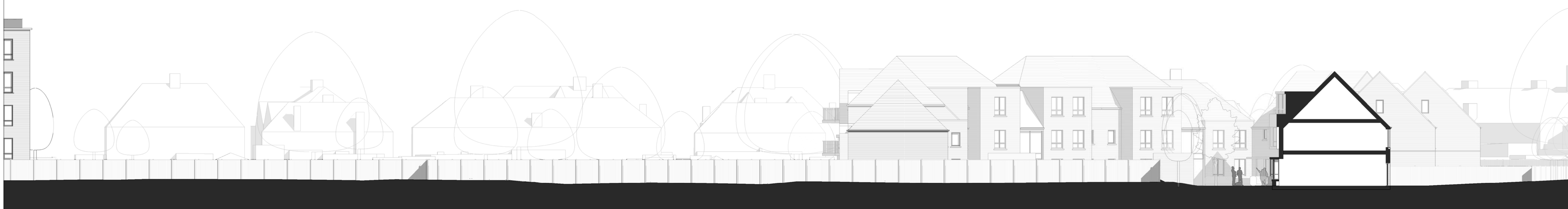
Plot B (behind)

Plot D

Plot C - North Elevation



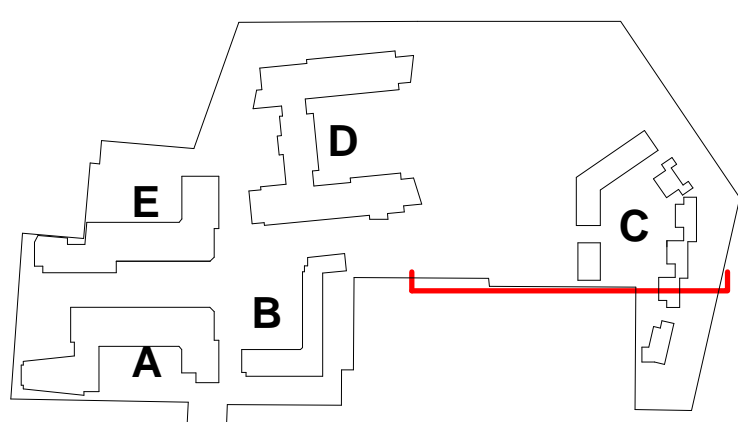
Page 74



Plot D

Plot C

Plot C - East Elevation



Rev: P01 Date: 04.05.2016 Drw: TJ/TS Chk: AW
Issue for planning

Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
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Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 7

Drawing status:
Planning



Scale @ A1

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Drawing No:

2055-00-DR-0606

Rev:

P01

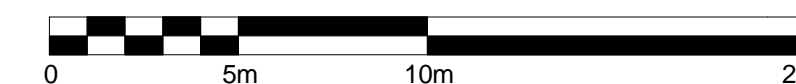




FIGURE 4.24 - VIEW FROM TOWN SQUARE



FIGURE 4.25 - ELEVATION CHURCH ROAD NOT TO SCALE





FIGURE 4.33 - VIEW TOWARDS POCKET PARK & PLOT B



FIGURE 4.34 - PLOT B - SOUTH ELEVATION



FIGURE 4.35 - PLOT B - NORTH ELEVATION



FIGURE 4.19 - MODEL OF THE PROPOSALS VIEWED FROM SOUTH



FIGURE 4.23 - MODEL OF THE PROPOSALS VIEWED FROM NORTH

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Planning Committee

08 February 2017



Application No.	16/02045/FUL
Site Address	Churchill Hall, Churchill Way, Sunbury
Applicant	Spelthorne Borough Council
Proposal	Demolition of existing hall and replacement with 3 no. two storey terraced dwellings with car parking and amenity space.
Ward	Sunbury Common
Called-in	This application is being referred to Planning Committee as the applicant is Spelthorne Borough Council.

Application Dates	Valid: 20.12.2016	Expiry:14.02.2017	Target: Under 8 weeks
Executive Summary	<p>This application seeks the demolition of the existing hall and the erection of 3 no. two storey terraced dwellings with car parking and amenity space.</p> <p>The site is located within the urban area and the principle of demolishing the hall and replacing it with new residential development is considered acceptable. The proposed design and appearance is considered acceptable in accordance with Policy EN1 of the Core Strategy and & Policies DPD 2009. Furthermore, the relationship with the neighbouring properties is considered satisfactory.</p>		
Recommended Decision	Approve the application subject to conditions set out at Paragraph 8 of the Report.		

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:

- CO1 (Provision of Community Facilities)
- EN1 (Design of New Development)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- HO3 (Affordable Housing)
- HO5 (Density of Housing Development)
- CC3 (Parking Provision)

2. Relevant Planning History

SUN/OUT/10170	Erection of a Home for Aged Persons comprising ten one-person units, eight two-person units and one five-person Wardens unit, together with a single-storey Day Centre of 975 sq ft (90.5 sq m) on 1.13 acres (0.45 hectare).	Grant Conditional 17.04.1972
SUN/FUL/10427	Erection of a Home for Aged Persons (AP), 6 No. A.P. Bungalows, 8 No. A.P. Flats, Day Centre, 22 Garages and Electricity Sub Station.	Grant Conditional 13.03.1973
SUN/FUL/10427/A	SUN/FUL/10427/A Erection of a home for aged persons containing 18 person units, 11x 2 person units and 1 wardens flat, 3 aged persons bungalows, 8 aged persons flats, an aged persons day centre, together with the erection of 24 garages, the construction of 27 parking spaces and an electricity	Grant Conditional 13.03.1973

sub-station.

PLAN
C/DE4/76/352

Change of use from Day Centre to public hall plus the erection of a storage room at the side of the existing hall, measuring 17 ft. (5.2 m) by 11 ft. (3.4 m) to be used for purposes ancillary to the proposed use.

Grant Conditional
09.08.1976

3. Description of Current Proposal

- 3.1 The application site relates to Churchill Hall, Sunbury which is located on the eastern side of Churchill Way. The site is currently occupied by a detached low profile building. The hall was built in 1973, as part of a home for the elderly, but was granted permission in 1976 to be used as a public hall. The original 'home' has subsequently been redeveloped as Beechwood Court (located to the rear of the application site); a self-contained extra care sheltered housing scheme. Churchill Hall was operated by the Council as a Day Centre for the elderly up until October 2010 when the day centre function was relocated to the then new Benwell Centre. The Day Centre use operated on weekdays from 9 to 4pm. Up until this point it was occasionally hired for children's parties etc. From around 2006 it was let to a company in the evenings and weekends who ran dance classes. From April 2011 to March 2016 that company took a lease of the entire premises. They have since re-provided much of their classes elsewhere. Any 'public' use of the premises ceased in March 2011.
- 3.2 There are 6 parking spaces located to the south of the site. To the east of the site is the Beechwood Court sheltered housing development, while to the north and south are two terraces of bungalows with low profile roofs. To the west of the site and further to the north the street scene is characterised by two storey terraced development.
- 3.3 The proposal is for the erection of 3 no. two storey terraced dwellings with pitched gable ended roofs. The dwellings each incorporate 1 parking space to the front and the development incorporated 6 further spaces to the south of the site, including 2 disabled parking spaces.
- 3.4 The completed houses will be under ownership of Knowle Green Estates Ltd which is a subsidiary company owned by the Council. The houses will be let to clients from the Councils housing register. Two of the parking spaces to the south will be required for the residential properties whilst the remainder (4) will be available for parking by local residents.
- 3.5 Copies of the proposed site layout and elevations are attached 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
Environmental Health	No objection subject to conditions relating to contaminated land and a method statement during demolition and construction.

5. Public Consultation

5.1 83 neighbouring properties were notified of the planning application. 2 letters of representation have been received making the following comments:

- Locating the houses in line with the existing bungalows will totally block out light to the side facing window in no.5 Churchill Way.
- The associated fencing and increased height of properties will 'plunge the rear garden of no.5 into almost permanent gloom, except for in the height of summer'.
- The main reason the hall wasn't used by the wider community was the failure by Spelthorne Council to advertise its availability to hire and it was leased to a dance school.
- The hall is for community use and should be retained as such.
- Access to and from the rear of Churchill Way via the existing double gate doors must be maintained throughout the build.
- Parking problems in the area will be made worse by the development.
- Worried about noise and disturbance resulting from the development

6. Planning Issues

- Design and Appearance
- Impact on amenity
- Parking
- Loss of community hall

7. Planning Considerations

Design and Appearance

7.1 Policy EN1(a) of the CS & P DPD states that the Council will require a high standard of 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.

7.2 The proposal is for 3 terraced dwellings. There is a three storey sheltered housing development directly to the rear of the site and low profile, terraced bungalows either side of the application site. However, the character of the

area predominantly consists of uniform 2 storey terraced dwellings. Although there are also 3 storey flats further to the south east of the site. The proposed new dwellings reflect the style and design of the existing two storey dwellings incorporating a gable ended roofline. They are considered acceptable in appearance and would not appear out of character in the street scene.

- 7.3 The Councils Supplementary Planning Guidance on Parking requires no more than half the width of a dwellings front garden to be used for car parking, and the proposed layout would comply with this requirement. The layout also allows space for landscaping at the front of the dwellings and boundary treatment to soften the impact of the development. The parking area to the south of the site also incorporates areas for landscaping which would break up the appearance of the parking areas. Overall the proposal is considered to be acceptable in terms of impact on visual amenity.

Amenity

- 7.4 The Council has received a representation from the occupants of no.5 Churchill Way, raising objection on the grounds of loss of light to a side facing window in the south eastern elevation of the dwelling. The proposed new dwellings would be located in line with the front of the adjacent bungalows and 3m's from the side elevation of no.5. The dwellings would infringe a 45 degree vertical line taken from the face of the side window in question. However, paragraph 3.22 the SPD on Design states that any new dwelling must not break a 45 degree line from the main window to a habitable room. The window in question is a secondary source of light to the lounge, the main source of light being patio doors to the rear. It is therefore not considered that the Council could raise objection on the basis of loss of light to this window as it is not the main light source to the room.
- 7.5 The proposed dwellings would extend only slightly past the rear elevation of no.5 and would therefore not infringe a 45 degree line taken from the rear of the property. Furthermore, no.5 has a boundary wall of some 2.4m in height adjoining the rear of the property and extending some 5m in depth, which would provide some shielding from the development. Overall therefore it is considered that the proposal would not result in significant loss of light or overbearing impact to the rear of the property.
- 7.6 The amenity space provided would meet the requirements of the Councils Supplementary Planning Document on Design of Residential Dwellings (SPD). The floor space of the proposed new dwellings would exceed the required minimum floor spaces laid out in the SPD and the national technical standards.

Loss of Hall

- 7.7 Policy CO1 of the Councils Core Strategy and Policies DPD states that the Council will seek to ensure community facilities are provided to meet local need and will resist the loss of facilities, except where it is demonstrated the facility is no longer needed, or where it is established that the services provided by the existing facility can be provided in an alternative location, or in a manner that is equally accessible to the community served. The Council has received 2 representations objecting to the loss of a hall which is considered to provide a community facility.

- 7.8 As set out in paragraph 3.1 above the long standing public use of the hall as a day centre ceased in October 2010 when that function transferred to the new Benwell Centre. Such other public uses ceased at this time as well. The use by a dance company would not be regarded as a 'public amenity use'. The hall has not been in public use for some years and therefore in terms of policy there is no loss of community facilities to consider. The Council has no need for any additional public hall facilities as its needs are met at by its existing premises in the Borough. There is, therefore, no need to retain this building for a future community use.

Parking and highways

- 7.9 Policy CC3 of the Councils Core Strategy and Polices DPD requires appropriate provision to be made for off street parking.
- 7.10 The Council has consulted the SCC Highways Engineer on the proposal on highway safety grounds. Having assessed the application he has confirmed that he no objection. He notes that the Councils Parking Standards require developers to provide a minimum of 1.5 parking spaces per 2 bedroom unit, which equates to 5 parking spaces. The scheme would provide one undercroft parking space per dwelling, plus 6 more to the south. Two of the spaces to the south will be for the dwellings and therefore the parking requirements are met. The remaining four will be available for local residents to park, which is to be welcomed. The proposed parking provision is therefore considered to be acceptable.

Other matters

- 7.11 The proposed housing density is 50 dwellings per hectare which is considered to be acceptable in this location and accords with Policy H05 of the Core Strategy and Polices DPD.

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: L2251/LP, L2251/04C, L2251/05C, P/GF/1B, B15/6684-01, 02A, 02B and 02C, Tree Survey.

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

3. Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the building and the surface material for the parking areas be submitted to and approved by the Local Planning Authority.

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

4. No development shall take place until:-

- (a) A comprehensive desk-top study, 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" proving 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. No development shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

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

7. No development shall take place 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.

8. No development shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

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

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

Reason:- To safeguard the amenity of neighbouring properties

10. No development shall take place, including any works of demolition or site clearance, until a Construction Environmental Management Plan (CEMP) for the site has been submitted and approved by the Local Planning Authority. All of the demolition and construction work shall then be undertaken in strict accordance with this approved plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To safeguard the amenity of neighbouring properties

11. The development hereby approved shall not be occupied unless and until the proposed vehicular access to Churchill Way has been constructed and provided with pedestrian visibility zones of 2 metres by 2 metres on the north side of each access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction between 0.6 metres and 2.0 high above the ground.

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

12. 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) provision of boundary hoarding behind any visibility zones
 - (h) measures to prevent the deposit of materials on the highwayhas been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior planning permission of the Local Planning Authority

Reason:- To safeguard the amenity of neighbouring properties.

14. That no further openings of any kind be formed in the north western elevation of plot 1 without the prior written consent of the Local Planning Authority.

Reason:- To safeguard the privacy of the adjoining property(ies) in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

15. Prior to the occupation of the development hereby permitted the first floor window(s) on the north western elevation of plot 1 shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. The(se) window(s) shall thereafter be permanently retained as installed.

Reason: - To safeguard the privacy of the adjoining property(ies) in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

Informatives:

1. 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, carriage way, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

2. A pedestrian inter-visibility splay of 2m by 2m shall be provided on the north side of each access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

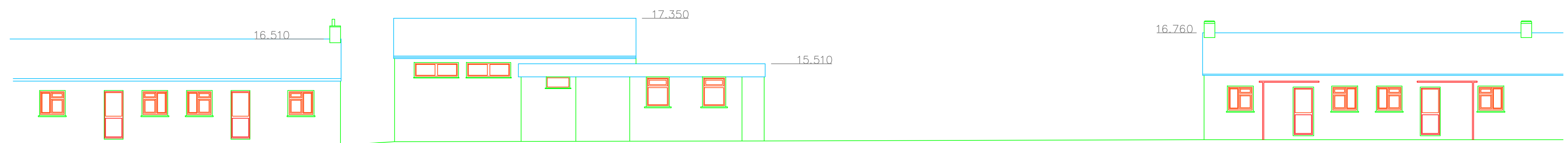
3. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

4. Article 2 (3) Development Management Procedure (Amendment) Order 2015 Working in a positive/proactive manner

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

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

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ELEVATION 1

DATUM 5.00m

Level datum: Ordnance Datum Newlyn (ODN).			
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3	-	-	-
2	-	-	-
1	-	-	-
0	GR	First Complete Issue	10-09-2015
Prelim	-	Preliminary - Not Complete	-
Rev	QA Check	Description	Date

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 TW17 9LD

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 www.sthsurveys.com

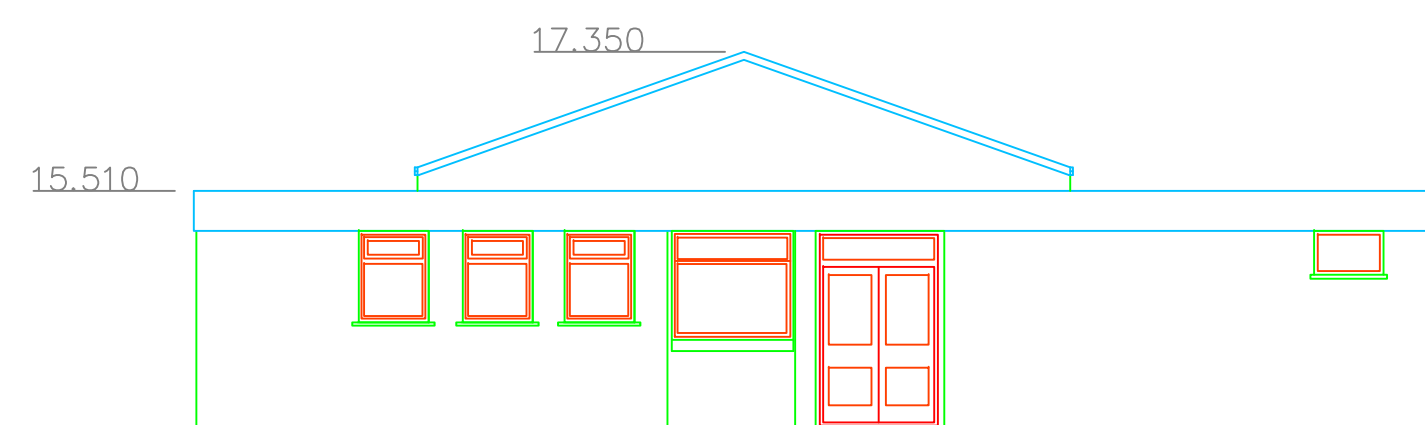
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DRAWN	SR	
SCALE	1:100	

ELEVATIONS

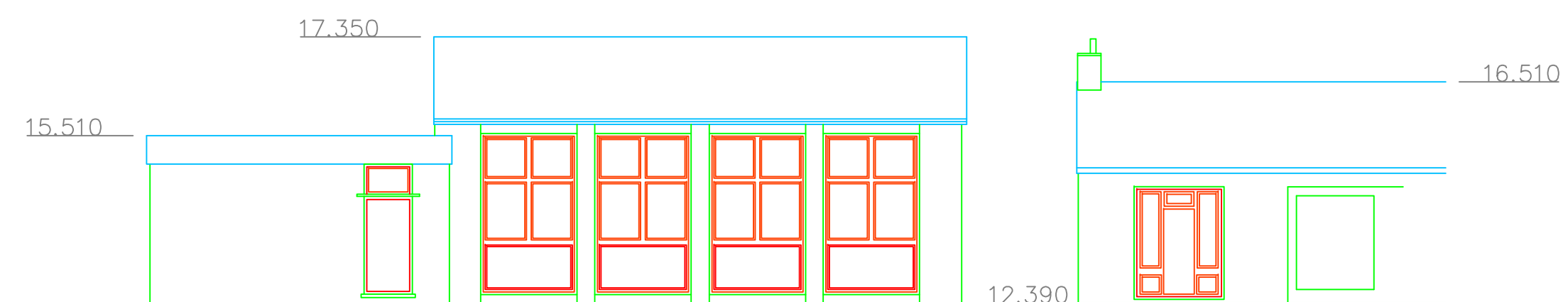
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CHURCHILL WAY
SUNBURY TW16 7RY

JOB No	DRAWING NUMBER
B15/684	B15/684-02A

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ELEVATION 2



ELEVATION 3

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1	-	-	-
0	GR	First Complete Issue	10-09-2015
Prelim	-	Preliminary - Not Complete	-
Rev	QA Check	Description	Date

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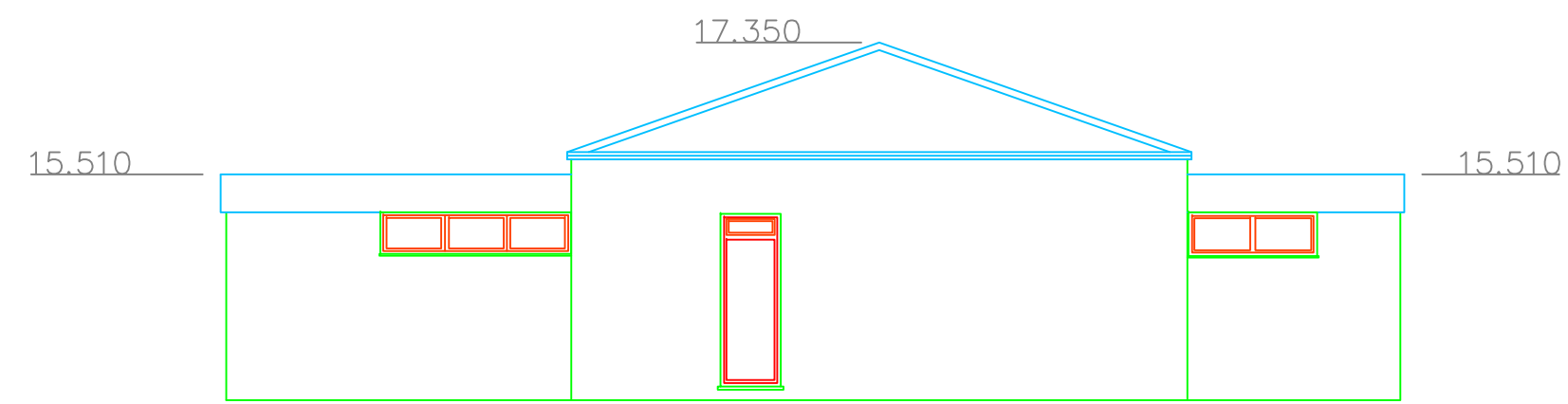
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ELEVATIONS

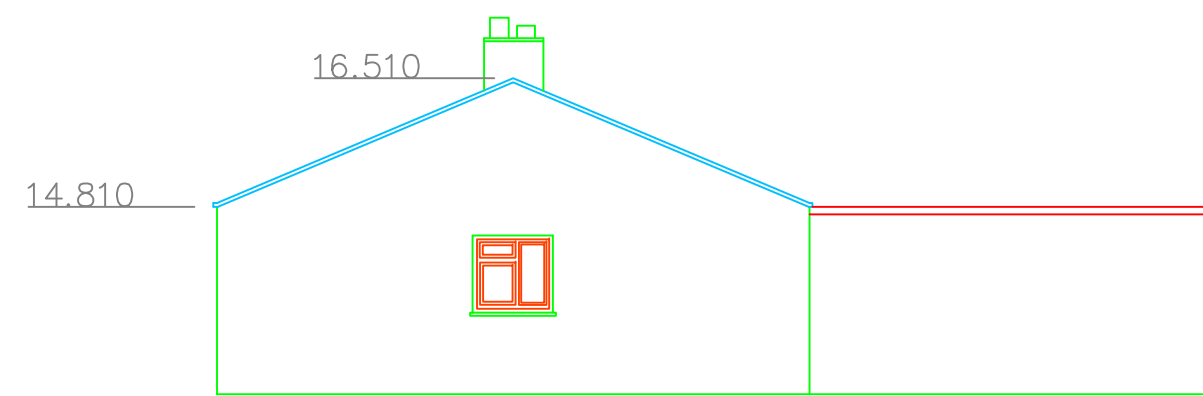
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CHURCHILL WAY
SUNBURY TW16 7RY

JOB No	DRAWING NUMBER
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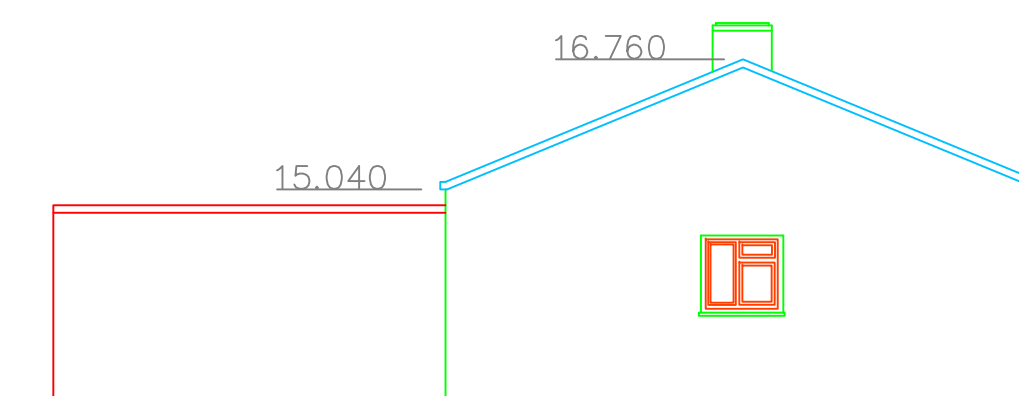
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ELEVATION 4



ELEVATION 5



ELEVATION 6

Level datum: Ordnance Datum Newlyn (ODN).

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2	-	-	-
1	-	-	-
0	GR	First Complete Issue	10-09-2015
Prelim	-	Preliminary - Not Complete	-
Rev	QA Check	Description	Date

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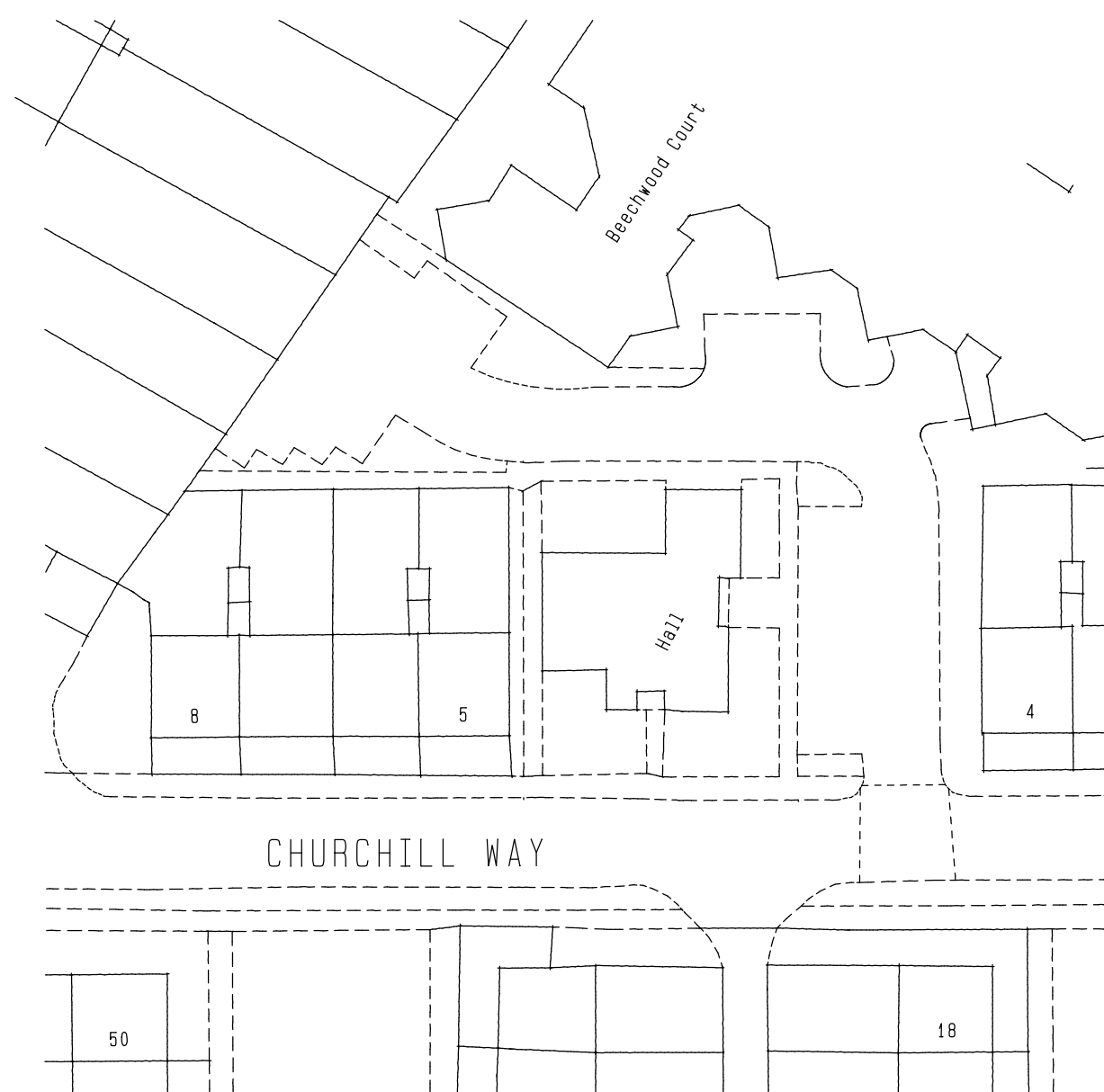
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DRAWN	SR	
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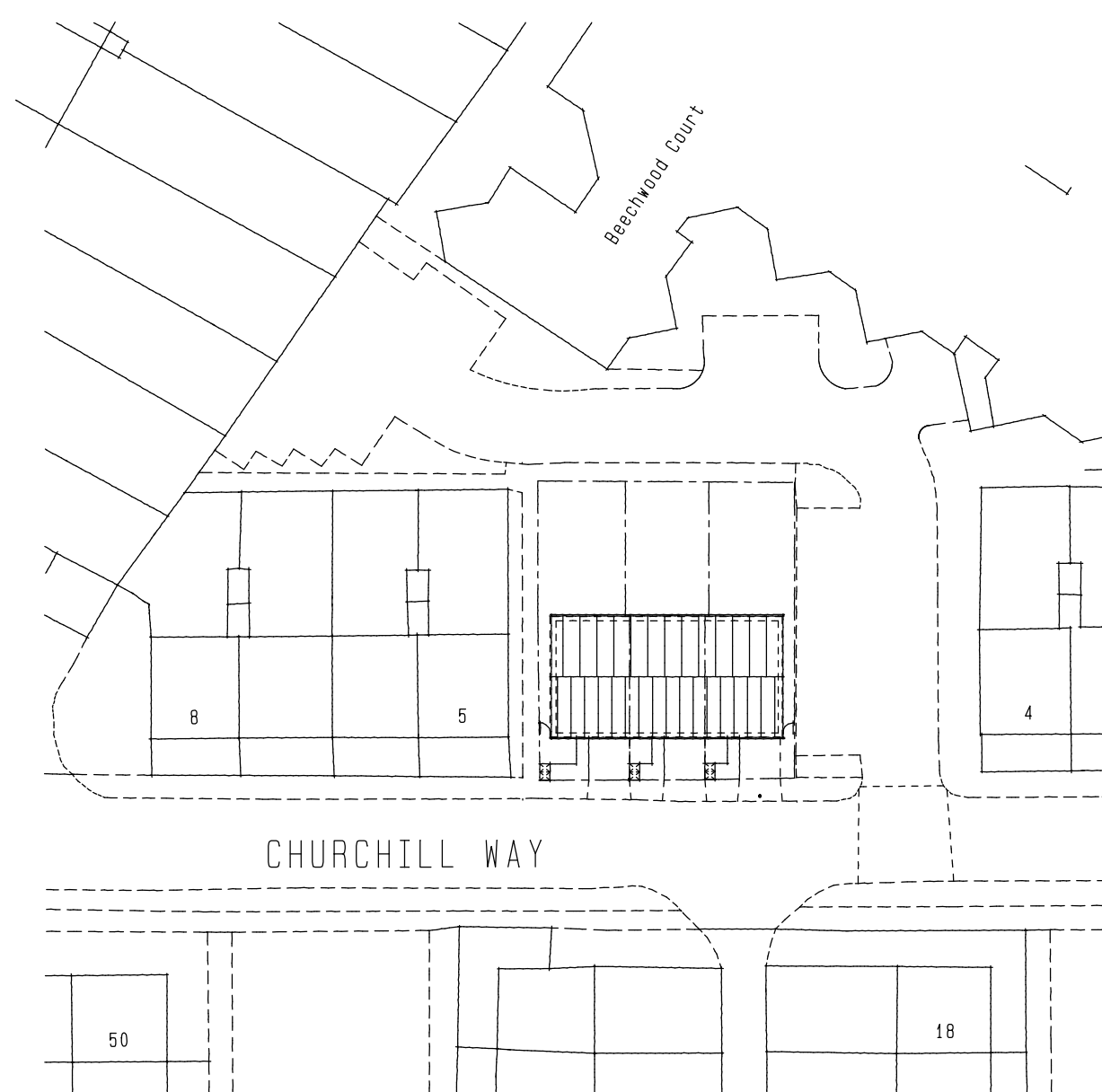
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CHURCHILL WAY
SUNBURY TW16 7RY

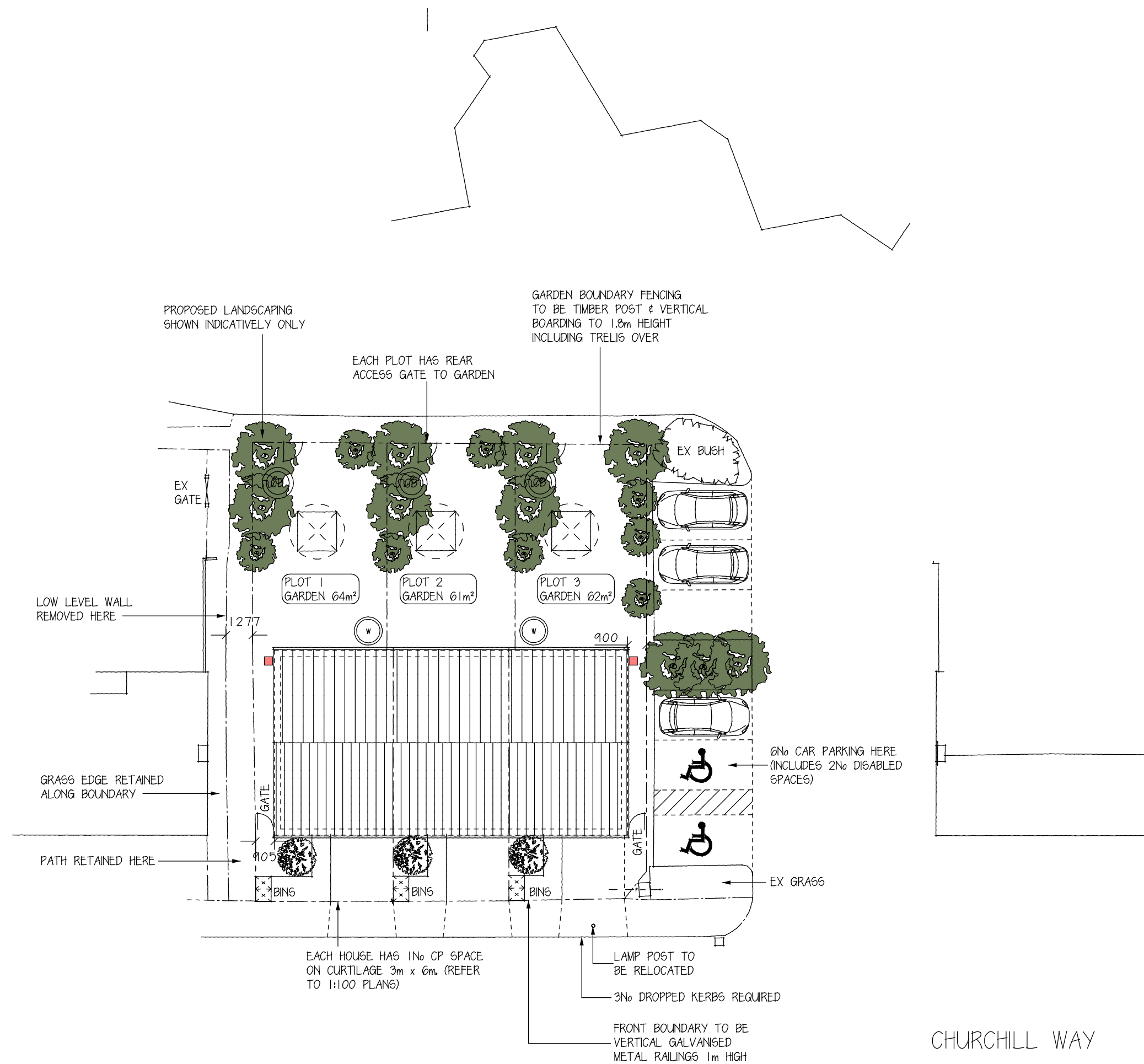
JOB No	DRAWING NUMBER
B15/684	B15/684-02C



EXISTING BLOCK PLAN 1:500



PROPOSED BLOCK PLAN 1:500



SITE LAYOUT 1:200

SCHEDULE OF ACCOMMODATION

- 3 No X 2 BED/ 3 PERSON HOUSES
EACH HOUSE TOTAL GIA 75m²
- GARDEN SPACE AS INDICATED
- CAR PARKING ON CURTILAGE 1 No PROVIDED EACH STANDARD IS 1.5/ 2BED HOUSE THEREFORE A TOTAL OF 1.5 SPACES REQUIRED OFF CURTILAGE
- COVERED CYCLE RACK PROVIDED ADJACENT TO FRONT DOOR, VERTICAL TYPE 2 No/ DWELLING

NOTES

- 1 THE CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
- 2 WRITTEN DIMENSIONS ONLY TO BE TAKEN THIS DRAWING MUST NOT BE SCALED
- 3 THE ARCHITECT IS TO BE IMMEDIATELY NOTIFIED OF SUSPECTED OMISSIONS OR DISCREPANCIES

LEGEND

- GENERAL PURPOSE (TT) BOX ATTACHED TO MATURE TREES OR TO BUILDING
- CB COMPOST BIN 330L + INFO BOOKLET ACCESSIBLE TO DISABLED PEOPLE
- OTHER SUSTAINABLE FEATURES TO BE PROVIDED
- W 210 LITRE WATER BUTT
- 6m+ ROTARY WASHING LINE COMPLETE WITH GROUND SOCKET SET IN CONCRETE FOUNDATION, APPROX. 0.25m³ BASE.

ACCESS PATHS TO BE PAVED WITH FALLS TO MEET BUILDING REGULATION AD PART M

BINS FOR PROPOSED HOUSES
2 No 240L COVERED BINS PROVIDED BY LOCAL AUTHORITY. BIN ENCLOSURE BASE TO BE CONCRETE OR PAVING TO MATCH PATH. ACCESS FROM THE DWELLING AND TO THE FRONT BOUNDARY TO BE LEVEL. TRAVEL DISTANCE FROM THE FRONT DOOR TO BE NO MORE THAN 10M AND TO THE FRONT BOUNDARY AS SPECIFIED BY THE LOCAL AUTHORITY TO BE IN ACCORDANCE WITH AD H (PART H6) I.E. MAX 25M. ENCLOSURE TO BE TIMBER POSTS WITH HORIZONTAL BATTENS STEPPED EITHER SIDE.

REVISION	CHECKED	DATE
REV C AMENDED TO PRE APP ADVICE		KMD 09/09/16
REV B TEXT CORRECTED		KMD 06/06/16
REV A AMENDED TO GUT ADDITIONAL SITE AREA		KMD 25/05/16



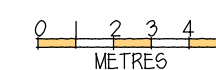
ROBERT DAVIES JOHN WEST LIMITED
RIBA Chartered Practice

The Courtyard 59 Church Street
Staines upon Thames Middx TW18 4XS
Tel: 01784 459211 E-mail: info@rdjwlttd.com

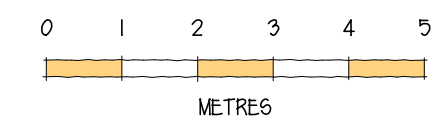
DATE: 21/09/15
SCALE: AS SHOWN
DRAWN: KMD
CHECKED: AJ

PROPOSED DEVELOPMENT,
CHURCHILL HALL
CHURCHILL WAY SUNBURY

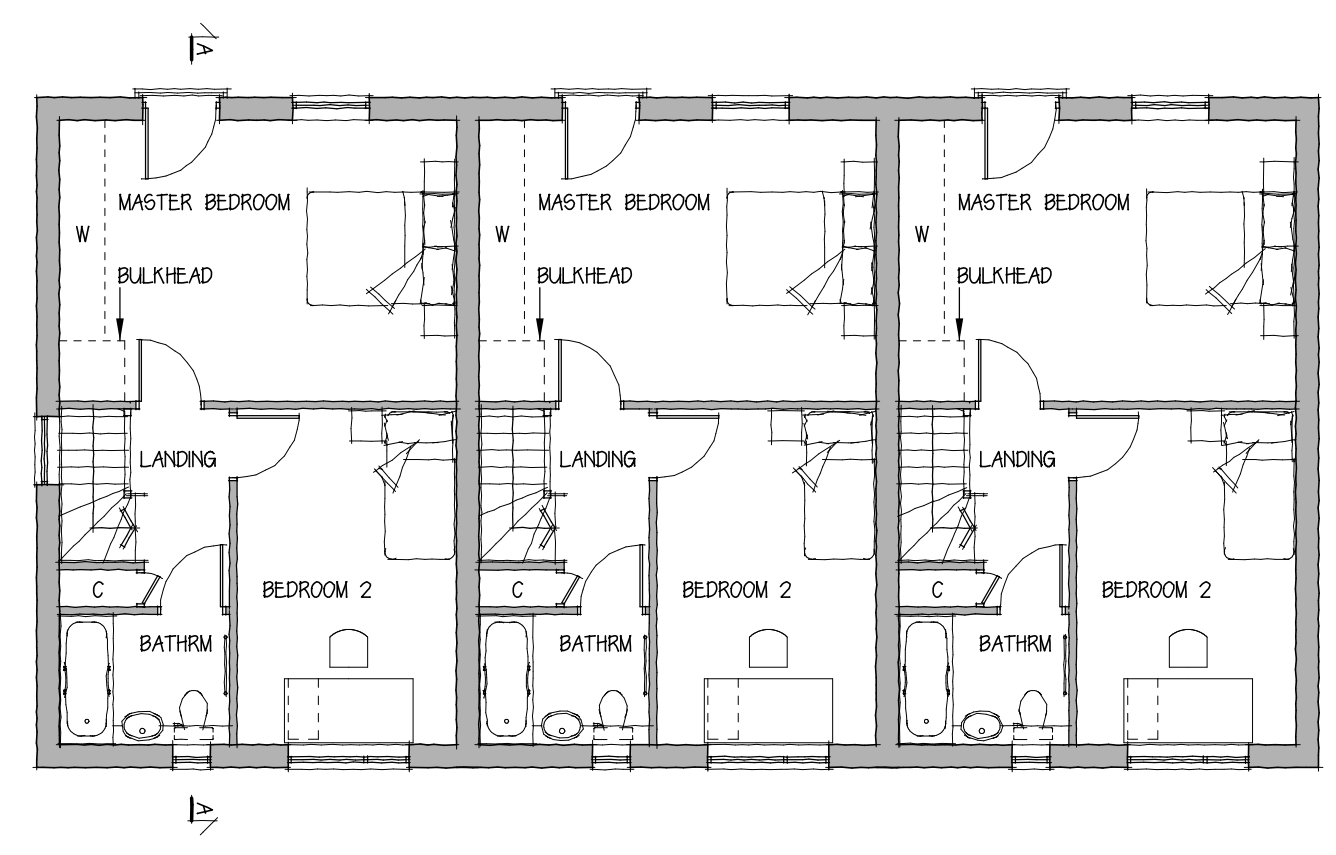
PROPOSED SITE LAYOUT/
EXISTING & PROPOSED
BLOCK PLANS
DWG No: L2251/04 REV c



- NOTES
- 1 THE CONTRACTOR IS RESPONSIBLE FOR ALL GETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
 - 2 WRITTEN DIMENSIONS ONLY TO BE TAKEN THIS DRAWING MUST NOT BE SCALED
 - 3 THE ARCHITECT IS TO BE IMMEDIATELY NOTIFIED OF SUSPECTED OMISSIONS OR DISCREPANCIES



PROPOSED STREET SCENE



FIRST FLOOR PLAN
FIRST FLOOR GROSS INTERNAL AREA 43.00m² (EACH HOUSE)



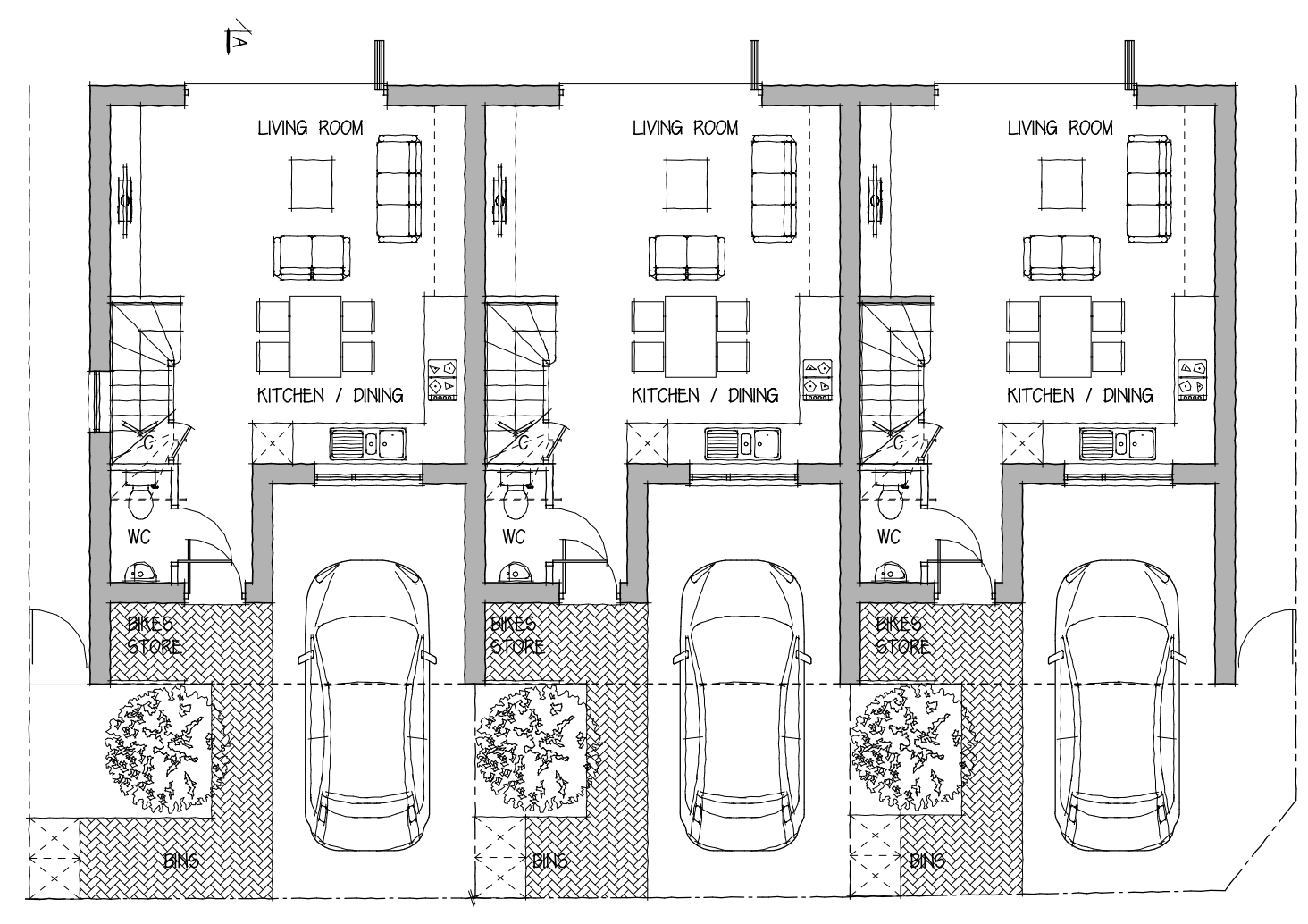
FRONT ELEVATION



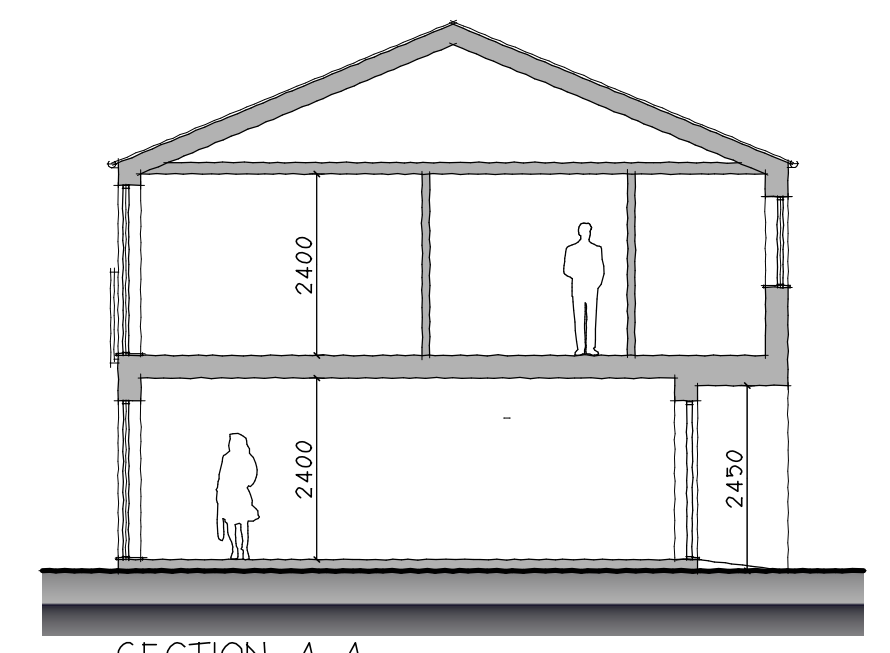
REAR ELEVATION

EXTERNAL MATERIALS:

- ROOF - PITCHED 22.5° INTERLOCKING BROWN ROOF TILE BY MARLEY OE
- DOWNPIPES & GUTTERS - GALVANISED LINDAB OE
- WALLS - CREAM RENDER
- BRK STORE - TIMBER CLADDING
- PLINTH - DARK GREY RENDER
- WINDOWS AND DOORS - WHITE RECYCLED ALUMINIUM
- BATHROOMS & ENSUITES TO BE OBUROSED GLAZING AS INDICATED
- BALCONIES - TIMBER HANDRAL AND GALVANISED VERTICAL BARS
- OBUROSED GLAZING SHADED THUS



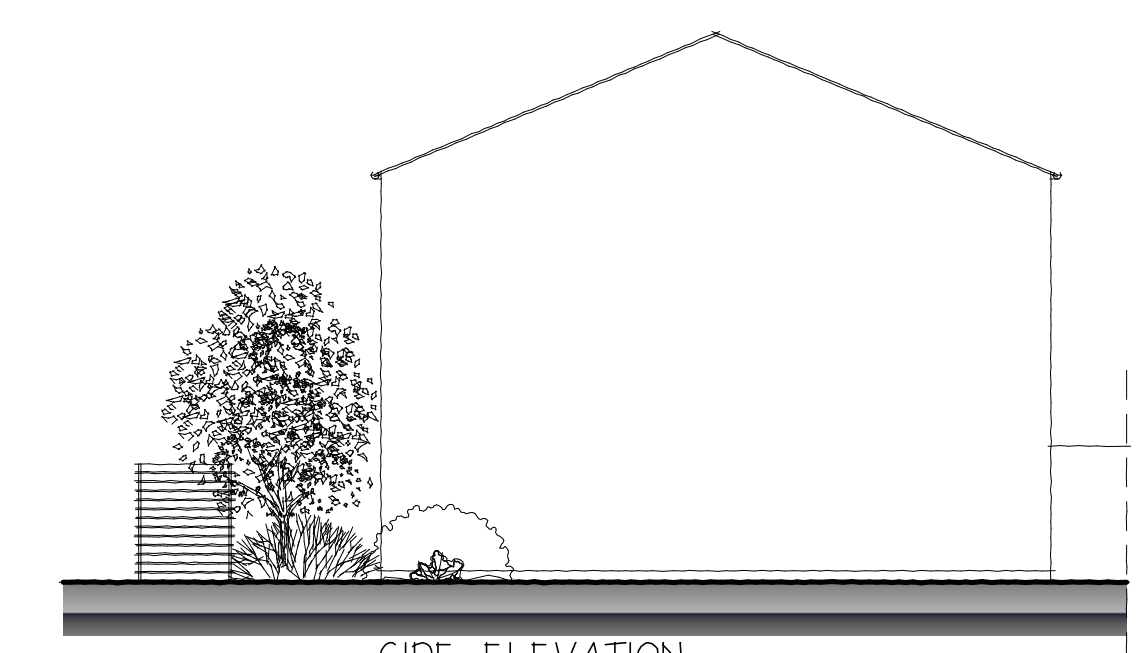
GROUND FLOOR PLAN
GROUND FLOOR GROSS INTERNAL AREA 31.00m² (EACH HOUSE)
TOTAL GROSS INTERNAL AREA 75m² (EACH HOUSE)
MINIMUM REQUIRED 75m²



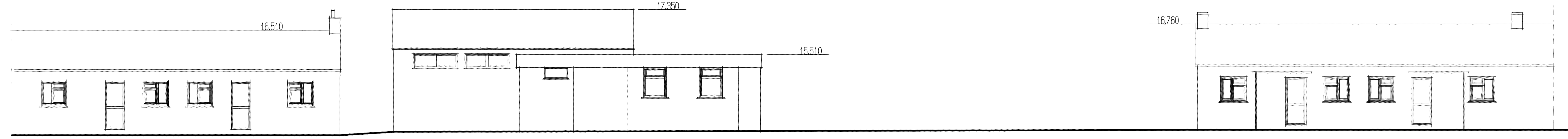
SECTION A-A



SIDE ELEVATION



SIDE ELEVATION



EXISTING STREET SCENE

REVISION	DATE	CHECKED	DATE
REV C AMENDED TO PRE APP ADVICE	KMD 09/09/16		
REV B TEXT CORRECTED	KMD 06/06/16		
REV A AMENDED TO SUIT ADDITIONAL SITE AREA	KMD 26/07/16		

ROBERT DAVIES JOHN WEST LIMITED
RIBA Chartered Practice

The Courtward 59 Church Street
Stashers upon Thames Midsx TW18 4XS
Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE: 21/09/15
SCALE: 1:100 @ A1
DRAWN: AJ
CHECKED: KMD
DWG NO: **L2251/05** REV C

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16/01900/FUL
 381-385 Staines Road West,
 Ashford, TW15 1RH

1:1,250

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Planning Committee

8 February 2017



Application No.	16/01900/FUL
Site Address	381 - 385 Staines Road West Ashford TW15 1RH
Applicant	Mr S McPeake
Proposal	Erection of block comprising 8 no one bed and two bed flats to the front of the site and 4 no. dwellings (comprising 1 no. 2 bed chalet bungalow, 2 no. three bed semi-detached houses and 1 no. four bed detached house) to the rear of the site, all with associated parking, amenity space and landscaping. Formation of a new vehicular access to the site, following demolition of existing dwellings and commercial buildings.
Ward	Ashford Common
Called-in	N/A

Application Dates	Valid:22.11.2016	Expiry:21.02.2017	Target: under 13 weeks
Executive Summary	<p>This planning application seeks the demolition of the existing buildings on site comprising of a car sales and repairs and the erection of 12 residential units, including a block of 8 flats to the front of the site and 4 dwellings to the rear, with associated landscaping and parking</p> <p>The scheme is considered to be an acceptable form of development which will provide a use more compatible with the residential nature of the area. The proposal is considered to be in keeping with the character of the surrounding area and is acceptable on design grounds. It will be an efficient use of previously developed land providing a good standard of housing. It is also considered to conform with policies on highway issues, parking provision, flooding, renewable energy and air quality</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:

- LO1 – Flooding
- HO1 - Providing for New Housing Development
- HO4 - Housing Size and Type
- HO5 - Density of Housing Development
- EN1 - Design of New Development
- EN3 - Air Quality
- EN15 - Development of Land Affected by Contamination
- CC1 - Renewable Energy
- CC3 - Parking Provision

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

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

2. Relevant Planning History

15/01174/FUL	Erection of 5 no. two bed terraced houses to the front of the site and 4 no. dwellings (comprising 1 no. 2 bed bungalow, 2 no. three bed semi-detached houses and 1 no. four bed detached house) to the rear of the site, all with associated parking, amenity and landscaping. Formation of a new vehicular access to the site, following demolition of existing dwellings and commercial buildings.	Refused 23.10.2016 Appeal dismissed 17.08.2016
14/01529/FUL	Erection of apartment block consisting of 8 units (all 2 beds), 1 no. 2 bed bungalow and 3 no. houses (2 no. 3 beds and 1 no. 4 bed) with associated parking and amenity space and formation of new vehicular access to the site, following demolition of existing dwellings and commercial buildings.	Refused 05.12.2014
13/00336/OUT	Outline application for the erection of 14 two bedroom houses, new access, parking and associated external works following demolition of existing commercial buildings and dwellings.	Refused 18.09.2013
97/00660/FUL	Retention of workshop building.	Grant 27.05.1998

SPE/FUL/89/68	Erection of a single-storey workshop and storage building measuring 9.5m (31 ft. 2 in) by 7.8m (25 ft. 7 in).	Grant 07.02.1990
SUN/FUL/10490	Erection of two blocks of flats, each consisting of nine flats and twenty one garages.	Refused 11.04.1973
SUN/FUL/4789D	The use of land for the sale and display of motor Vehicles.	Refused 13.11.1957
SUN/FUL/4789A	Erection of garage, wash house and bathroom.	Refused 10.05.1988

3. **Description of Current Proposal**

Background

- 3.1 Permission was refused ref 15/01174/FUL for a similar scheme which proposed the erection of 5 no. 3 bed houses to the front of the site rather than the proposed flats and the same 4 dwellings to the rear. This scheme was refused by the Council due to the design and scale of the development and its impact on the character of the area, the impact on the amenity of neighbouring residential properties along Hughes Road and also due to the fact that it did not comply with the smaller units policy HO4 which requires at least 80% one and 2 bedroom dwellings to be provided on new development of 3 or more units. These reasons are set out below.

Reason 1 :-The proposed terraced houses by reason of their design, scale and siting would be out of character with the surrounding area and would appear at odds with the existing lower form of development on this corner of Staines Road West and Hughes Road. This would be visually obtrusive and detrimental to the appearance of the street scene and contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) and the Supplementary Planning Document on the Design of New Residential Extensions and New Residential Development, April 2011.

Reason 2:-.The proposed development by reason of its bulk, height and orientation would have an unacceptable relationship with adjacent dwellings along Hughes Road. This will result in a significant adverse impact on the amenity of these existing dwellings and their gardens areas in terms of causing loss of light and outlook and being overbearing, contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) and the Supplementary Planning Document on the Design of New Residential Extensions and New Residential Development, April 2011.

Reason 3:-.The proposal fails to provide an adequate provision of smaller sized dwellings (one or two bedroom units) for which there is a shortage within the Borough. It is therefore contrary to Policy HO4 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) and the Supplementary Planning Document on Housing Size and Type, July 2012.

3.2 This refusal of planning permission was appealed against and the Inspector did not agree with the first 2 reasons. As such the appeal was dismissed purely on the size of units and the fact that the scheme did not accord with Policy HO4 which requires development of 3 or more units to provide 80% 1 and 2 bed units. Therefore, the applicants have re-submitted a very similar scheme in terms of the built form, but it now provides more 1 and 2 bed units in order to comply with Policy HO4.

Proposal

3.3 The current scheme is for the erection of a block comprising 8 flats (6 no. one bed and 2 no. two bed flats) to the front of the site and 4 no. dwellings (comprising 1 no. 2 bed chalet bungalow, 2 no. three bed semi-detached houses and 1 no. four bed detached house) to the rear of the site, all with associated parking, amenity space and landscaping,. The proposal also involves the formation of a new vehicular access to the site, following demolition of existing dwellings and commercial buildings.

3.4 The buildings will be traditional in design with pitched roofs and materials along with wooden cladding. There will be an access road onto the site to the west, which will continue along the side of the proposed flats to the 4 dwellings behind at the rear. Parking will be provided to the front of the flats and dwellings, as well as integral garages to the dwellings at the rear of the site. The flats will have a private communal garden area to the rear and the houses all have private rear gardens. In terms of the previous refusal, the current scheme has been modified to provide an increased number of smaller units in the front building with an additional dormer, single storey rear element and changes to the porch. In addition the proposal involves changes to the parking layout. There will be a total of 20 off street car parking spaces provided.

3.5 Copies of the proposed site layout and elevations are provided as an Appendix. Copies of the layout and elevations of the appeal scheme together with the Inspectors report are also included as an Appendix.

4. Consultations

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

Consultee	Comment
Thames Water	No objection
Sustainability Officer	No objection
Street Scene	No objection
Vic Smith(Police)	No objection
County Highway Authority	No objection, recommends conditions
Environmental Health (contaminated land and air quality)	No objection, recommend conditions

5. Public Consultation

5.1 21 neighbouring properties were notified of the planning application. In addition a Statutory Notice has been displayed outside the site, plus a notice advertised in the local newspaper. 2 letters of objection have been received raising the following issues:-

- the use of the site at present is only for the current occupiers
- need more family houses, too many flats in area.
- materials – timber cladding looks worn overtime and is out of keeping
- overlooking and loss of privacy

6. Planning Issues

- Principle of the development
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Flooding
- Renewable energy
- Dwelling mix
- Air quality

7. Planning Considerations

Background

7.1 As noted above a previous scheme at the site was refused and dismissed on appeal. However, the only reason upheld by the Planning Inspector was the shortfall in the percentage of smaller units, relating to Policy HO4. The Inspector's report is a material planning consideration and as such regard must be given to this decision in future proposals at the site.

7.2 As such it is important to note the differences and similarities with the current scheme compared to the previous scheme at the site. In terms of the built form, this is fundamentally the same as the previous scheme. The houses to the rear of the site are exactly the same as the previous scheme given the Inspector made no objection to this element. The front block which was previously for a block of terraced houses, has been amended with this scheme to provide 8 flats over three floors, within the same built form. The roof now has 4 no. dormers on the front elevation, rather than the previous 3. It will have the same design, scale and height as before, however the current scheme also has a ground floor rear element of some 2.2m in depth, with a pitched roof and the previous ground floor front porch elements have been altered. The parking layout has also been amended to account for the higher number of units and more parking provision required. (20 spaces instead of the previous parking provision of 16 spaces).

- 7.3 In terms of the number of units, this has increased by 3 from the previously proposed 9 to 12 in total, Along with the 4 houses at the rear, there are 8 flats in the front block consisting of 6 no. 1 bed units and 2 no. 2 bed units, which are over 2 floors

Principle of development

- 7.4 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) state 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.”

- 7.5 The principle of residential use at the site is considered to be acceptable and has not been a reason for refusal at the site before. The loss of the existing commercial function of the site is considered to be a benefit to the existing residential uses which adjoin the site. As such, the proposed use is considered to be acceptable in principle, provided other policy requirements have been met.

Housing density

- 7.6 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.”

- 7.7 Policy HO5 (a) states that within existing residential area that are characterised by predominately family housing rather than flats new development should generally be in the range of 35 to 55 dwelling per hectare.

- 7.8 The National Planning Policy Framework 2012 (NPPF) has 12 core planning principles, which the NPPF states should underpin both plan making and decision-making. One of these principles (8th bullet point) is:

“Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”

- 7.9 The proposal involves the creation of 12 units within the site of some 0.26 ha. and the proposed density is 46 dwellings per hectare (dph) and therefore conforms to policy HO5 and is acceptable.

Design and appearance

- 7.10 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.”

- 7.11 The front block of flats is very similar to the previous scheme. The built form is identical in terms of the design, scale and layout, except the front block which has 4 front facing dormers rather than the previous 3, as well as the provision of the ground floor front and rear elements being different. The Inspector who dealt with the previous appeal raised no objection to this element on design grounds. He noted that the properties on Staines Road West are set relatively well back from the road with some commercial uses, ranging from one storey to three storey and of various design styles and construction ages with no dominant design characteristic. He considered that the proposed front block would be the main visual component of the scheme in views from the road and found its design acceptable noting that, *‘...this would be of a traditional simplistic design and be located between the bungalow at No 387 and the detached two storey property at No 379. In terms of scale and mass, the proposed block would not be dissimilar to that of properties currently being constructed on the opposite site of the road at Pearce Court which are also three storey with accommodation in the roof space. It would have much less mass than the three and four storey apartment blocks at the junction of Staines Road West with Chertsey Road/Littleton Road.’*
- 7.12 The Inspector considered that the scheme would be visually ‘read’ in the context of the wider street scene, and that the width of Staines Road West means it could acceptably accommodate along its length much larger scale properties than the bungalows to the west of the site. He states that, *‘...I do not consider that the scale, mass or design of the proposed development would cause demonstrable harm to the character and appearance of the area.’* He considered that it would not appear bulky and the current use appears at odd with the residential character. He also considered that the proposal would be more in keeping with the character of this part of Staines Road West. Therefore, residential use would be compatible with the characteristic of the residential uses in the immediate vicinity of the site.
- 7.13 He concluded that, *‘...taking the above matters into account I consider that the proposed development would not cause any demonstrable harm to the character and appearance of the area. As such it would not conflict with Policy EN1 of the CSPDPD. This policy, amongst other things, seeks to ensure that new development is of a high standard of design that respects and makes a positive contribution to the street scene and character of the area.’*
- 7.14 The only difference in design terms, with this current scheme, is the introduction of an additional dormer in the front roof elevation, and a single storey element to the flats which extends 2.2m in depth, set in from the side elevations of the building, along with alterations to the porch elements at ground floor to the front. These changes are considered to be relatively minor and would not change the overall scale and design when compared to the previous scheme. As such they are also considered to be acceptable on design grounds and in keeping with the character of the area.

- 7.15 As noted above the proposed houses located to the rear are set back a long way from the street frontage and most are located behind the proposed front block, as such they will not be particularly visible from the street scene. The Inspector did not object to the design of these dwellings. They continue to be acceptable in design terms and in keeping with the character of neighbouring properties.
- 7.16 As such the scale and design of the proposed development is in keeping with neighbouring properties, and would make a positive contribution to the street scene conforming to policy EN1.

Impact on neighbours

- 7.17 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.”
- 7.18 The Inspector of the previous appeal scheme raised no objection in terms of the impact on neighbouring properties. He considered that the distance from existing properties, along Hughes Road, despite their small rear gardens would be acceptable in particular due to the removal of the workshop buildings. He noted a real benefit to the scheme was the loss of the existing use of the site, *‘...moreover, the proposed development would result in the cessation of the vehicle storage and repairs that currently occur up to the property boundary.’*
- 7.19 The Inspector considered that outlook would in fact be improved for No 4 Hughes Road and that the proposal would have an acceptable relationship with and impact on the amenity of neighbouring residential properties adjoining the site. As such and given that the built form is identical to the previous scheme, except for some minor changes to the front block which do not have any additional impact, the proposed development will also have an acceptable relationship with and impact on the amenity of neighbouring properties and conforms to Policy EN1.

Housing size and type

- 7.20 Policy HO4 of the CS & P DPD requires 80% of the units to be one or two bed. The previous scheme was contrary to this requirement providing only 33% smaller units. The Supplementary Planning Document (SPD) on Housing Size and Type states in suburban area of the Borough where there is a pre-dominance of larger dwellings, a mix with less than 80% one or two bedroom dwellings may be appropriate, but the majority should still be one or two bedrooms.
- 7.21 The proposed scheme is for 12 units of which 9 will be 1 and 2 bedroom units and the remaining 3 houses being 3 and 4 bed. This equates to 75% of the units being of a smaller size and this is now considered to be acceptable and conforms to policy.

Proposed dwelling sizes

- 7.22 The Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floor

space standards for new dwellings. These standards relate to single storey dwellings including flats, as well as to 2 and 3 storey houses.

- 7.23 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 but do also have a minimum size standard for 1 person one bed flats of 39 sqm or 37 sqm if they provide a shower room. 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.
- 7.24 All of the proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards and the Councils SPD. Therefore I consider their standard of amenity overall to be acceptable.

Amenity space

- 7.25 The Councils Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential development 2011, sets out minimum requirement for amenity space provision and this would equate to some 205 sqm for the flats and also 60/70 sqm for the houses. The proposal provides 332 sqm of amenity space to the rear of the flats for the use by its future occupants and each of the houses has in excess of 100 sqm, providing useful amenity space for the proposed residential units. As such the amenity space provision is acceptable.

Highways and parking provision

- 7.26 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.”.

- 7.27 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.

- 7.28 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).

- 7.29 The Council's Parking Standard stipulates a minimum provision of 18 spaces in total for a scheme of this size. The proposal provides a total of 20 spaces, including 11 to the front of the flats (2 disabled spaces) and 4 garages, 1 for each of the dwellings to the rear. The County Highway Authority (CHA) was consulted on the planning application and has raised no objection to the proposed 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

- 7.30 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 proposals within Zones 2, 3a and 3b and development outside the area (Zone1) 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).
- 7.31 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 as is required by Policy LO1 of the CS & P DPD.
- 7.32 In terms of flood risk the development given 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.
- 7.33 Accordingly, the application complies with the requirements of Policy LO1 of the CS & P DPD.

Renewable Energy

- 7.34 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.
- 7.35 The applicant has submitted a renewable energy statement which considers various renewable energy options for the site. The report concludes that the proposed development can provide Air Source heat pumps (ASHP) and confirms that a total energy reduction of at least 10% can be achieved. The Council's Sustainability Officer has been consulted and raises no objection. Accordingly, the renewable energy proposals are acceptable.

Contaminated Land

- 7.36 The proposal introduces new residential development onto the site and which has an existing commercial use related to car repairs. The Council's Pollution Control Officer has raised no objection but requested standard conditions to be imposed including the requirement for a demolition method statement and a construction environmental management plan to ensure that both demolition

and construction phases do not have a detrimental impact on local amenity through noise and dust issues, for example. Subject to these conditions, the proposal is considered acceptable on contaminated land grounds.

Air quality

- 7.37 The Council's Pollution Control section were consulted on the application and has raised no objection on air quality, subject to conditions.

Conclusion

- 7.38 The proposal will make a positive contribution overall to its immediate locality, have an acceptable impact on the amenity of neighbouring properties and provide an efficient use of land for housing. As such 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 site survey plan and drawings numbered L2143/LP Rev A, 01, 02 Rev A, 03, 08 Rev E, 12, 14 Rev A, 15 Rev A 16 and 17 received on 16.11.2016.

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

- 3 Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the building and other external surfaces of the development be submitted to and approved by the Local Planning Authority.

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

4. No 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 No construction on the buildings shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the

proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

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

- 7 No construction shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

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

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

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

- 9 Before any construction commences, details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting on the site 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.

10. No development shall commence until a Construction Transport Management Plan, to include details of:
(a) parking for vehicles of site personnel, operatives and visitors

- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (k) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

- 10 No building operations shall commence until a Dust Management Plan detailing dust suppression and other mitigation measures during construction shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented in accordance with the approved details.

Reason: - To safeguard the amenity of neighbouring properties.

- 11 No demolition, site clearance or building operations shall commence until a demolition method statement has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall be carried out strictly in accordance with the approved method statement.

Reason: - To safeguard the amenity of neighbouring properties.

- 12 Prior to the occupation of the development hereby permitted the first; floor windows on the western and eastern flank elevations of the proposed buildings shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. These window(s) shall thereafter be permanently retained as installed.

Reason: - To safeguard the amenity of neighbouring properties.

- 13 That no further openings of any kind be formed in the western and eastern flank elevations of the proposed buildings hereby permitted without the prior written consent of the Local Planning Authority.

Reason:- To safeguard the privacy of the adjoining properties in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 14 No development shall take place 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 occupation. 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.

- 15 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior planning permission of the Local Planning Authority.

Reason: - To safeguard the amenity of neighbouring properties.

- 16 That the parking spaces shown on the submitted plan be constructed and the spaces shall be completed prior to the completion of the dwellings to which they relate, and thereafter the approved facilities together with the means of access thereto shall be maintained as approved, and be reserved for the benefit of the development hereby permitted.

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

- 17 Notwithstanding the submitted plans the development hereby approved shall not be occupied unless and until the proposed access has been constructed and provided with tactile at the pedestrian crossing points across the access in accordance with a scheme to be 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 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009..

Informatives

1. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
2. 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.

3. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
4. A pedestrian inter-visibility splay of 2m by 2m shall be provided on the north side of each access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
5. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

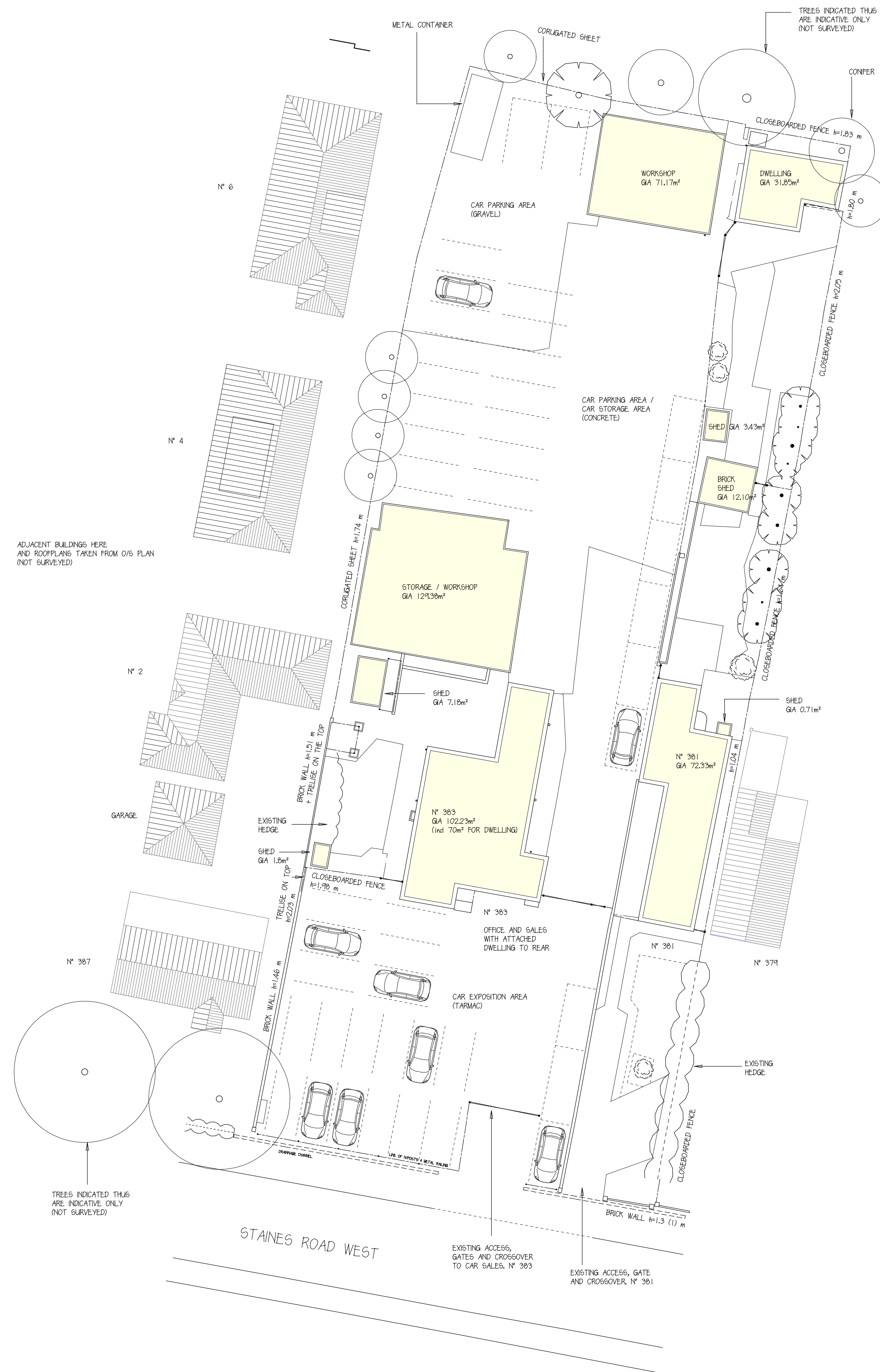
Decision Making: Working in a Positive and Proactive Manner

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.

NOTES

- 1 THE CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
- 2 WRITTEN DIMENSIONS ONLY TO BE TAKEN THIS DRAWING MUST NOT BE SCALED
- 3 THE ARCHITECT IS TO BE IMMEDIATELY NOTIFIED OF SUSPECTED OMISSIONS OR DISCREPANCIES

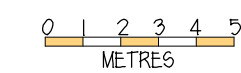


ADJACENT BUILDINGS HERE AND ROOFLANS TAKEN FROM O/S PLAN (NOT SURVEYED)

TREES INDICATED THUS ARE INDICATIVE ONLY (NOT SURVEYED)

SCHEDULE OF EXISTING BUILDINGS
GROSS INTERNAL AREA

- N° 383 OFFICE / SALES WITH ATTACHED DWELLING TO REAR
GA 102.23m² (incl 70m² FOR DWELLING)
 - N° 381 BUNGALOW (INCL SHED IN A SIZE OF GA 0.71m²)
GA 73.04m²
 - STORAGE / WORKSHOP x 2
GA 200.05m²
 - SHEDS x 4 (1.8m² + 7.18m² + 12.10m² + 3.43m²)
GA 24.51m²
 - SEPARATE SMALL DWELLING
GA 31.85m²
- TOTAL GIA 432.18m²



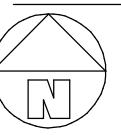
REVISION _____ CHECKED _____ DATE _____

ROBERT DAVIES JOHN WEST LIMITED
RIBA Chartered Practice
The Courtyard 59 Church Street
Staines upon Thames Middx TW18 4XS
Tel: 01784 459211 E-mail: info@rdjwtd.com

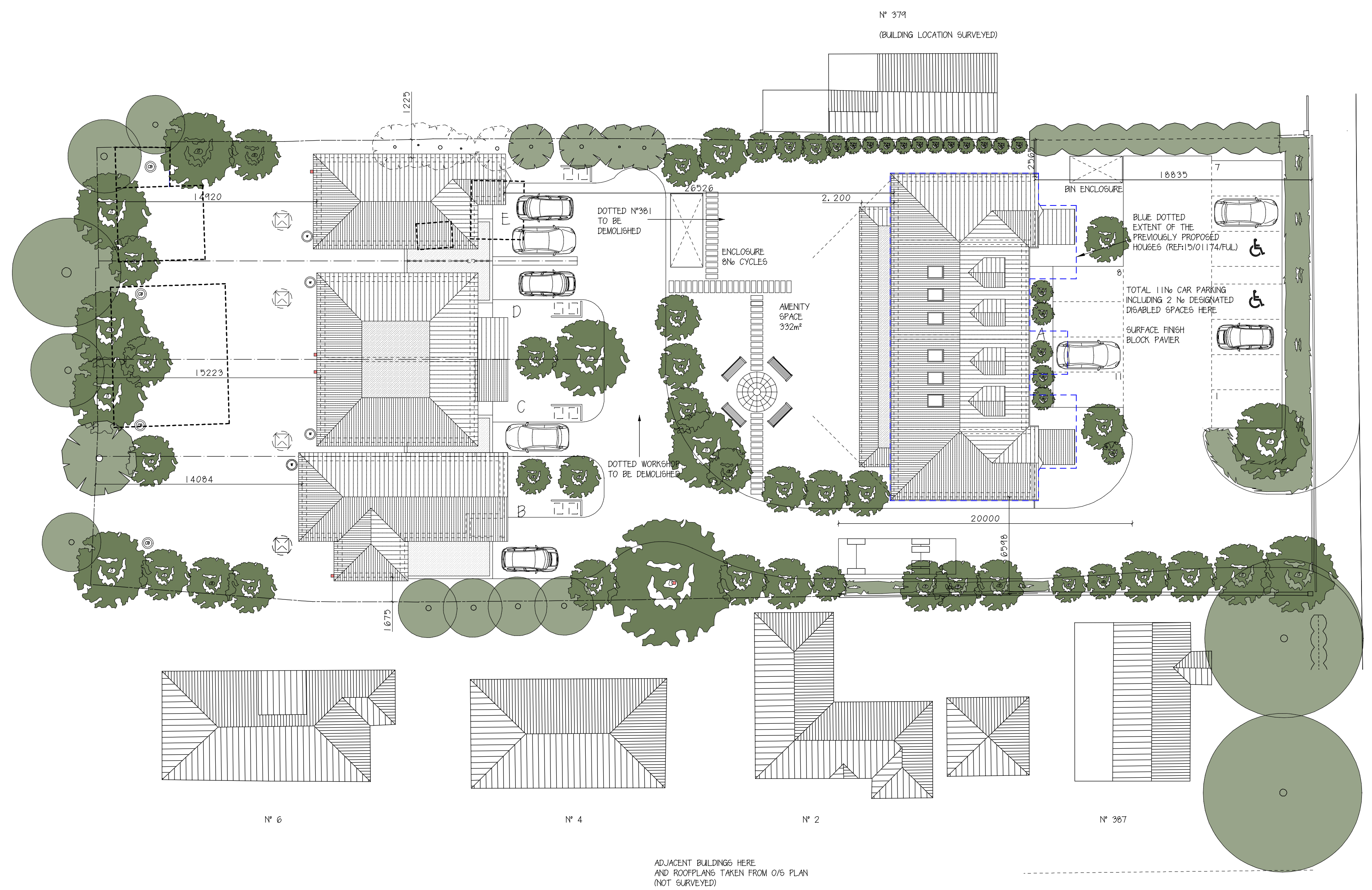
DATE 11/09/15
SCALE 1:200 @ A1
DRAWN AJ
CHECKED _____

PROPOSED DEVELOPMENT,
381-385 STAINES ROAD WEST
ASHFORD

EXISTING BUILDINGS
GROSS INTERNAL AREA
DRAWING NO. **L2143/12** REV _____



- NOTES
- 1 THE CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
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SCHEDULE OF ACCOMMODATION

- A PROPOSED BLOCK OF 8 FLATS: 6 x 1 BED AND 2 x 2 BED FLATS
- B PROPOSED 2 BED CHALET BUNGALOW
- C PROPOSED 3 BED SEMI DETACHED HOUSE
- D PROPOSED 3 BED SEMI DETACHED HOUSE
- E PROPOSED 4 BED DETACHED HOUSE

NOTES & KEY

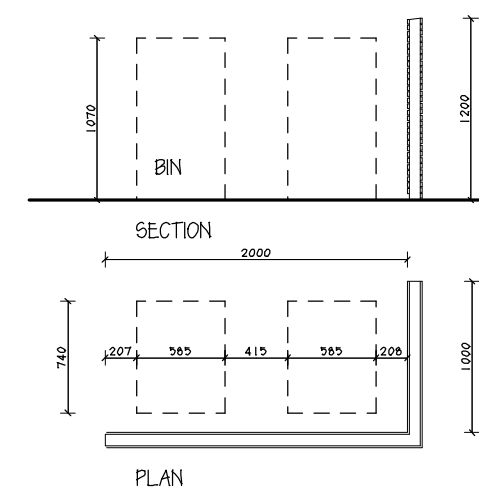
- EXISTING BUILDINGS TO BE DEMOLISHED
- GENERAL PURPOSE (TIT) BOX ATTACHED TO MATURE TREES OR TO BUILDING
- ⊙ CB COMPOST BIN 330L + INFO BOOKLET ACCESSIBLE TO DISABLED PEOPLE
- ⊙ W OTHER SUSTAINABLE FEATURES TO BE PROVIDED
- ⊙ 210 LITRE WATER BUTT
- ⊙ 6m⁺ ROTARY WASHING LINE COMPLETE WITH GROUND SOCKET SET IN CONCRETE FOUNDATION, APPROX. 0.2m³ BASE.

ACCESS PATHS TO BE PAVED WITH FALLS TO MEET BUILDING REGULATION AD PART M

BIN ENCLOSURE TO BE TIMBER POSTS WITH HORIZONTAL BATTENS STEPPED EITHER SIDE. BASE TO BE PAVED. DIMENSIONS TO SUIT 68C REQUIREMENTS & TO 680/906 MIN REQUIREMENT 0.8m²/ DWELLING PROVIDED 6.4m² (REQUIRED 6.4m²)

BINS FOR PROPOSED HOUSES B-E. 2 NO 240L COVERED BINS PROVIDED BY LOCAL AUTHORITY. BIN ENCLOSURE BASE TO BE CONCRETE OR PAVING TO MATCH PATH. ACCESS FROM THE DWELLING AND TO THE FRONT BOUNDARY TO BE LEVEL. TRAVEL DISTANCE FROM THE FRONT DOOR TO BE NO MORE THAN 10M AND TO THE FRONT BOUNDARY AS SPECIFIED BY THE LOCAL AUTHORITY TO BE IN ACCORDANCE WITH AD H (PART H6) I.E. MAX 25M. ENCLOSURE TO BE TIMBER POSTS WITH HORIZONTAL BATTENS STEPPED EITHER SIDE.

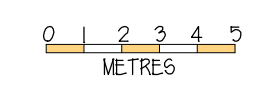
BIN ENCLOSURE



CYCLES STORES:
TOTAL 8NO CYCLES SPACES FOR BLOCK A FLATS PROVIDED
AT THE REAR AMENITY SPACE FOR EACH UNIT
TOTAL 4NO CYCLES SPACES FOR HOUSES B-E PROVIDED IN THE GARAGES

AMENITY SPACE PROVIDED FOR BLOCK A: 332m² / MINIMUM REQUIRED 200m²

PRIVATE GARDENS FOR HOUSES B - E: ALL OF THE HOUSES HAVE GARDEN THAT AREA EXCEEDS MINIMUM REQUIREMENT



SCHEDULE OF ACCOMMODATION

	TYPE	SIZE (GA PROVIDED)	GA REQUIRED
A - BLOCK OF FLATS			
FLAT 1	1B 2P	50.80 m ²	50m ²
FLAT 2	1B 2P	51.41m ²	50m ²
FLAT 3	1B 2P	51.41m ²	50m ²
FLAT 4	1B 2P	50.80 m ²	50m ²
FLAT 5	1B 1P (STUDIO)	38.56 m ²	37-39m ²
FLAT 6	2B 3P	70.05m ²	70m ²
FLAT 7	2B 3P	70.05 m ²	70m ²
FLAT 8	1B 1P (STUDIO)	38.56 m ²	37-39m ²
HOUSES B - E (AS PREVIOUSLY SUBMITTED)			
HOUSE B	2B 4P	73.19m ²	70m ²
HOUSE C	3B 5P	99m ²	93m ²
HOUSE D	3B 5P	99m ²	93m ²
HOUSE E	4B 6P	110.14m ²	106m ²

A DETAILS ADDED AJ 11/11/16
REVISION CHECKED DATE

ROBERT DAVIES JOHN WEST LIMITED
RIBA Chartered Practice

The Courtyard 59 Church Street
Staines upon Thames Middx TW18 4JX
Tel: 01784 455211 E-mail: info@rdjwlt.co.uk

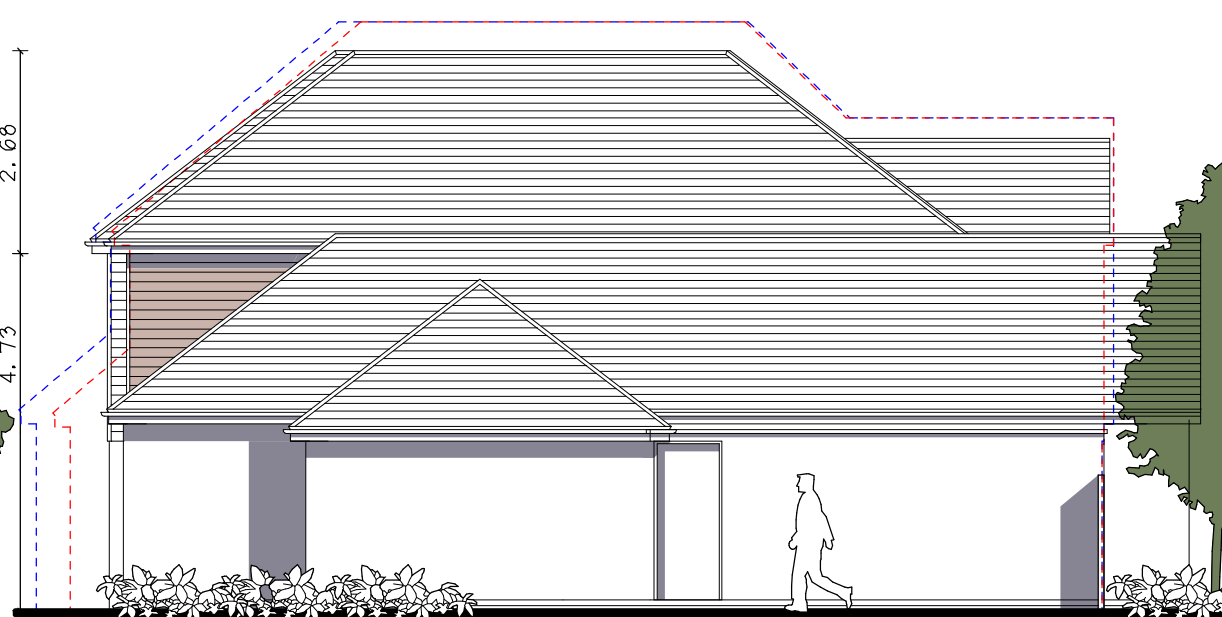
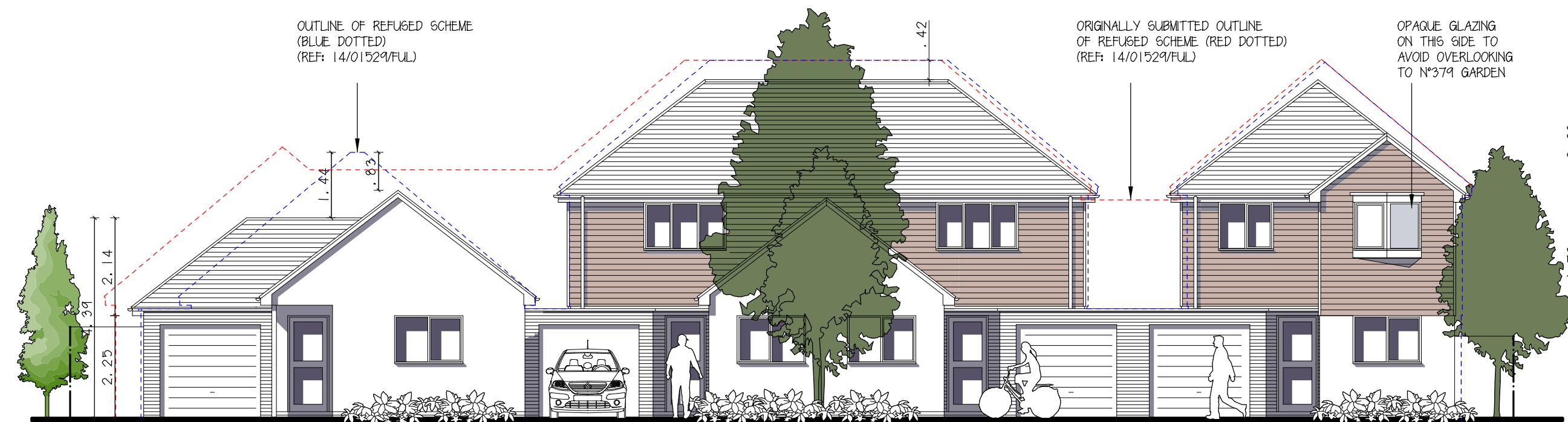
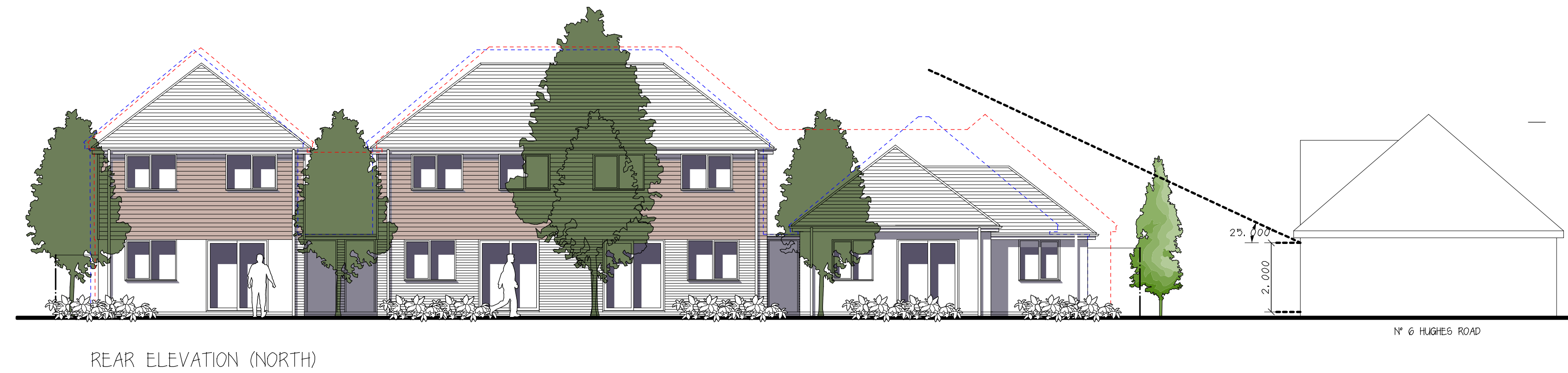
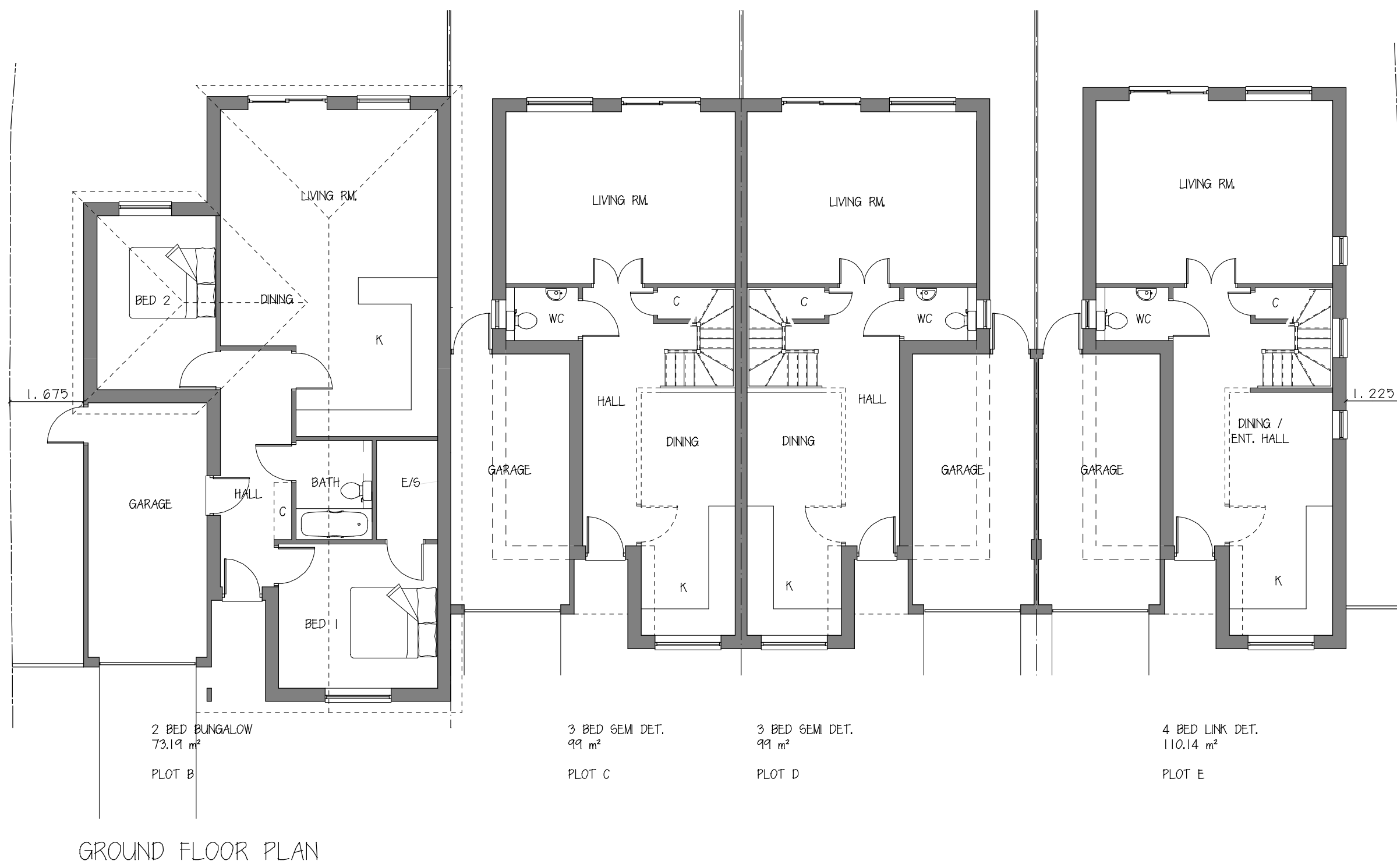
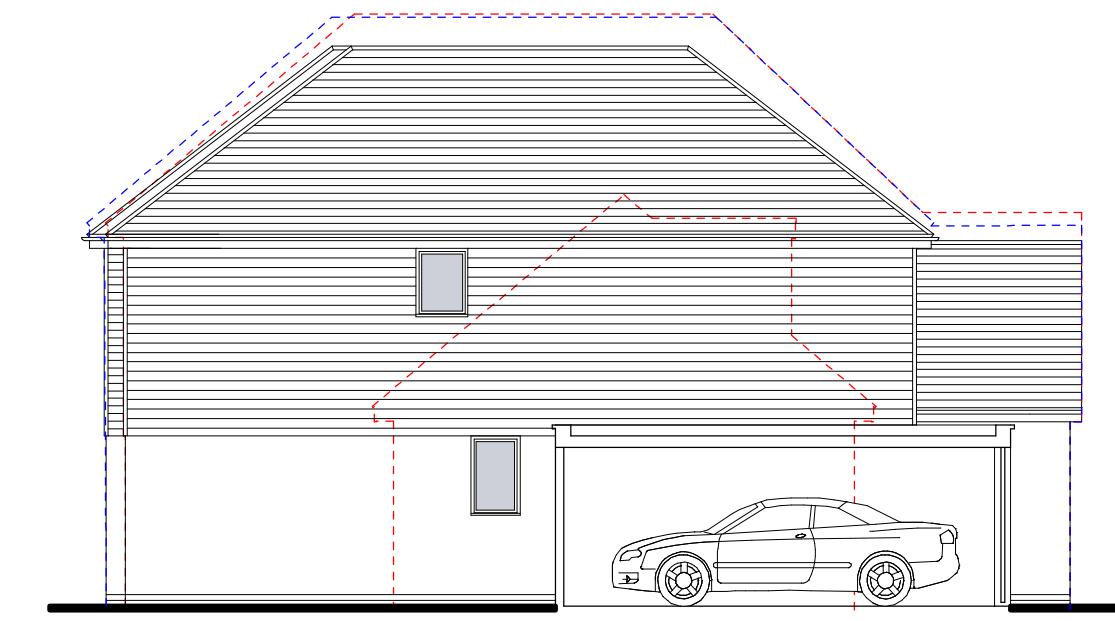
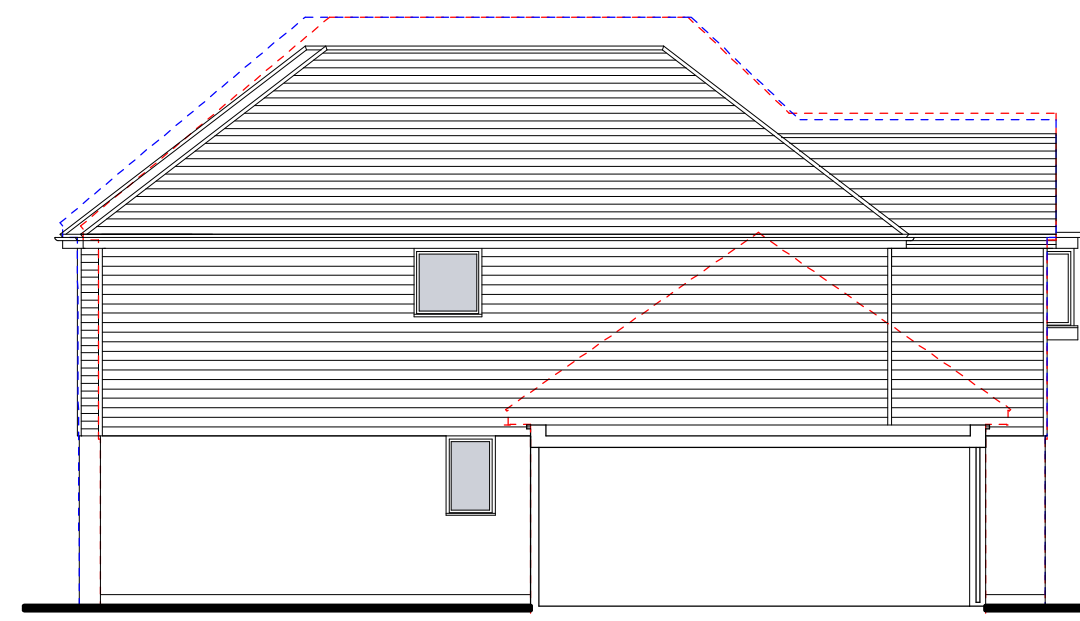
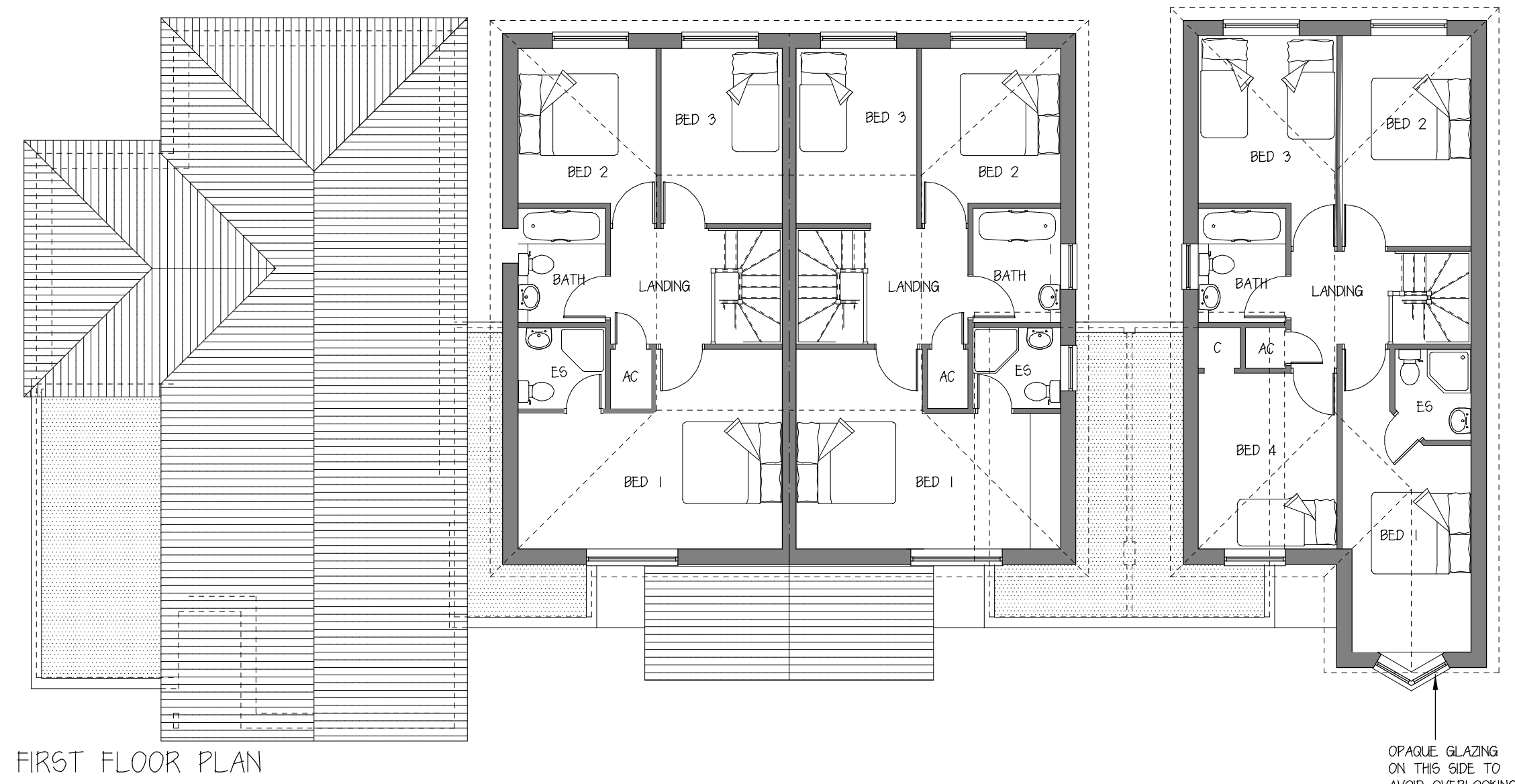
DATE: 24/08/16
SCALE: 1:200 @ A1
DRAWN: AJ

CHECKED: RN
PROPOSED NEW SCHEME
SITE LAYOUT

DATE NO: **L2143/14** REV: A

Proposed house plans - same for both previous and current application

- NOTES
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EXTERNAL MATERIALS:

ROOF - PITCHED 37.5° FINISH MARLEY ETERNIT SLATES OE
 LOWERED PLOT B ROOF & CHANGED ROOF ANGLE.

PRE-FINISHED FACIAS, SOFFITS & BARGE BOARDS,
 COLOUR 'STORM BLUE'

DOWNPIPES & GUTTERS - GALVANISED LINDAB OE

WALLS - BUFF BRICK, PAINTED BRICKWORK & TIMBER
 CLADDING AS INDICATED

WINDOWS AND DOORS - DARK GREY POWDER COATED ALUMINIUM

OBSCURED GLAZING SHADED THIS

E	AMENDED PLOT E FF FRONT FENESTRATION	AJ	17/07/15
	LOWERED PLOT B ROOF & CHANGED ROOF ANGLE.		
D	AMENDED FOR DRAWING L2143/05G	AJ	19/01/15
C	DAYLIGHT GUIDE ADDED	AJ	17/11/14
B	PLOT B LAYOUT CHANGED	AJ	29/10/14
A	AMENDMENTS TO ELEVATIONS	IY	04/08/14
	REVISION	CHECKED	DATE

ROBERT DAVIES JOHN WEST LIMITED
 RIBA Chartered Practice

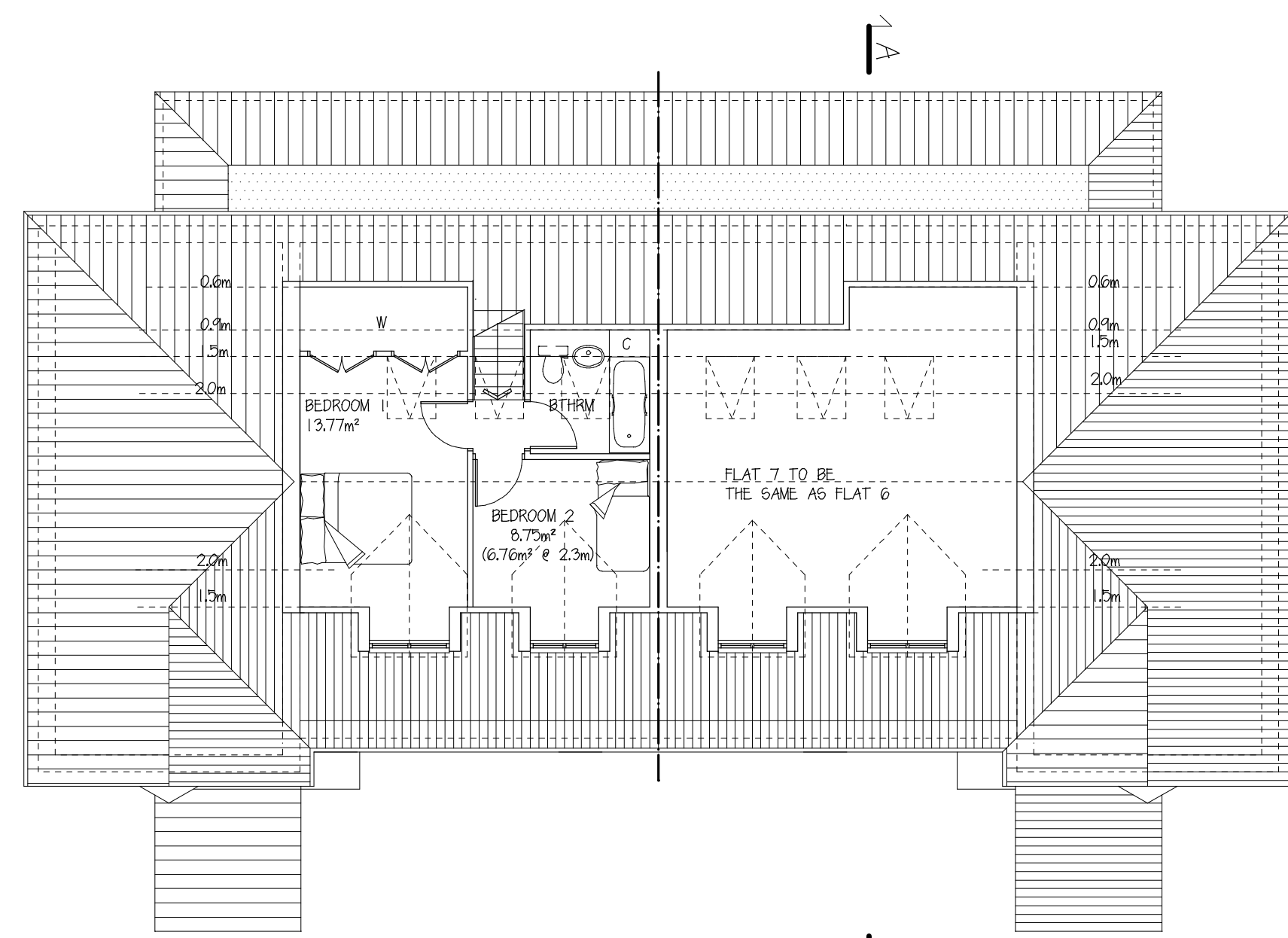
The Courtyard 59 Church Street
 Staines upon Thames MIDDLESEX TW20 4YS
 Tel: 01784 459211 E-mail: info@rdjwltd.com

DATE: 31/07/14
 SCALE: 1:100 @ A1
 DRAWN: IY
 CHECKED: KMD

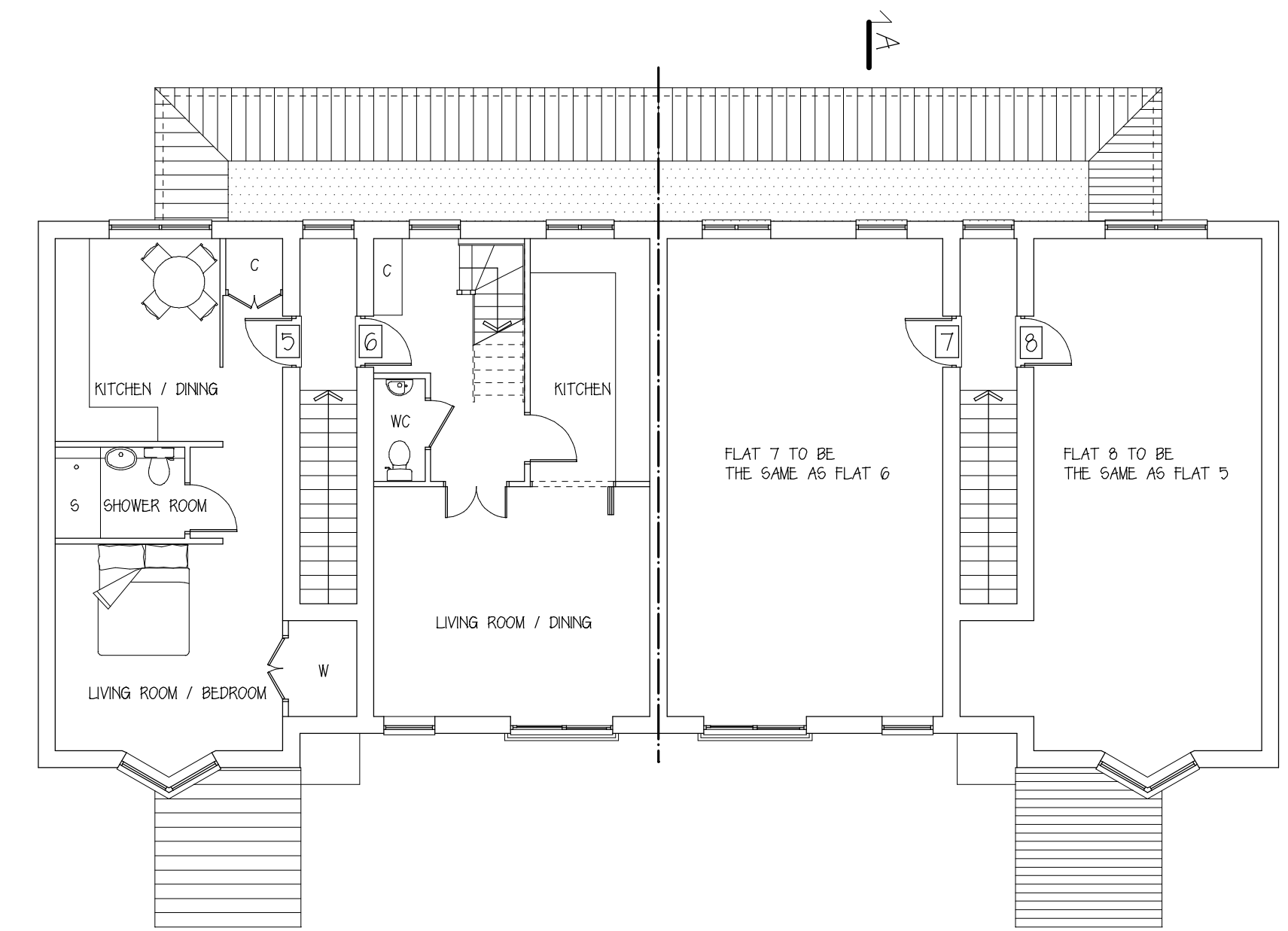
PROPOSED DEVELOPMENT,
 381-385 STAINES Rd. WEST
 ASHFORD, MDDX.

HOUSE PLANS

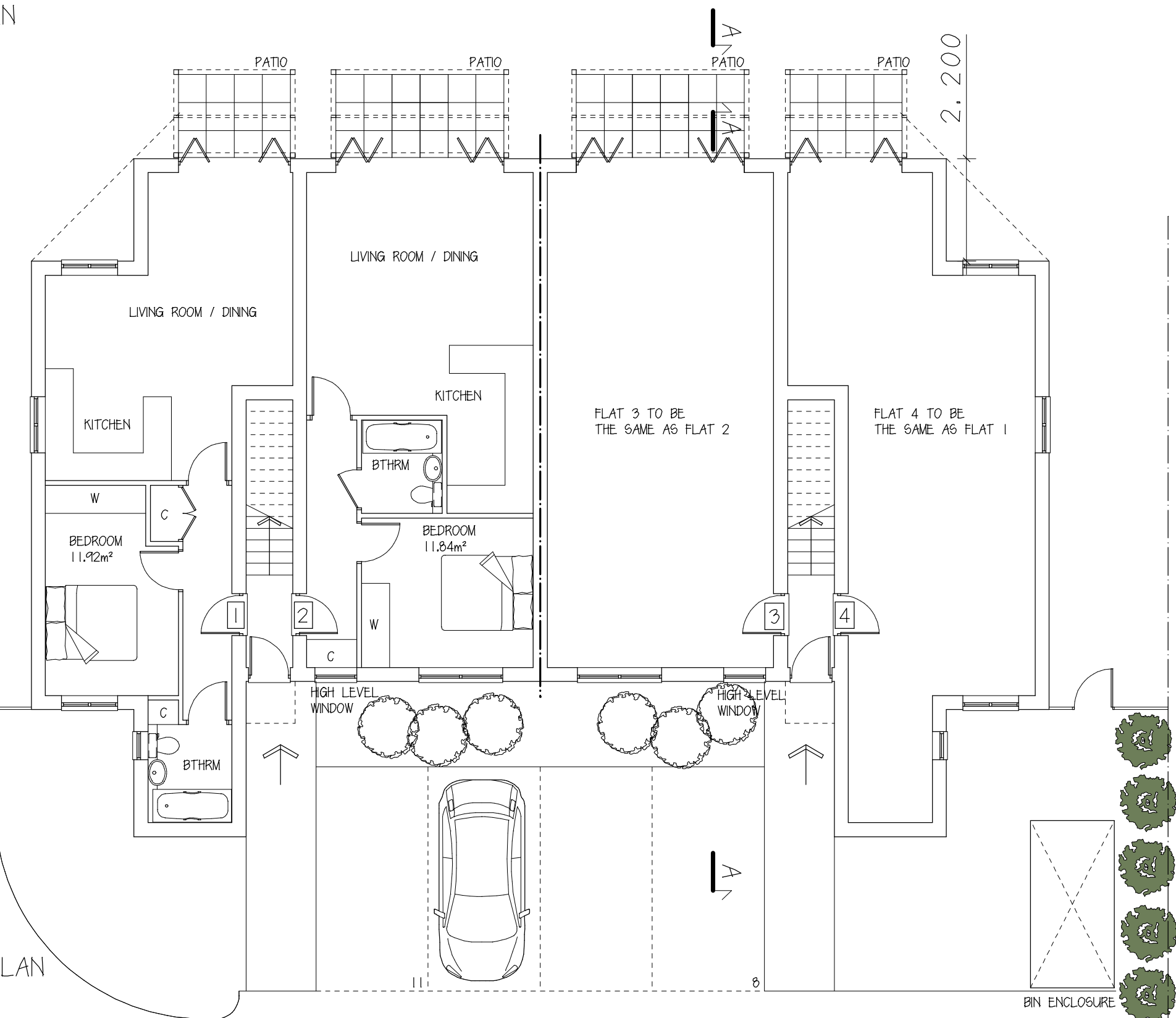
DWG NO: **L2143/08** REV: E



SECOND FLOOR PLAN

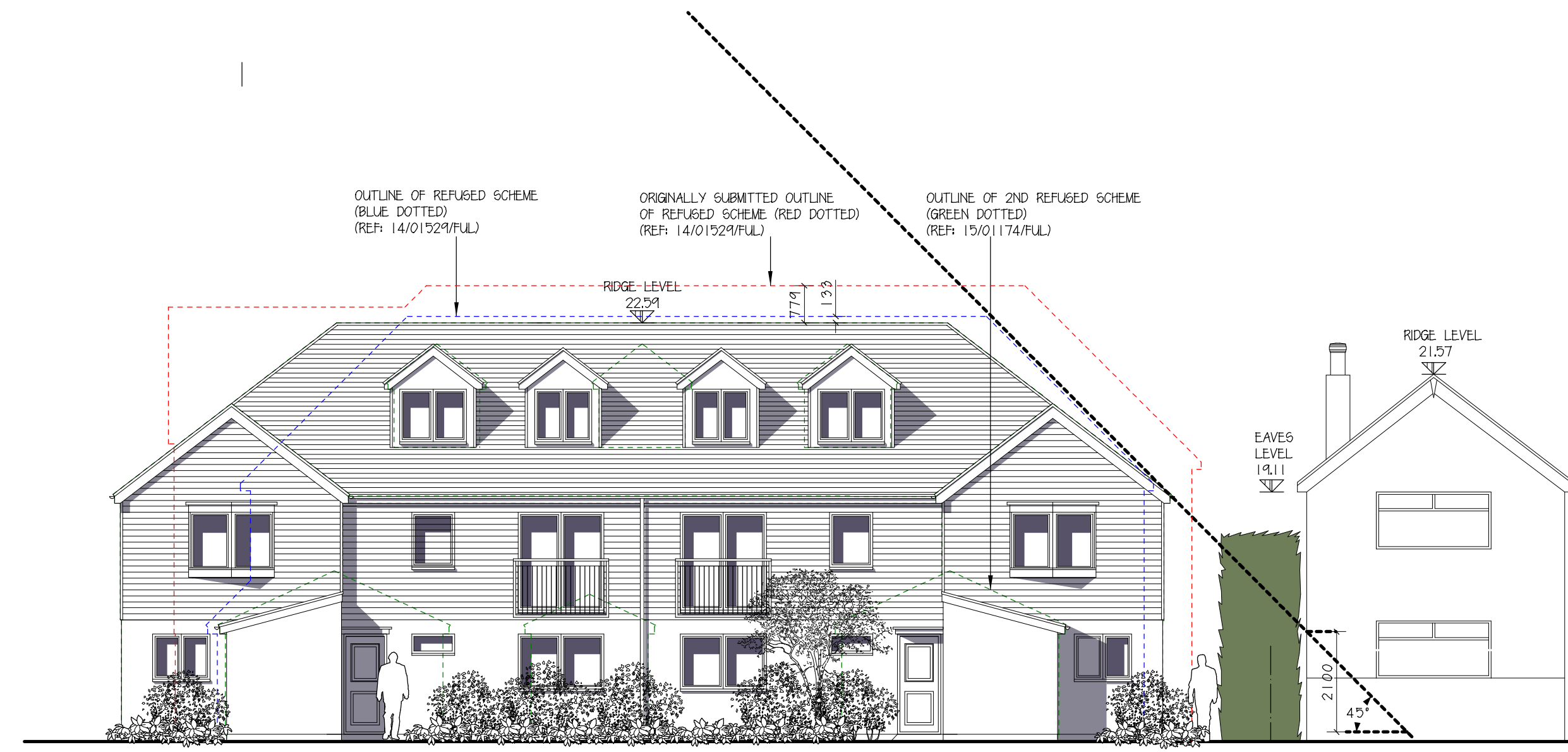


FIRST FLOOR PLAN



GROUND FLOOR PLAN

- FLAT 1 & 4:
1 BED 2 PERSON
MIN STANDARD 30m²
PROVIDED 30.80m²
- FLAT 2 & 3:
1 BED 2 PERSON
MIN STANDARD 30m²
PROVIDED 31.41m²
- FLAT 5 & 8:
1 BED 1 PERSON (STUDIO)
MIN STANDARD 37-39m²
PROVIDED 38.28m²
- FLAT 6 & 7:
2 BED 3 PERSON
MIN STANDARD 70m²
PROVIDED 70.07m²



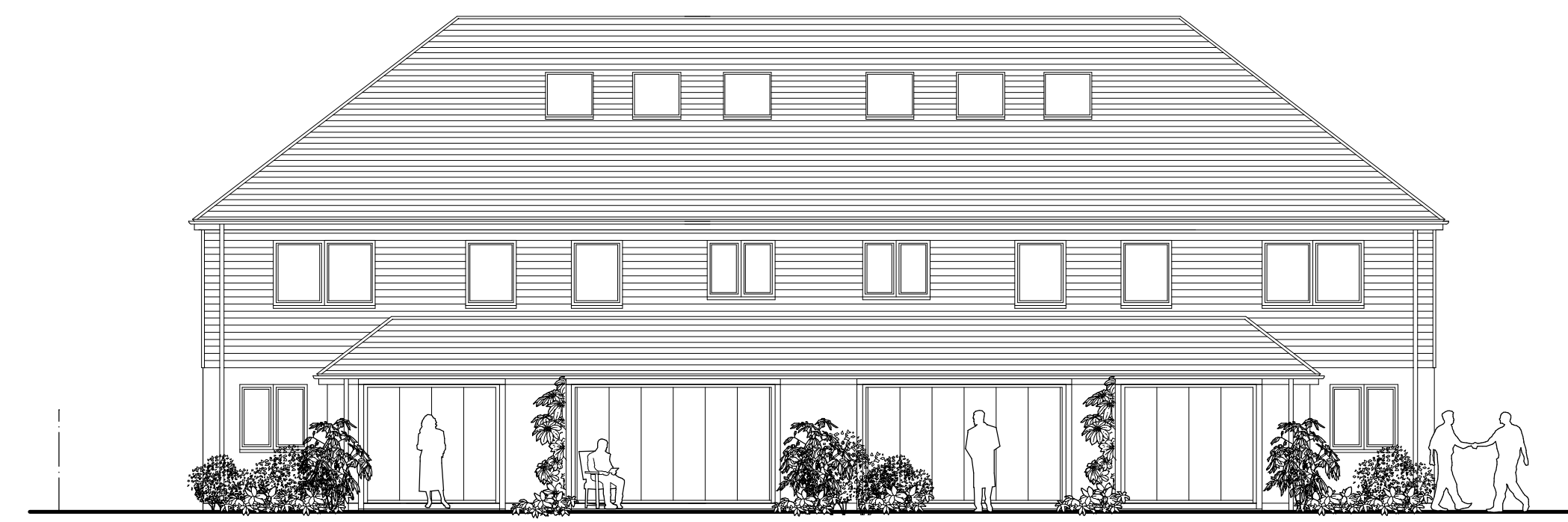
FRONT ELEVATION



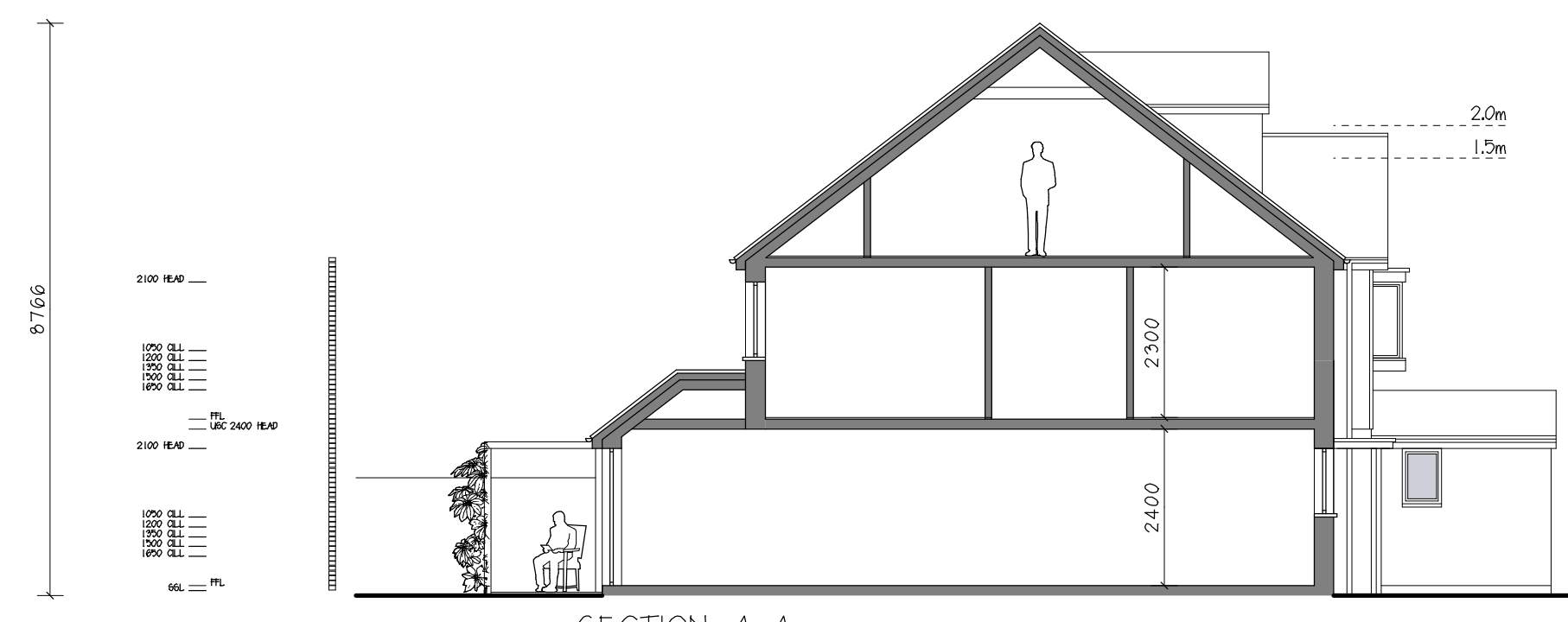
SIDE ELEVATION (WEST)



SIDE ELEVATION (EAST)



REAR ELEVATION (NORTH)



SECTION A-A

- NOTES
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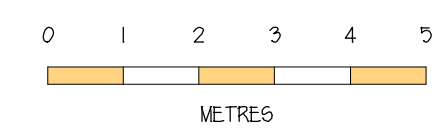
- EXTERNAL MATERIALS
- ROOF - PITCHED 37.5° FINISH MARLEY ETERNIT GLATES OE
 - PRE-FINISHED FAGGAS, COFFITS & BARGE BOARDS, COLOUR 'STORM BLUE'
 - ROOFLIGHTS - VELLUX OE
 - DOWNPIPES & GUTTERS - GALVANISED LINDBAB OE
 - WALLS - BUFF BRICK AND TIMBER CLADDING AS INDICATED
 - GABLES, DORMERS & BAYS - TIMBER CLADDING
 - PLINTH - WHITE PAINTED BRICKWORK
 - WINDOWS AND DOORS - DARK GREY POWDER COATED ALUMINIUM
 - BATHROOMS & ENSUITES TO BE OBSCURED GLAZING AS INDICATED
 - OBSCURED GLAZING SHADED THIS
 - FENCE - TIMBER CLOSE BOARDED

A DETAILS ADDED AJ 11/11/16
REVISION CHECKED DATE

ROBERT DAVIES JOHN WEST LIMITED
RIBA Chartered Practice
The Courtward 59 Church Street
Staines upon Thames Middx TW20 4XS
Tel: 01784 459211 E-mail: info@rdjwlt.com

DATE 05/09/16 PROPOSED DEVELOPMENT,
SCALE 1:100 @ A1 381-385 STAINES RD WEST.
DRAWN AJ ASHFORD

CHECKED RN
PROPOSED NEW SCHEME
PROPOSED PLANS, ELEVGS
AND SECTION A-A
DWG NO **L2143/15** REV A





Appeal Decision

Site visit made on 21 June 2016

by **Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE**

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

Decision date: 17th August 2016

Appeal Ref: APP/Z3635/W/16/3145786

381 Staines Road West, Ashford, Surrey TW15 1RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by McPeake Painting and Building services Ltd against the decision of Spelthorne Borough Council.
 - The application Ref 15/01174/FUL, dated 28 August 2015, was refused by notice dated 23 October 2015.
 - The development proposed is the erection of 5 no. two bed terrace houses to the front of the site and 4 no. dwellings (comprising 1 no. 2 bed chalet bungalow, 2 no. three bed semi detached houses and 1 no. four bed detached house) to the rear of the site, all with associated parking, amenity and landscaping. Formation of a new vehicular access to the site, following demolition of the existing dwellings and commercial buildings.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application form gave the site address as 381 Staines Road West, but the land includes Nos 381 and 383.

Main Issues

3. The main issues are:
 - Whether the proposed development makes an adequate contribution towards meeting the identified need for smaller sized dwellings in the Borough.
 - The effect of the proposed development on the character and appearance of the area.
 - The effect of the proposed development on the living conditions of the occupants of properties on Hughes Road with particular regard to light and outlook.

Reasons

Provision of smaller sized units

4. The appeal site is currently occupied by a car sales/repairs business and comprises associated outbuildings and two residential bungalow properties, Nos 381 and 383 Staines Road West. The site frontage is currently dominated
-

by the used car/van sales extending to the rear of the pedestrian pavement of the road. A number of bungalows on Hughes Road, located immediately to the west have rear boundaries that abut the western boundary of the appeal site. These bungalows appear to have accommodation in the roof space.

5. The proposed development would involve the demolition of all of the buildings and the construction of a terraced block of five two bedroom properties positioned such that the building line of the front elevation would be commensurate with that of properties to the east of the site. Behind this block, and positioned parallel to it, would be a two bedroom bungalow, two three bedroom semi-detached dwellings and a four bedroom detached property.
6. The Council indicates that there is a need for smaller housing in the Borough which would be best met by requiring a high proportion of all new housing to be one and two bedroom dwellings. Policy HO4 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) (CSPDPD) seeks to 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 80% of the units to be one or two bedroom.
7. Six of the proposed dwellings would have two bedrooms representing a proportion of 66%. As such the proposed development would not provide a sufficient number of one and two bedroom units to meet the requirements Policy HO4 of CSPDPD. Moreover, the three mid-terraced dwellings in the block to the front of the site would have a single room in the roof space. Whilst the submitted plans show these rooms as being a study, they would be larger than the bedrooms on the first floor. As such, there is likelihood that they would be used as bedrooms. That would take the figure of two bedroom dwellings down to 33%.
8. No substantive evidence has been provided to indicate why the site could not be developed in line with the 80% figure or why the clear provisions of Policy HO4 should not apply. While the Council's adopted Housing Size and Type Supplementary Planning Document refers to a continuing need for some larger dwellings, it also states that there will be a particular need for 1, 2 and 3 bedroom private houses and it reinforces the requirement for 80% of units to comprise of one and two bedroom accommodation.
9. I find that the appeal proposal would not meet an identified need for 1 and 2 bedroom dwellings in the Borough by failing to comply with the housing aims of Policy HO4 of the CSPDPD.

Character and appearance

10. Staines Road West in the vicinity of the appeal site comprises a dual carriageway flanked by residential properties set relatively well back from the road with interspersed commercial uses. Properties range from one storey to three storey in height and comprise a mixture of bungalows, semi-detached and detached and apartment blocks all of various design styles and construction ages. Other than a relatively consistent set back of buildings from the road, there is no dominant design characteristic to development on this road.
11. The proposed terraced block would be the main visual component of the scheme in views from the road. This would be of a traditional simplistic design

and be located between the bungalow at No 387 and the detached two storey property at No 379. In terms of scale and mass, the proposed block would not be dissimilar to that of properties currently being constructed on the opposite site of the road at Pearce Court which are also three storey with accommodation in the roof space. It would have much less mass than the three and four storey apartment blocks at the junction of Staines Road West with Cherstey Road/Littleton Road.

12. In my view, the Council's concerns that the terraced block would appear relatively bulky in comparison to the adjacent properties would only be the case in isolated views from the directly opposite side of the road. I agree with the appellant that, as the block would be set further back from the road than the bungalow at No 387, with a significant gap between the two buildings, and aligned to the front building line of Nos 375 – 379, it would be visually 'read' in the context of the wider street scene and not its juxtaposition with the bungalow. Moreover, given the width of Staines Road West, the street can, and does, acceptably accommodate along its length much larger scale properties than the bungalows to the west of the site.
13. Given the above factors and the varied character of the street scene, I do not consider that the scale, mass or design of the proposed development would cause demonstrable harm to the character and appearance of the area. In addition, I do not share the Council's concerns that the proposed roof design of the terraced block would appear bulky and top heavy. Given the various design styles in the locality, the roof design would not be incongruous or at odds with the character of the street nor would it create an unbalanced building.
14. In my view, the current car/van sales area and the advert hoarding across the frontage appears at odds with the residential character of this part of Staines Road West. The appeal proposal would remove these features from the frontage of the site. In addition, landscaping is proposed between the proposed terraced block and the site frontage with the road which would be more in keeping with the character of this part of Staines Road West.
15. Given my findings regarding the acceptability of the proposed appearance of the terraced block, I consider that the proposal would represent a form of development that provides an improvement to the street scene. Moreover, it would introduce residential buildings which are more comparable and compatible with the characteristic of the residential uses in the immediate vicinity of the site.
16. Taking the above matters into account I consider that the proposed development would not cause any demonstrable harm to the character and appearance of the area. As such it would not conflict with Policy EN1 of the CSPDPD. This policy, amongst other things, seeks to ensure that new development is of a high standard of design that respects and makes a positive contribution to the street scene and character of the area.

Living conditions

17. The Council's adopted a Supplementary Planning Document – Design of Residential Extensions and New Residential Development (2011) (SPD) which considers the effects of new development on the living conditions of the occupants of existing residential properties with regard to privacy, outlook and

light. The Council indicate that the separation distance for two storey developments between rear wall and flank wall of properties should be 13.5m.

18. I agree with the appellant that the SPD refers to two and three storey development only and does not provide any separation distances in circumstances where bungalows are proposed. Consequently, the provisions of the SPD do not apply to the situation in this appeal regarding the separation distance between the existing and proposed bungalow. As such, it is a matter of planning judgement whether the relationship between the proposed and existing bungalow would cause harm to living conditions.
19. In this case, the Council suggest that the rear of the bungalow at No 6 Hughes Road would be 6.6m from the flank (side elevation) of the proposed bungalow on the appeal site. However, the appellant indicates that the nearest part of the proposed bungalow would be approximately 6.2m from the rear elevation of the existing dwelling at No 6 with the main part of the proposed bungalow being 9m away.
20. Properties on Hughes Road that have a boundary with the appeal site have short gardens that currently abut a corrugated fence. In the case of Nos 2 and 4, part of the boundary is formed by a substantial workshop building. The proposed development would result in the demolition of the workshop building and the removal of vehicle storage and repairs which I observed currently occurs up to the rear boundary of the properties on Hughes Road.
21. The proposed bungalow is shown to have no doors or windows in the side elevations. Although it would be located close to the rear of No 6 it would not occupy the full extent of the rear boundary. This close relationship would exist over approximately one third of the rear elevation of the existing bungalow. A substantial part of the rear garden of No 6 would remain unaffected by the position of the proposed bungalow. Whilst a small part of the brickwork of the proposed bungalow would be visible above the fence line, the proposed roof would slope away from No 6. Consequently the outlook from the majority of the rear façade of No 6 would remain unchanged.
22. In order to consider the impact of the proposed development on the rear windows and doors at No 4 and 6, the appellant has submitted a Daylight and Sunlight Assessment. This accords with the Building Research Establishment (BRE) Report 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' which I accept, in the absence of any other planning policy guidance, is an established document to consider the impact of new development on daylight and sunlight.
23. The BRE guide recommends that new development should not cause the Vertical Sky Component (a measure of the general amount of light available on the outside plane of a window as a ratio of the total unobstructed sky viewable following the introduction of a barrier such as a building) should be no less than 80% of its former value. The assessment demonstrates that all of the rear windows and doors at Nos 4 and 6 would retain light at greater than 80% of its former value. The Assessment also considered the impact of the proposed development on the rear garden of No 6 and concluded that there would be no effect on the sunlight received by the garden space after the construction of the buildings. I have no evidence to indicate that the assessment or conclusions are incorrect.

24. The outlook from No 6 is currently towards a relatively poor quality fence with workshop buildings beyond. I agree with the appellant that the proposed development would give the opportunity for improvements to the boundary treatment. The existing workshop that currently abuts the boundary with No 4 would be removed. Moreover, the proposed development would result in the cessation of the vehicle storage and repairs that currently occur up to the property boundary of all the properties on Hughes Road that abut the appeal site.
25. In the absence of any conclusive adopted separation standards for developments involving bungalows, and taking the above factors into account, I do not consider that the proposed separation distance between No 6 and the proposed bungalow would cause any demonstrable harm to the living conditions of the occupants of the existing property by reason of any significant loss of light or outlook. Moreover, the proposed development would provide a significant improvement in the outlook currently experienced at No 4.
26. The Council have also expressed concern that the side elevation of the proposed two storey semi-detached house would be within 15.8m of the rear elevation of No 4 which further adds to the potential loss of outlook and would be overbearing. This distance exceeds the separation distance set out in the SPD. Consequently I do not consider that this relationship, in meeting the requirements of the SPD, would give rise to any demonstrable loss of light or outlook.
27. The side elevation of the proposed terraced block would be located 13.8m from the rear elevation of No 2 Hughes Road which would also exceed the separation distance recommended in the SPD. However, the Council indicates that the distance would be reduced to 10m when a line is drawn at an angle from the property. I have no evidence to conclusively indicate where the position of such line has been taken from.
28. However, I have taken into account the evidence provided by the appellant that shows the main habitable rooms of No 2 face southwards towards No 387 Staines Road West. Moreover, a significant portion of the rear garden of No2 would have an improved outlook as a consequence of the demolition of the existing property and associated outbuildings at No 383. Whilst I recognise the Council's concerns, in my view, the separation distance between the rear of No 2 and the side elevation of the terraced block would be adequate and generally conforms with requirements of the SPD. As such the proposed development would not cause any significant loss of outlook or light for the occupants of the property.
29. Taking the above matters into account, I do not consider that the proposed development would cause any significant harm to the living conditions of the occupants on Hughes Road with regard to outlook and light. As such there would be no conflict with Policy EN1 of the CSPDPD. This policy, amongst other things, requires new development to have a satisfactory relationship with adjoining properties and avoid significant harmful impact in terms of loss of light and outlook.

Other matters

30. I have taken into account the contribution that the proposed development would make to housing supply within the Borough. However, this does not

outweigh the conflict that I have found with Policy HO4 of the CSPDPD and the fact that an insufficient number of one and two bedroom dwellings would be provided.

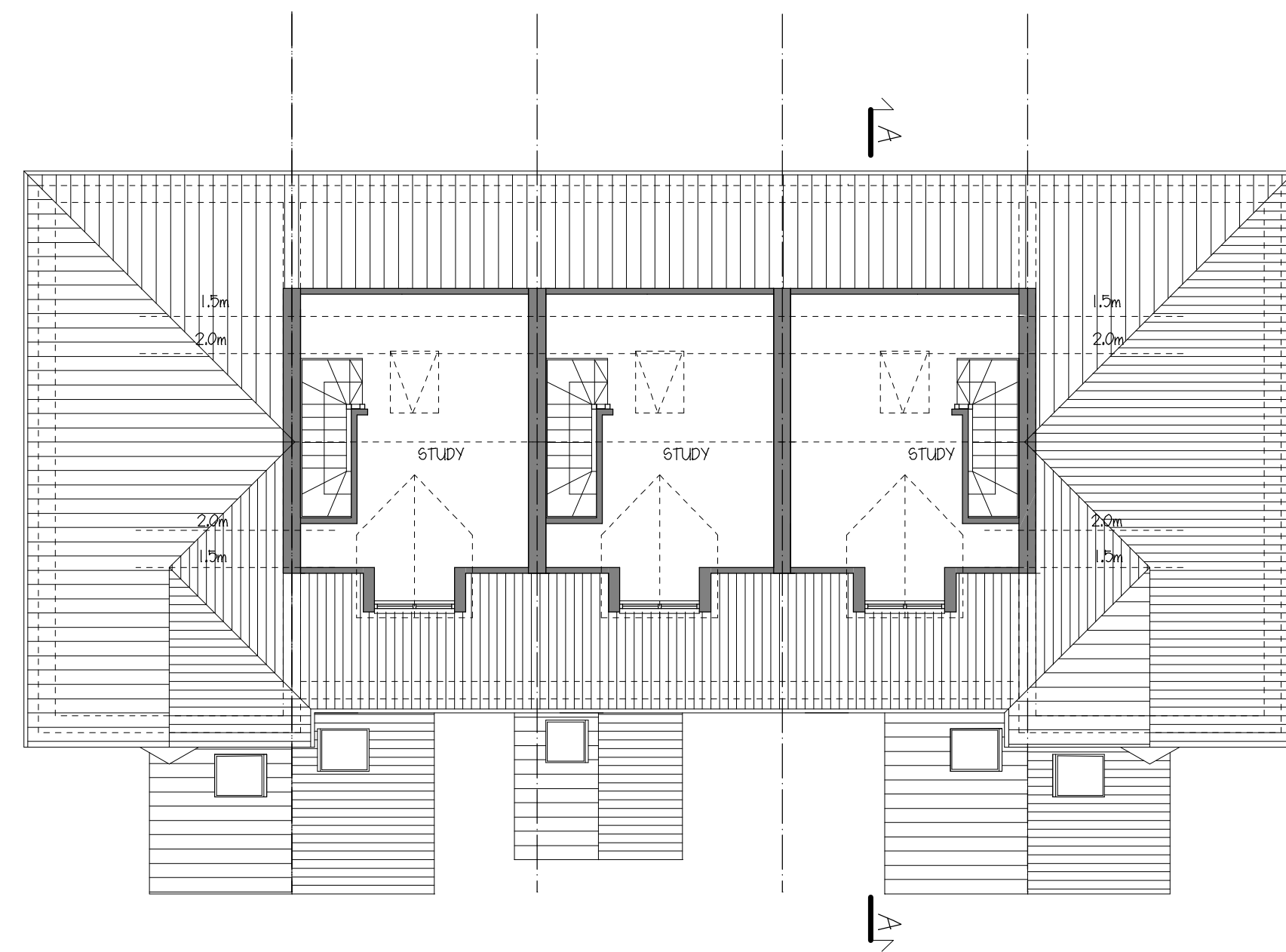
Conclusion

31. I have found no significant harm to the character and appearance of the area or harm to the living conditions of the occupants of properties on Hughes Road. However, these issues do not outweigh the fact that the proposed development does not provide for 80% of new units to comprise one and two bedroom dwellings and is thus in conflict with Policy HO4 of the CSPDPD. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

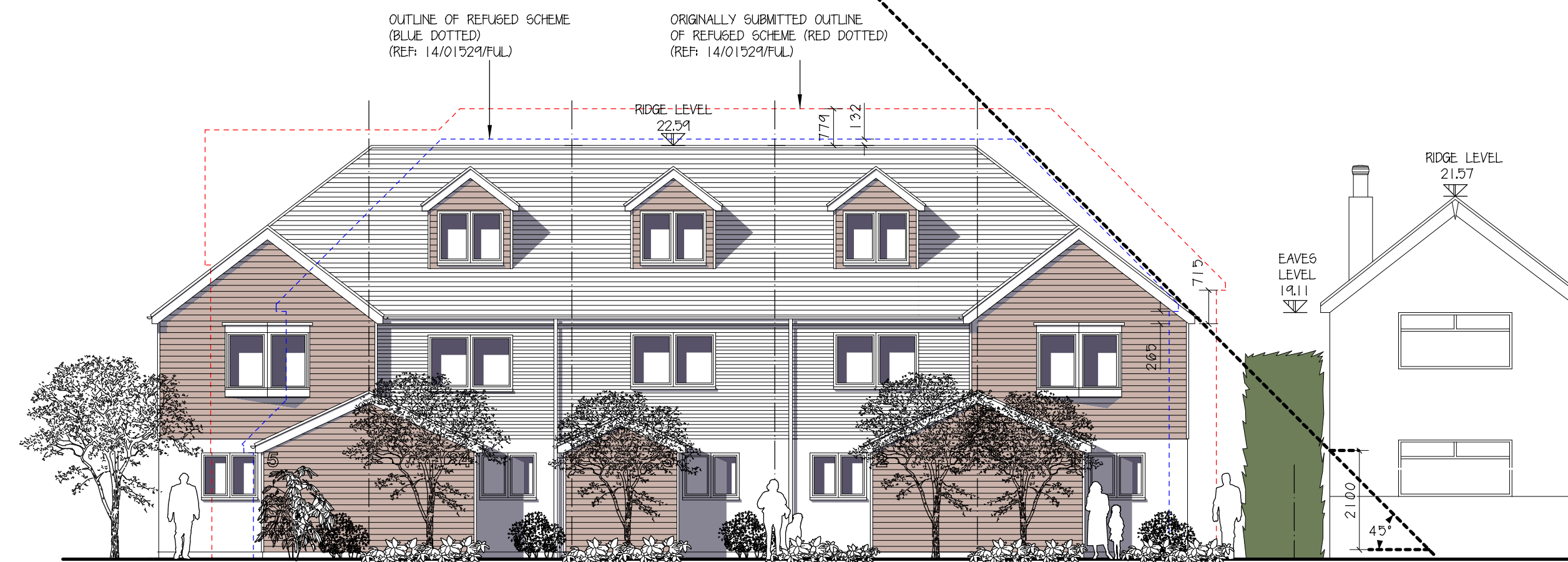
Stephen Normington

INSPECTOR

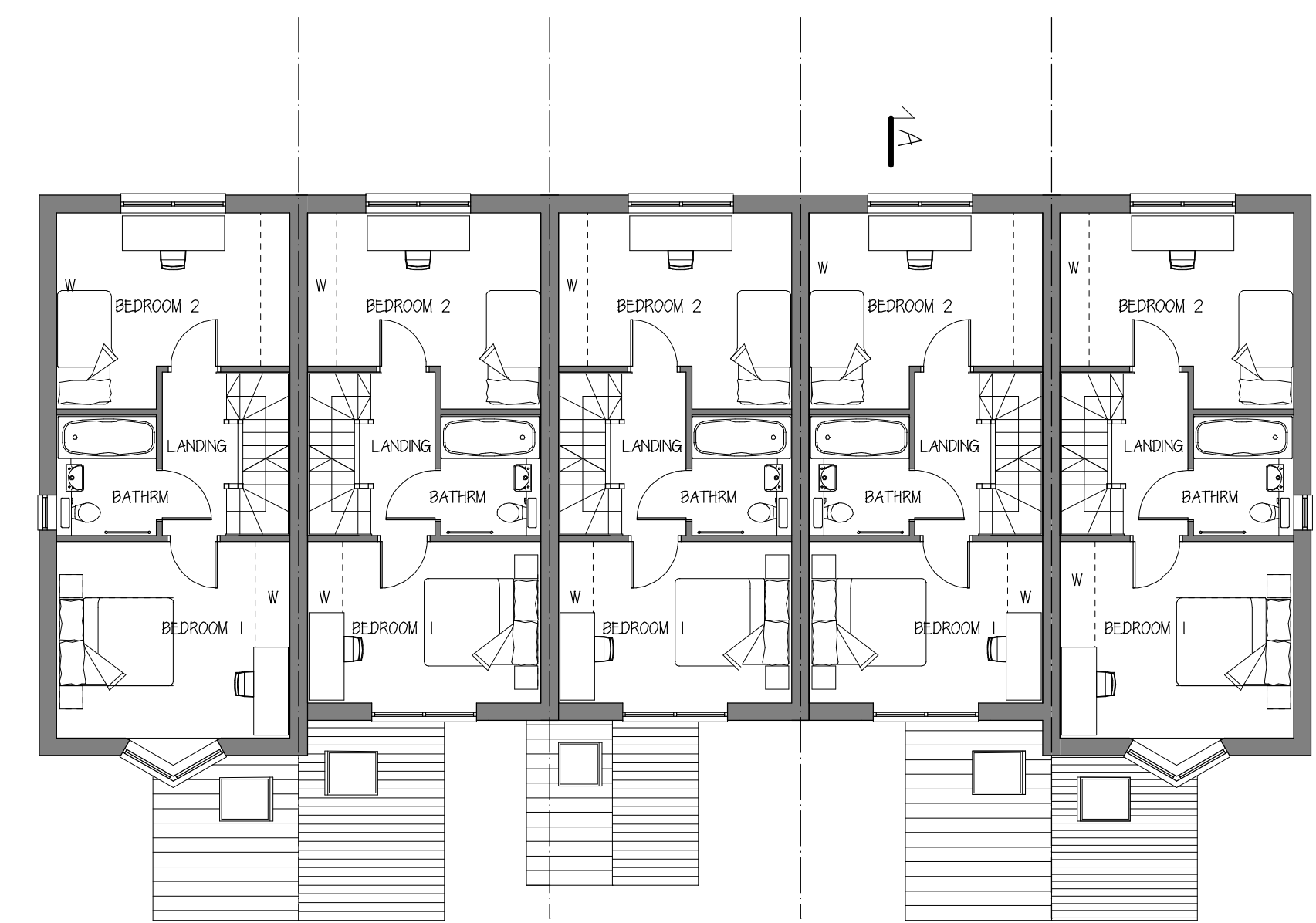
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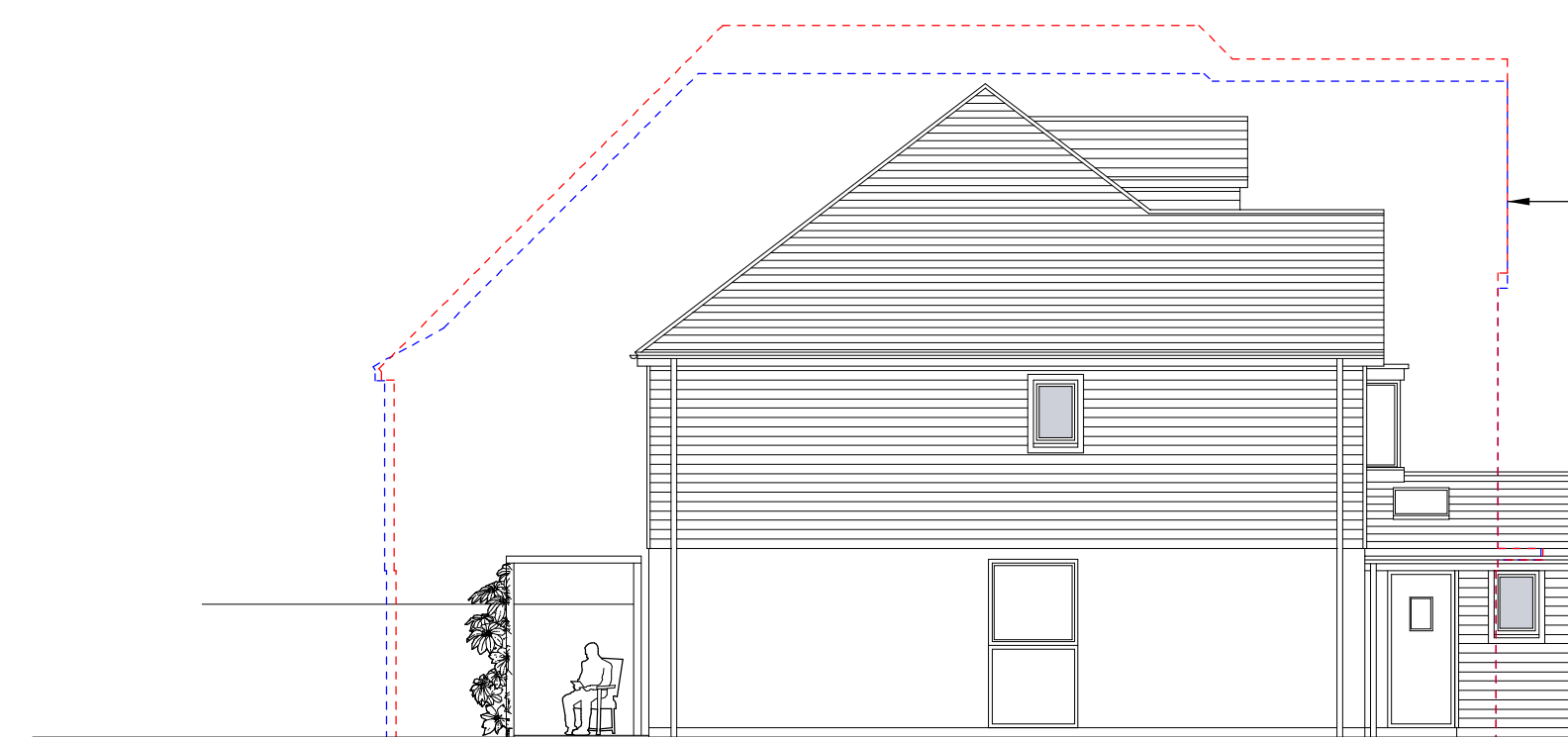
SECOND FLOOR PLAN



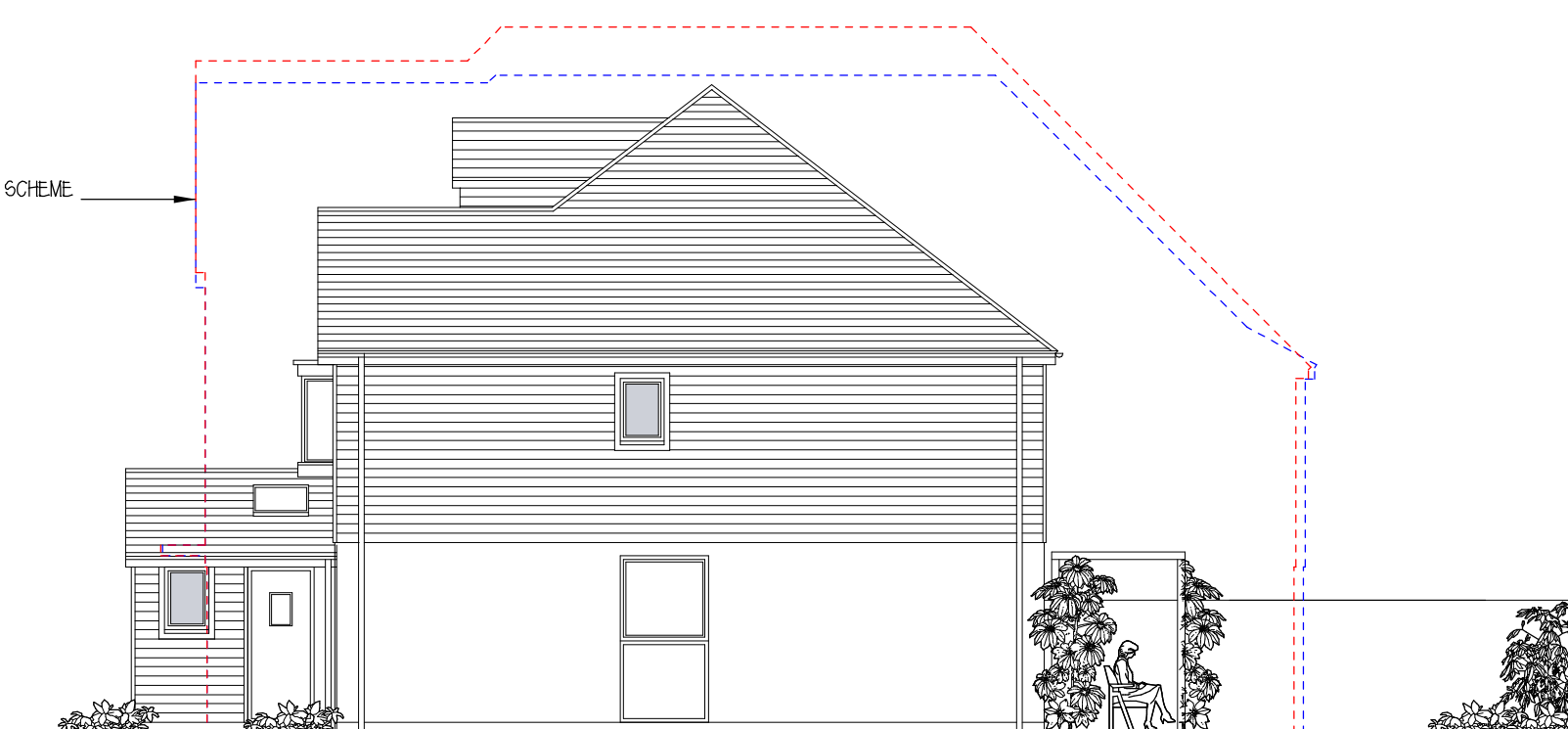
FRONT ELEVATION



FIRST FLOOR PLAN



SIDE ELEVATION (WEST)



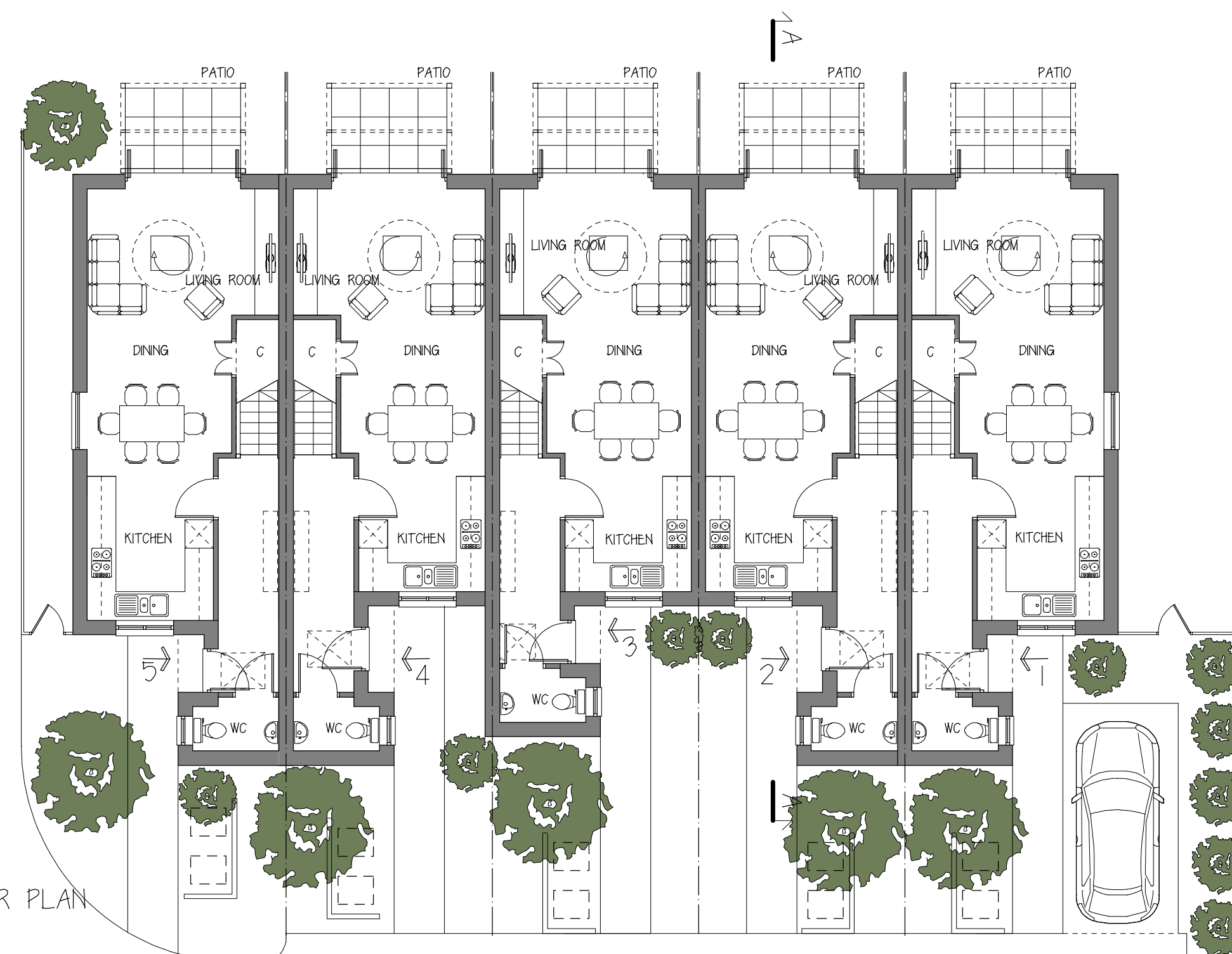
SIDE ELEVATION (EAST)



REAR ELEVATION (NORTH)

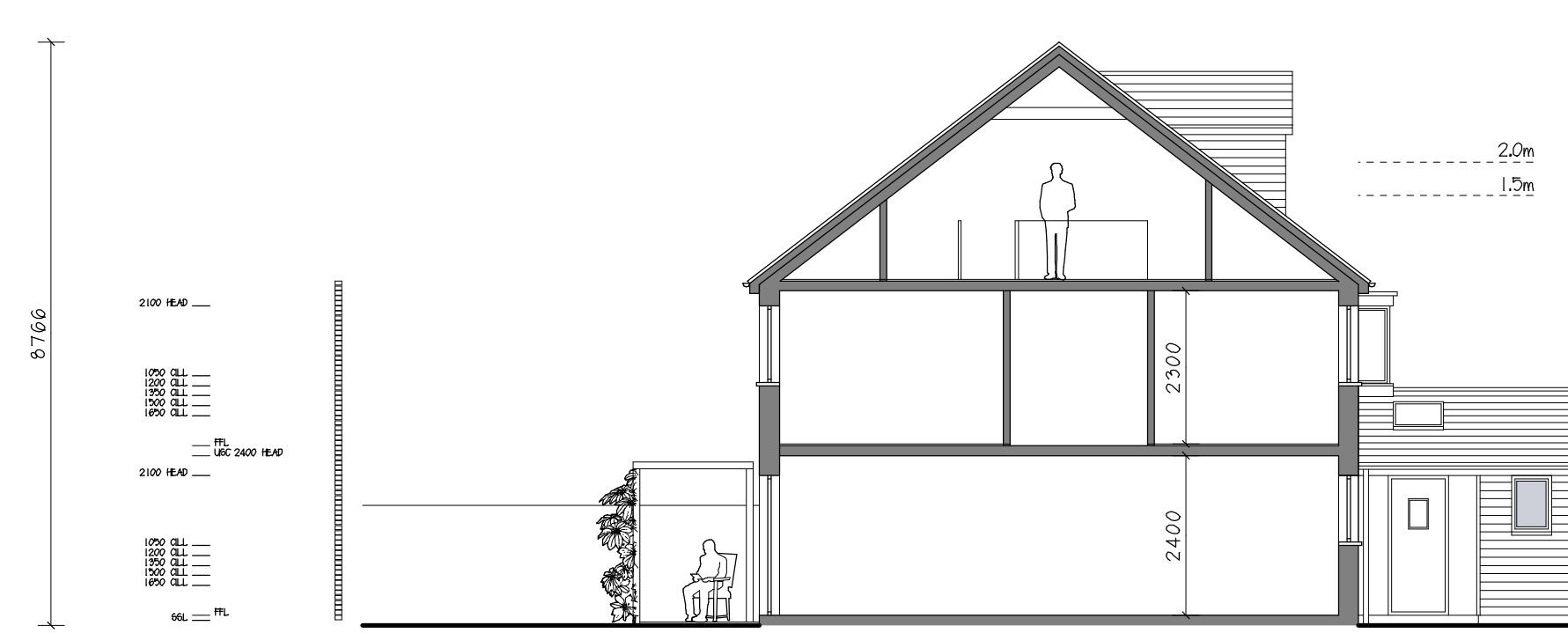
EXTERNAL MATERIALS

- ROOF - PITCHED 37.5° FINISH MARLEY ETERNIT GLATES OE
- PRE-FINISHED FAGGAS, GOFFITS & BARGE BOARDS, COLOUR 'STORM BLUE'
- ROOFLIGHTS - VELLUX OE
- DOWNPIPES & GUTTERS - GALVANISED LINDBA OE
- WALLS - BUFF BRICK AND TIMBER CLADDING AS INDICATED
- GABLES, DORMERS & BAYS - TIMBER CLADDING
- PLINTH - WHITE PAINTED BRICKWORK
- WINDOWS AND DOORS - DARK GREY POWDER COATED ALUMINIUM
- BATHROOMS & ENSUITES TO BE OBSCURED GLAZING AS INDICATED
- OBSCURED GLAZING SHADED TINT
- FENCE - TIMBER CLOSE BOARDED



GROUND FLOOR PLAN

- HOUSE 1 & 5:
3 PERSON 2 BED
MIN STANDARD 75m²
PROVIDED 75.94m²
- HOUSE 2 & 4:
3 PERSON 2 BED
MIN STANDARD 75m²
PROVIDED 90.30m²
- HOUSE 3:
3 PERSON 2 BED
MIN STANDARD 75m²
PROVIDED 84.22m²



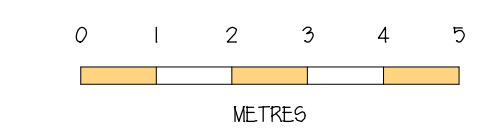
SECTION A-A

A DORMERS AND BAY FF WINDOWS STYLE CHANGED AJ 20/07/15
REVISION CHECKED DATE

ROBERT DAVIES JOHN WEST LIMITED
RIBA Chartered Practice
The Courtyard 59 Church Street
Staines upon Thames Middx TW18 4XS
Tel: 01784 459211 E-mail: info@rdjwlt.com


DATE: 18/11/14
SCALE: 1:100 @ A1
DRAWN: AJ
CHECKED: KMD

PROPOSED BLOCK A
PLANS, ELEVATIONS
AND SECTION A-A
REV L2143/09 A




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16/01934/HOU
Ambleside, Penton Hall Drive,
Staines-upon-Thames, TW18 2HP

1:1,250
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SPELTHORNE
 MEANS BUSINESS

Planning Committee

08 February 2017



Application No:	16/01934/HOU		
Site Address:	Ambleside, Penton Hall Drive, Staines-upon-Thames, TW18 2HP		
Proposal:	Conversion of loft to form habitable space including a hip-to-gable alteration, the raising of the ridge height, the installation of two dormers within the front elevation, three dormers within the rear elevation, a new bay window, and re-cladding of existing building in new brick work to replace existing outer brickwork.		
Applicant:	Mr Freddie Gale		
Ward:	Riverside and Laleham		
Call in details:	The application has been called in by Councillor Edgington due to concerns over density, overlooking and design		
Case Officer:	Matthew Churchill		
Application Dates:	Valid: 18.11.2015	Expiry: 13.01.2017	Target: Over 8 weeks
Executive Summary:	<p>The application is seeking loft alterations, which would create habitable space in the roof form, including a hip-to-gable alteration over the eastern and western elevations of the dwelling, the raising of the ridge height, and the installation of two dormer windows within the front elevation and three dormer windows within the rear elevation. The application also seeks permission for a new bay window at ground floor level, and the replacement of the existing outer brickwork, which would be replaced by brick matching the colour of the existing.</p> <p>The proposal complies with Policy EN1 (Design of New Development) of the Spelthorne Borough Core Strategy and Policies DPD (2009) and the guidance contained in Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (2011), and would have an acceptable</p>		

	relationship with the surrounding residential properties, despite the objections raised against the scheme primarily on the grounds of the impact upon residential amenity.
Recommended Decision:	The application is recommended for approval.

MAIN REPORT

1. Development Plan

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

- EN1 (Design of New Development)
- CC3 Parking Provision

1.2 Also relevant is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011

2. Relevant Planning History

STAINES/FUL/P15144	Erection of a single-storey rear extension to provide a Dining Room.	Grant Conditional 02.10.1972
16/01396/PDH	Prior approval notification for a single storey rear extension measuring 6.1 metres deep with a maximum height of 2.9 metres and a height of 2.7 metres to the eaves.	Prior Approval not required 22.09.2016
16/01397/HOU	Conversion of loft to form habitable space including a hip-to-gable alteration, the installation of two dormer windows within the front elevation, and three dormer windows within the rear elevation	Withdrawn

Description of Current Proposal

2.1 The application site is occupied by a single storey detached bungalow, situated on the northern side of a residential cul-de-sac within Penton Hall Drive. The surrounding locality is predominately residential in character,

containing a mixture of dwelling types and styles, ranging from a block of flats, to detached bungalows and a number of two storey properties. The application site itself occupies a relatively long plot, and contains space for off-street parking at the front of the dwelling, alongside an integral garage. The site is adjoined to the west by properties within Avondale Avenue, and 'Lockholm', occupied by a two storey detached dwelling, adjoins the eastern boundary of the site. Properties within Avondale Avenue also adjoin the north of the site, and no.119A Thames Side, and no.18 Penton Hall Drive are located to the south of the property.

2.2 The application is concerned with loft alterations that would provide habitable space within the roof form incorporating three rooms. The proposed alterations would include a hip-to-gable alteration over both the eastern and western elevations of the property, the installation of 2 dormer windows within the front elevation, 3 dormer windows within the rear elevation, and the raising of the ridge height from approximately 5.5 metres to approximately 5.9 metres. The scheme also proposes the re-cladding of the existing outer brickwork, which would be re-clad in brick of a colour to match the existing building. It is further proposed that a bay window would be installed within the front elevation of the property.

2.3 Copies of the site layout and elevations are provided as an Appendix.

3. Consultations

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

Consultee	Comment
Environmental Health	No objection

4. Public Consultation

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

- The proposal would be overbearing and would reduce privacy to neighbouring gardens and windows.
- The location plan appears to be incorrect as land has been incorporated into the gardens of no.125, 129 and 133 Avondale Avenue (to the west).
- The proposed dormer windows would overlook neighbouring gardens.
- If a tree at the front of the site were to be removed this would further reduce privacy.
- Trees within a neighbouring garden are potentially within falling distance of the proposed works, contrary to the answer within the application form.

5. Planning Issues

- Design and appearance
- Amenity of the occupiers of neighbouring and adjoining residential properties.

6. Planning Considerations

Design and Appearance

- 6.1 Policy EN1 of the CS & P DPD states that the Council will require a high standard of design and layout of new development. Proposals should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land. Also of relevance is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011.
- 6.2 The proposal comprises loft alterations and the re-cladding of the existing outer brickwork, which as highlighted above, would incorporate a hip-to-gable alteration over both the eastern and western elevations, the installation of two dormer windows within the front elevation and three dormer windows within the rear elevation, and the raising of the ridge height to 5.9 metres. A bay window would also be incorporated within the front elevation of the building.
- 6.3 In design terms, it is considered the proposal would have an acceptable visual impact upon the prevailing street scene. It is noted the proposal would incorporate a gable roof form, which would not match the hipped design of the roof over the existing dwelling. However, in this particular instance when considered having regard to the surrounding locality, the scheme is considered respect the visual amenity of the neighbouring and adjoining dwellings. This is particularly relevant when the proposed development is viewed in the context of the style and design of the roof form over 'Lockholm' situated to the east of the application site. As such given the varied style and design of properties within the surrounding vicinity, it is not considered that the proposed works would unduly detract from the character and appearance of the area.
- 6.4 The proposed dormer windows would largely be in adherence to the Council's SPD guidelines regarding dormer window design. This is because the dormers are not viewed to be over-dominant within the roof form, and would incorporate a pitched roof form, the design of which is considered to be compatible with the main roof. The proposed dormers would also be 'set up' in excess of 1 metre from the eaves, in compliance with the Council's guidance, and would also be 'set down' in excess of 0.5 metres from the ridge. It is noted the western dormer within the rear elevation would be 'set in' approximately 0.85 metres from the western flank, and the western dormer within the front elevation would be 'set in' approximately 0.9 metres from the roof edge. It is acknowledged that this would be marginally below the 1 metre guideline 'set in' distance of 1 metre, as recommended within the Council's guidance, although this relatively minor shortfall is not viewed to be justification to recommend the application for refusal on design grounds.
- 6.5 It is considered the proposed increase in ridge height from approximately 5.5 metres to approximately 5.9 metres, would be acceptable in design terms,

and would not adversely impact visual amenity. It was established whilst reviewing the planning history of 'Lockholm' situated to the east of the site, the ridge of this property measures approximately 7.6 metres in height. In addition, a number of two storey properties are present within the surrounding locality in 'Lockholm' and Avondale Avenue, and it is not therefore considered an objection could be sustained on design grounds on the basis of the proposed height.

- 6.6 The scheme proposes that the existing outer brickwork within the external walls would be replaced by brick that would match the colour of the existing. This is considered to be acceptable in design terms, although it is recommended that a condition is attached to the decision notice requiring the applicant to submit a sample of the proposed materials, and for this to be agreed in writing by the Council before works commence.
- 6.7 It is proposed that a bay window would be incorporated within the front elevation of the property on the ground floor. By virtue of siting, scale and location, this is considered to be acceptable, and would not have a detrimental impact upon the prevailing building line, or the symmetry of the dwelling.
- 6.8 The design and appearance of the extension is considered to be acceptable in this location, respecting the design of the host building, and the overall character of the area. In design terms it is considered that the proposal would conform to Policy EN1 and the Council's SPD on new residential development.

Impact on Neighbouring Properties

- 6.9 Policy EN1 of the CS & P DPD states that new development should achieve a satisfactory relationship with 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. The Council's SPD on new residential development provides detailed guidance on how to assess the impact on neighbouring properties.
- 6.10 In terms of the impact of the scheme upon residential amenity, it is acknowledged the Council has received 3 letters of representation raising concerns on the grounds of overlooking. It is also worth noting that it was evident during the site visit that the rear boundaries of properties on the eastern side of Avondale Road, appeared to project up to the western boundary of the application site, which does not correspond with the submitted location plan.
- 6.11 Notwithstanding the above discrepancy within this plan it is understood that the dormer windows would be located within the front and rear elevations of the dwelling. Therefore as a result of the layout and orientation, the dormer windows would not directly overlook the rear gardens of properties situated within Avondale Road sited to the west of the site. Additionally, the western flank elevation of the application dwelling is sited approximately 26 metres from the rear elevation of the nearest dwelling within Avondale Road. As such, the proposal would be in adherence to the Council's SPD guideline 'back to side' distance of 13.5 metres. As a result such distance, the scheme

is not viewed to have an adverse impact upon the privacy of rooms served by windows located within the rear elevation of properties in Avondale Road.

- 6.12 Furthermore, given the orientation and layout of the application property, the proposed dormers, would not directly overlook the gardens of properties to the west of the site on the eastern side of Avondale Avenue, and it is therefore not considered that an objection could be sustained on this basis. However, in order to control any future opportunities for overlooking, it is recommended that a condition is attached to the decision notice, preventing the installation of further window openings within the western elevation of the property, without first seeking the permission of the Council.
- 6.13 Notwithstanding the existing single storey front element of the property, which projects forward, the proposed dormer windows would be located approximately 21 metres from the northern elevation of no.18 Penton Hall Drive, and approximately 27 metres from the northern elevation of no.119A Thames Side, both located to the south of the site. As such the proposed dormers are in adherence to the Council's 'front to front' SPD distance of 21 metres. The garden area at no.119A would also be located approximately 15 metres from the dormer windows, and as a result of this distance it is not considered that an objection could be sustained on the grounds of overlooking. The scheme is further considered to have an acceptable impact upon no.103 and no.103B Avondale Road, situated to the north of the site, as a result of distance.
- 6.14 The proposal is further viewed to have an acceptable impact upon the light privacy and amenity 'Lockholm' situated to the east of the site. The proposed works are not considered to have an overbearing impact upon this property and would be 'set in' approximately 2.5 metres from the eastern boundary, which is considered to mitigated an adverse impacts.
- 6.15 It is noted the Council has received one letter of representation raising concerns that the proposed works would represent an overbearing form of development. In adherence to the Council's SPD guidelines, the proposed hip-to-gable alterations and raising of the ridge height, would be 'set in' in excess of 1 metre from the eastern and western boundaries. As a result of siting, design and location, and in view of the siting of the existing dwelling, it is not considered that an objection could be sustained on overbearing grounds especially as the works would only result in the building being 0.4 metres higher than the existing dwelling. Additionally, as a result of siting and location, it is not viewed that the proposal would have an adverse impact upon light.

General Comments

- 6.16 The Council has received three letters of representation raising objections to the proposal principally on amenity grounds as already covered within this report. The only other objection concerns neighbouring trees within falling distance of the property contrary to the application form, which is not viewed to be reason to recommend the application for refusal. In addition the potential removal of a tree at the site in future, would not be reason to warrant the refusal of this current application.

7. Recommendation

7.1 GRANT subject to:-

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 Ambleside Penton Hall Drive Staines Surrey TW18 2HP (Location Plan), KJT/Ambleside/101(b), KJT/Ambleside/104a, KJT/Ambleside/102(c), KJT/Ambleside/200a, KJT/Ambleside/201a, KJT/Ambleside 103(c), KJT/Ambleside/100a

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

3. Before any work on the development hereby permitted is first commenced details be submitted to and approved by the Local Planning Authority which show the external surfaces and detailing of the extensions and re-cladding of the dwelling hereby permitted to be only of materials to match the existing building.

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. That no further openings of any kind be formed in the western flank elevation(s) of the extension hereby permitted without the prior written consent of the Local Planning Authority.

Reason:-.To safeguard the amenity of neighbouring residential properties in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. The internal walls of the property shall remain in place throughout the construction process.

Reason: In the interests of propoer planning.

INFORMATIVES TO APPLICANT

- 1 The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.

2 Article 2(3) Development Management Procedure (Amendment) Orders 2012

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

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

mh

16/01934

FLOOR PLANS ONLY - 16/01934/HOU



Kevin J Turner FRICS

Chartered Surveyor, Architecture, Town Planning

4 Little Oaks Close

Shepperton

Surrey

TW17 0GA

01932 568568/07711 056605

Ambleside

Penton Hall Drive

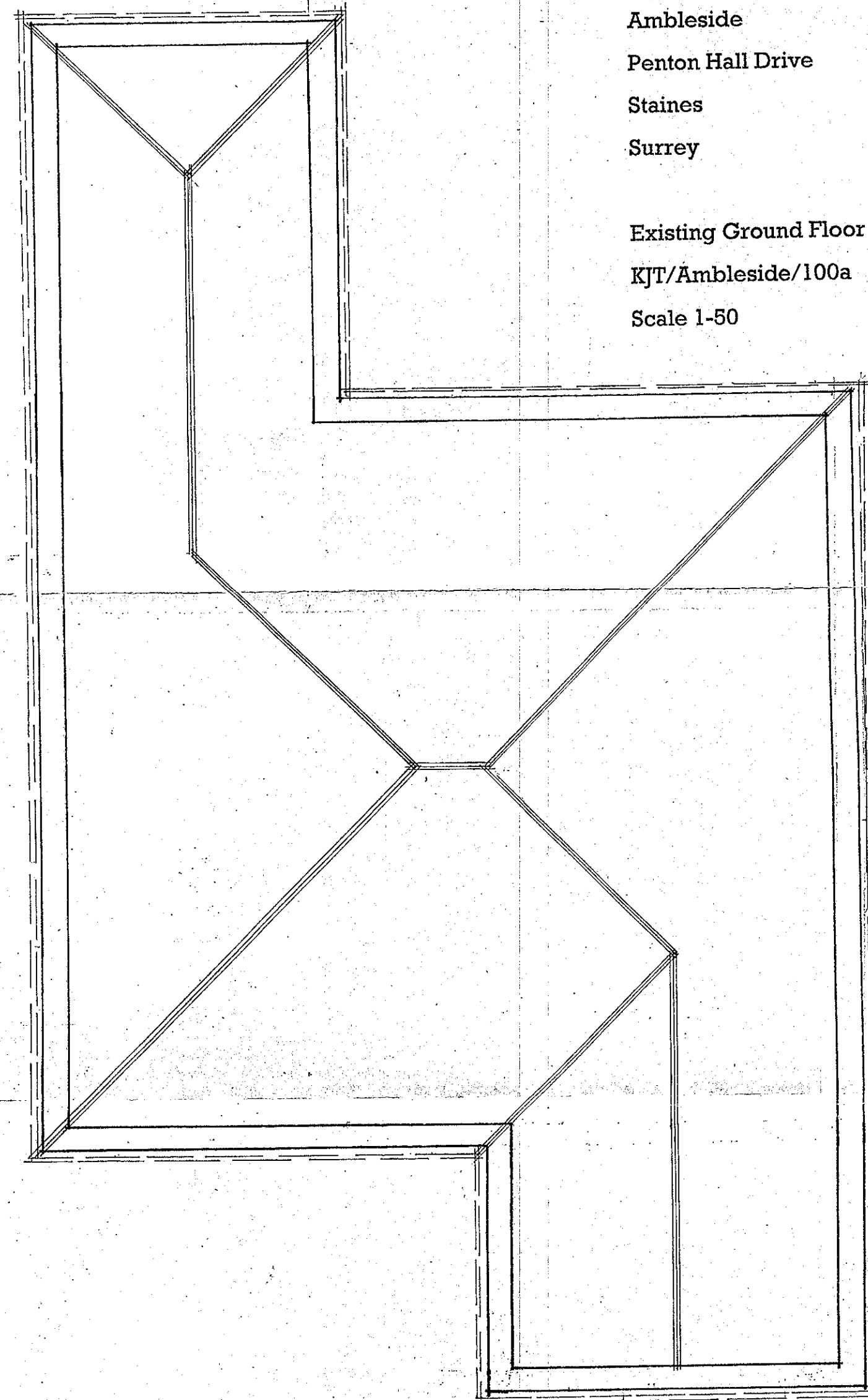
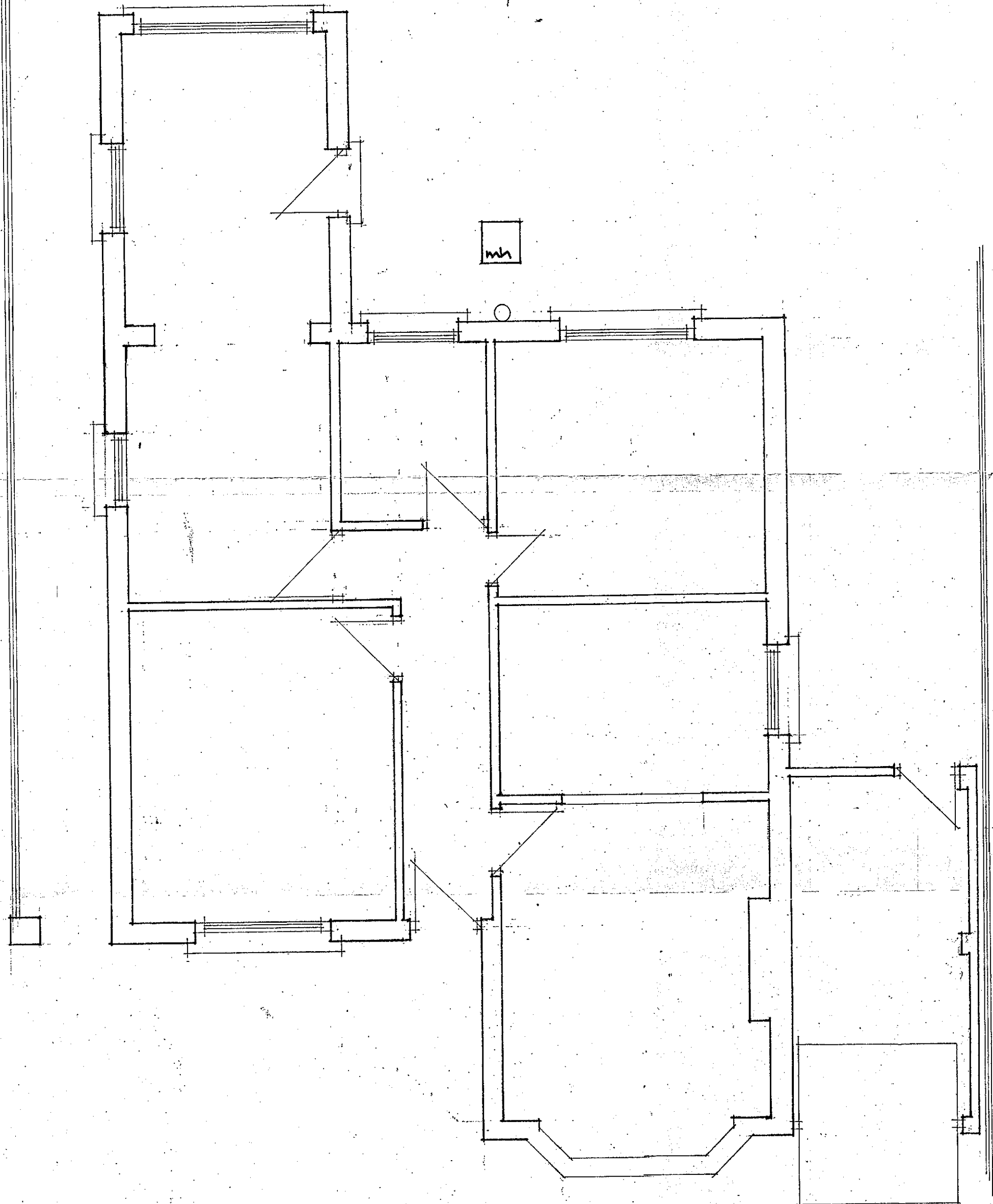
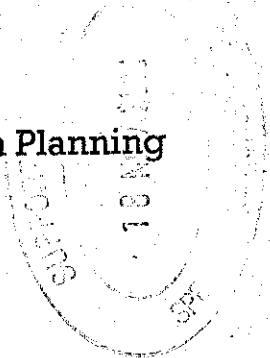
Staines

Surrey

Existing Ground Floor Plan and Roof Plan

KJT/Ambleside/100a

Scale 1-50



Ambleside
Penton Hall Drive
Staines
Surrey

Proposed Rear Extension
Existing Elevations
KJT/Ambleside/200a
Scale 1-50



Rear Elevation

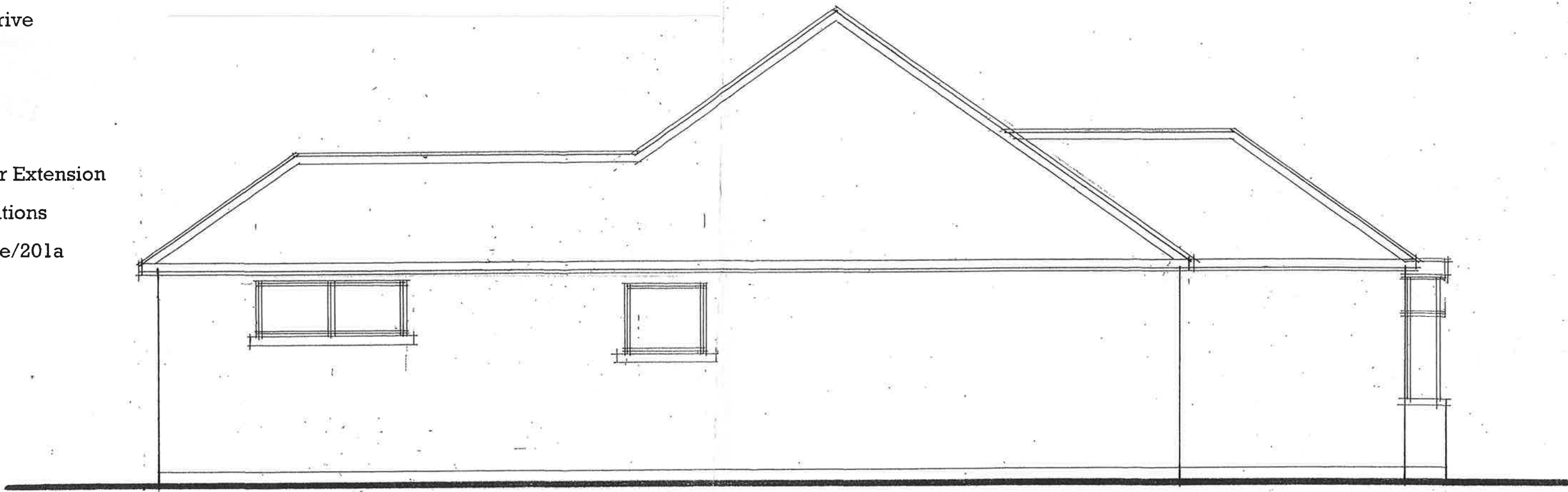


Front Elevation

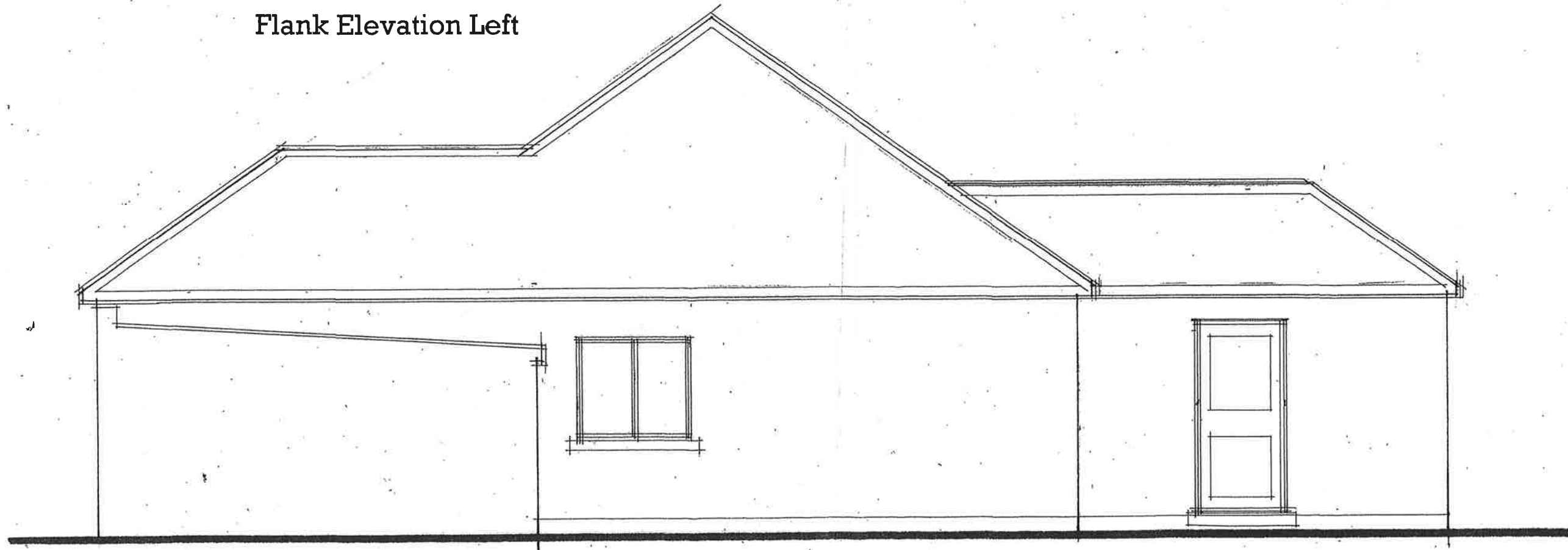
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Ambleside
Penton Hall Drive
Staines
Surrey

Proposed Rear Extension
Existing Elevations
KJT/Ambleside/201a
Scale 1-50



Flank Elevation Left



16/01934

Flank Elevation Right

Kevin J Turner FRICS

Chartered Surveyor, Architecture, Town Planning

4 Little Oaks Close

Shepperton

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01932 568568/07711 056605

Ambleside

Penton Hall Drive

Staines

Surrey

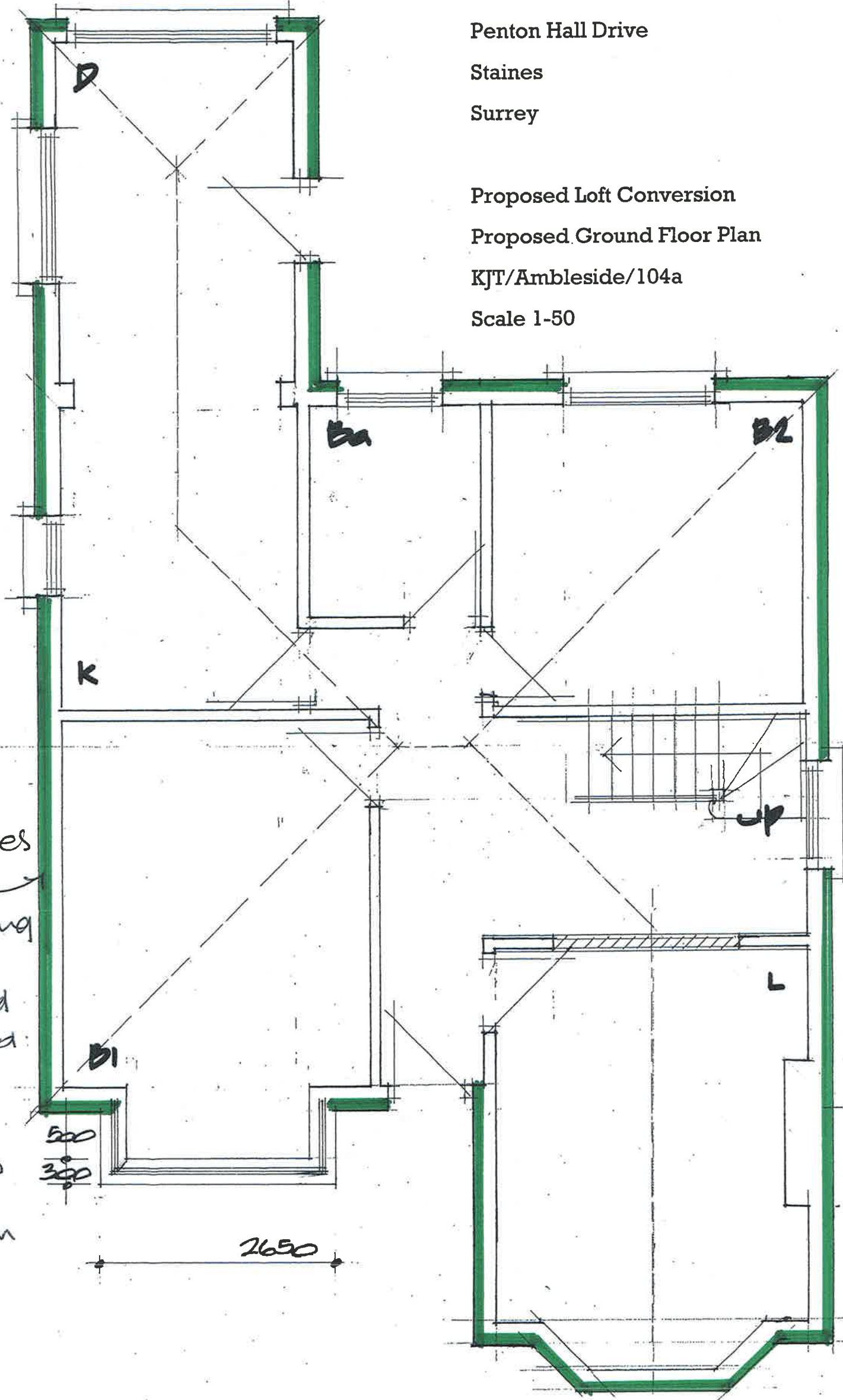
Proposed Loft Conversion

Proposed Ground Floor Plan

KJT/Ambleside/104a

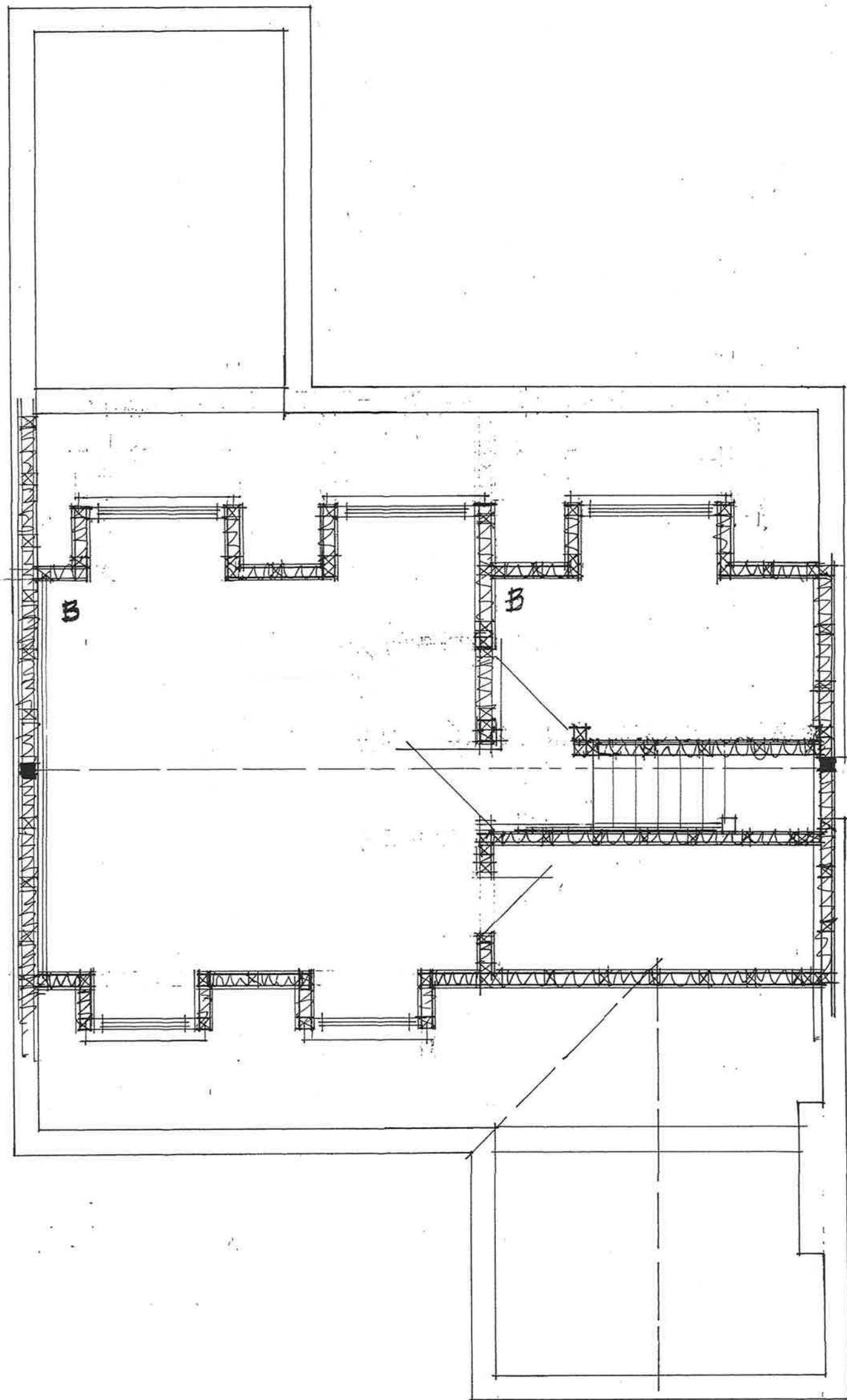
Scale 1-50

16/01934



Green indicates
external
leaf of existing
cavity wall
to be removed
and replaced
with new
brickwork
(top project 800
no further
forward than
existing)

16/01934



Ambleside
Penton Hall Drive
Staines
Surrey

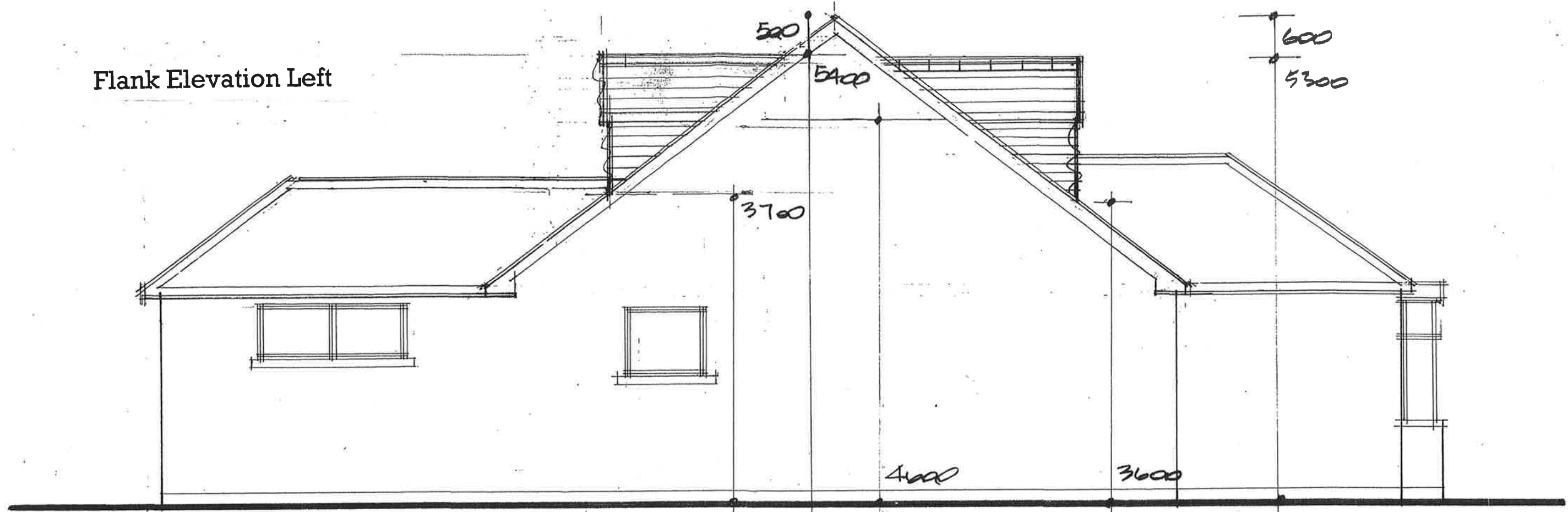
Proposed Loft Conversion

Proposed First Floor Plan

KJT/Ambleside/101a(b)

Scale 1-50

Flank Elevation Left

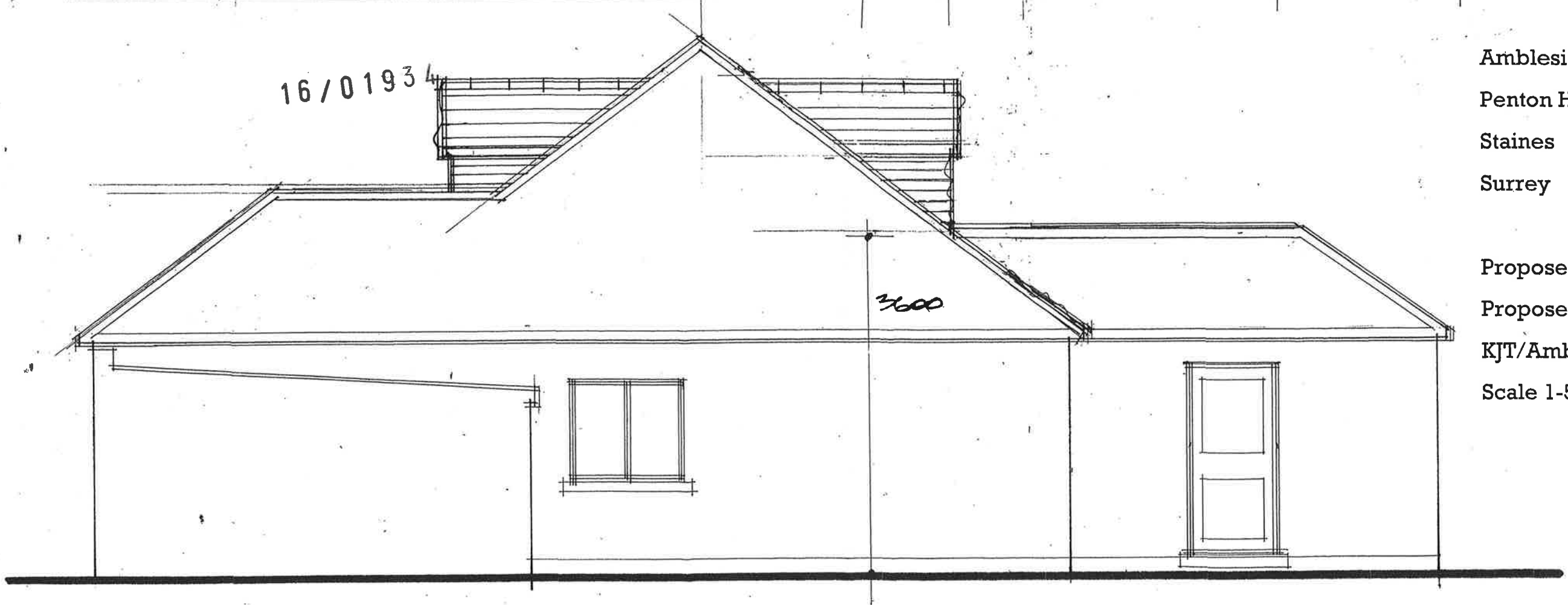


16/0193

Ambleside
Penton Hall Drive
Staines
Surrey

Proposed Loft Conversion
Proposed Elevations
KJT/Ambleside/103a (16)
Scale 1-50

Flank Elevation Right



Ambleside

Penton Hall Drive

Staines

Surrey

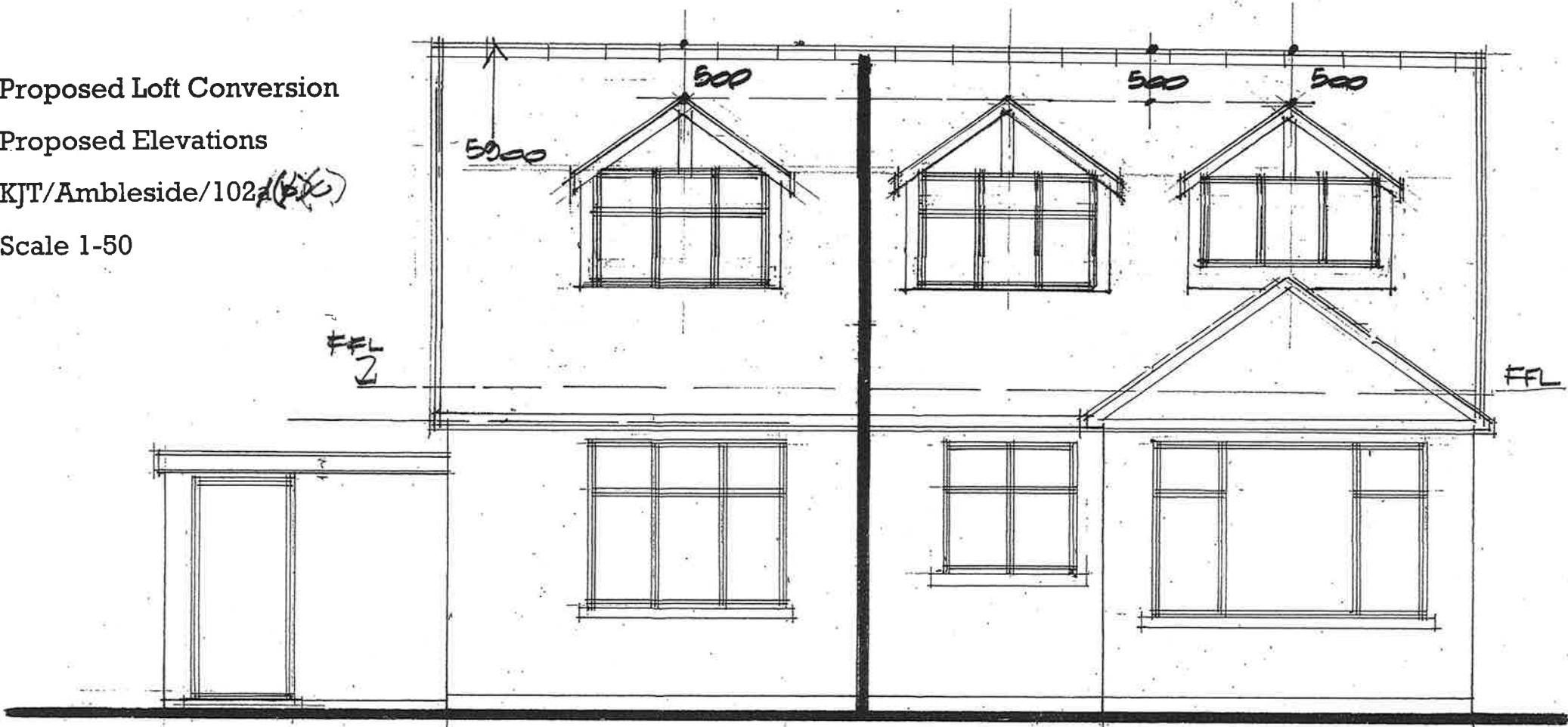
16/01934

Proposed Loft Conversion

Proposed Elevations

KJT/Ambleside/102d(5/10)

Scale 1-50

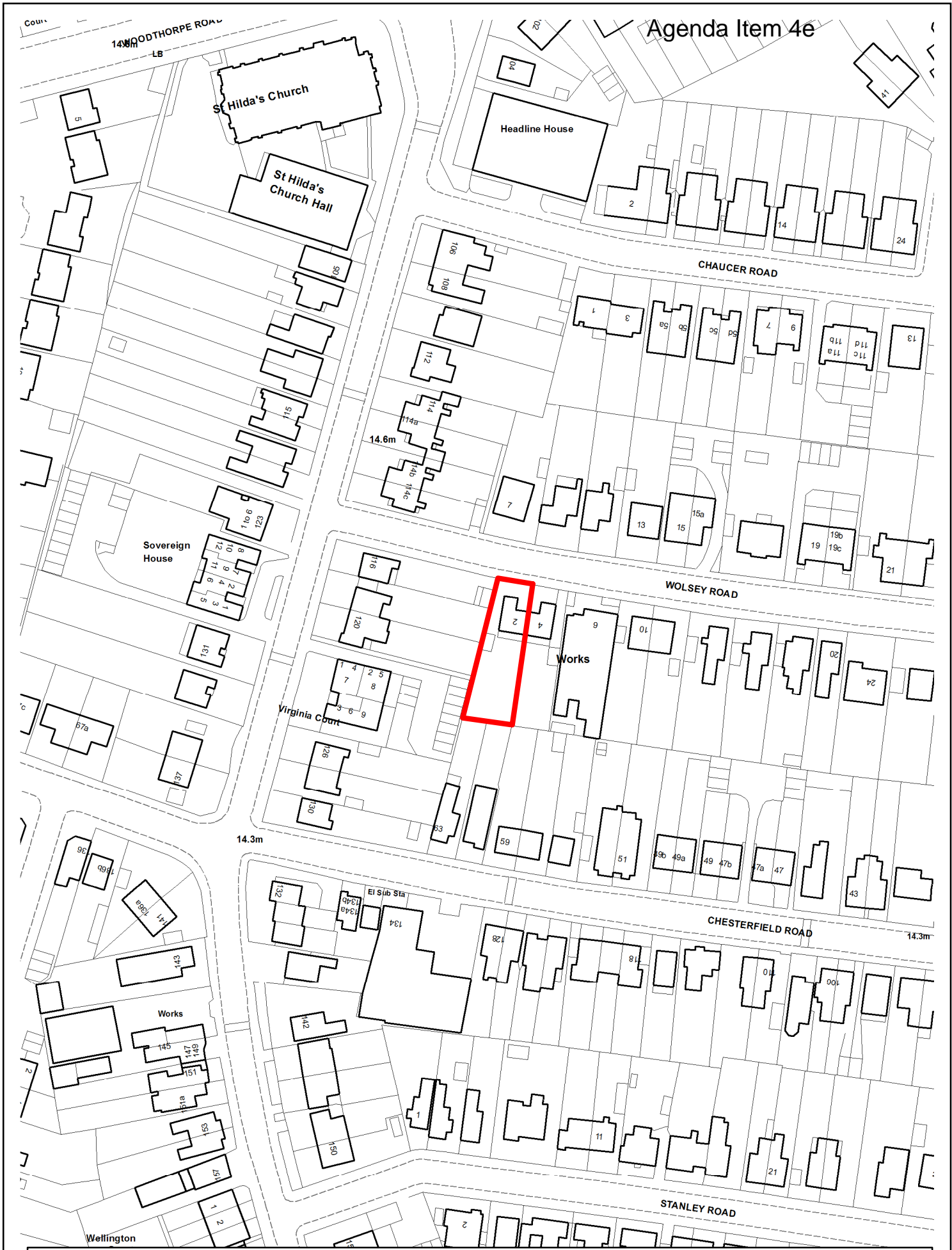


Rear Elevation



take off existing outer skin of brickwork and reface in brick of matching colour

Front Elevation



Planning Committee

08 February 2017



Enforcement Ref:	16/00305/UNDEV
Site Address	2 Wolsey Road, Ashford, TW15 2RB
Breach	Erection of a building at the end of the rear garden for use as a dwelling.
Ward	Ashford Town
Recommended Decision	<p>That an Enforcement Notice be issued requiring the following steps:</p> <ul style="list-style-type: none">• Cease the use of the building as a dwelling• Removal of all kitchen facilities• Removal of all bathroom facilities

MAIN REPORT

1. Background

1.1. The application site is occupied by a semi-detached dwelling located on the southern side of Wolsey Road, no.2. The property is located within the urban area, with other similar though older dwellings along Wolsey Road. The rear of the property borders the rear gardens of dwellings located along Chesterfield Road.

1.2. The resident(s) of the outbuilding, the subject of this report, has recently developed both No.2 and No.4 Wolsey Road and is the co owner of both No.2 & No.4. Planning permission was originally granted to erect a first floor extension to both 2 & 4 Wolsey Road – 14/02212/HOU. Subsequently planning permission was granted to vary conditions in 14/02212/HOU to allow the creation of a second floor in the roof space – 16/00733/RVC.

- 1.3. The building appears to have been purposely built to accommodate the owner of 2-4 Wolsey Road during the development of the site.
- 1.4. The outbuilding comprises 2 bedrooms, a lounge/kitchen and a bathroom with windows and doors facing the main house and to the western and eastern sides. It is located at the end of the garden and measures approximately 8 metres by 4.5 metres and no more than 2.5m in height from ground level. It appears that the access to the outbuilding is currently via the side gate access of no.4 Wolsey Road and through the rear garden of no.4 crossing through to the rear of no.2 where a final fence panelling is missing. Access is via the side of the dwelling without going through either of the main houses.
- 1.5. The breach of planning control relates to the unauthorised erection of a building in the rear garden of no.2 which is used as a dwelling.
- 1.6. An Enforcement Notice requiring the cessation of the use of the unauthorised dwelling is required to be agreed by the Planning Committee because of the potential loss of a home.

2. Development Plan

- 2.1. Policy EN1 (amenity issues)
- 2.2. Policy EN11 (noise and disturbance)

3. Relevant Planning History

3.1. 14/02212/HOU Grant Conditional 02.03.2015

Erection of new first floor to no. 2 and no. 4 Wolsey Road (to change the bungalows into two storey dwellings) and erection of single storey side/rear extension to no. 2 and other minor external alterations to dwellings.

3.2. 16/00733/RVC Grant Conditional 28.10.2016

Variation of conditions 3 (approved drawings) and 8 (no further openings) to application 14/02212/HOU to allow the creation of second floor accommodation in the roof space and the installation of roof lights in the front, side and rear elevations.

4. Details of complaint and unauthorised development.

4.1. Complaints have been received from neighbours surrounding the site on a number of occasions about activities and buildings at the site of no.2 & no.4 Wolsey Road.

- Inhabitation of outbuilding.
- Breach of condition 6 attached to 16/00733/RVC – (Use Class must be C3 – residential).
- Parking & Congestion Issues due to work vans parking on road and not on driveways.

5. Planning considerations

5.1. The main planning consideration relates to the impact of the use of the development on the amenity of the neighbouring residential properties. The building extends across the width of the rear garden with windows and doors facing the main house and both western and eastern sides. It measures 2.5m in height from ground level. Whilst the building appears to comply with the Permitted development dimensional criteria (e.g. height no more than 2.5 metres) for outbuildings, it was erected as a dwelling and is not therefore, Permitted Development.

5.2. The Government's Technical Guidance on permitted development Page 41 in relation to the use of outbuildings states that, '*...the rules also allow, subject to the condition and limitations set out below, a large range of other buildings on land surrounding a house, Examples could include common buildings such as garden sheds, other storage buildings, garages and garden decking as long as they can be properly described as having a purpose incidental to the enjoyment of the house. A purpose incidental to a dwelling house would not, however, cover normal residential uses such as a separate self-contained accommodation nor the use of an outbuilding for primarily living accommodation such as a bedroom, bathroom, or kitchen.*'

5.3. As such, the outbuilding has not been built for a purpose incidental to the enjoyment of the dwellinghouse and therefore requires planning permission. The use of the outbuilding (which is located at the rear of the garden) as a dwelling is considered to cause noise and disturbance and harm the amenity of neighbouring properties. The use also results in the building being occupied at all times of the day, which would not be the case if it was only used as a gym or hobbies room which is incidental to the main house. This causes noise and disturbance to neighbouring residential properties, often at unsociable hours. As such the use of the building as a dwelling is considered to have a significant impact on the amenity of neighbouring residential properties at the detrimental to the enjoyment of their houses and garden

areas. The use of the building as a dwelling is also considered to be out of keeping with the character of the area. The proposal is considered to be contrary to Policies EN1 and EN11.

5.4. The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol, Article 8 and Article 14 are relevant when considering enforcement action. There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control. In view of the need to enforce planning law for the public good it is not considered that this would contravene the Human Rights Act. Given the harm caused to the amenity of surrounding neighbours due to the unacceptable noise and disturbance, it is considered to be expedient to take enforcement action against this use.

5.5. Whilst the outbuilding extends across the width of the rear garden, its height is only 2.5 metres high. Given the generous size of the garden of no.2, and given that the building would have been permitted development if erected as a hobby room it is not considered necessary to require the demolition of the outbuilding. Consequently it is recommended that enforcement action is taken to cease the use of the building and not the removal of the structure.

5.6. It is therefore recommended that enforcement action be taken to :-

- Secure the cessation of the unauthorised use of the building as dwelling. However, regard must also be had to the need to give sufficient time for compliance and for existing occupants to find alternative accommodation and therefore a six month period is considered reasonable.

6. Recommendation

6.1. That Enforcement Notices be issued requiring the following steps: -

- Cease the use of the building as a dwelling
- Removal of all kitchen facilities
- Removal of all bathroom facilities

Such Notice to be complied with within 6 months of it taking effect.

Reasons for Serving of Notice

6.2. The use of the building as a dwelling results in unacceptable noise and disturbance to neighbouring residential properties and has a detrimental impact on their amenity and enjoyment of their houses and gardens and is out of character with the area. The proposal, therefore, is contrary to Policies EN1 and EN11 of the Core Strategy and Policies DPD 2009 and the Councils Supplementary Planning Document on the Design of New Residential Development (April 2011).



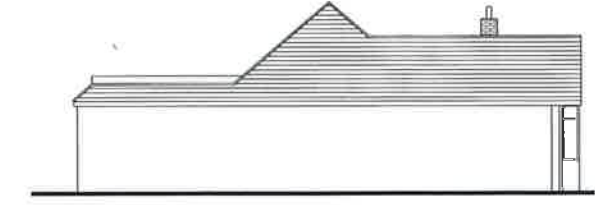
EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



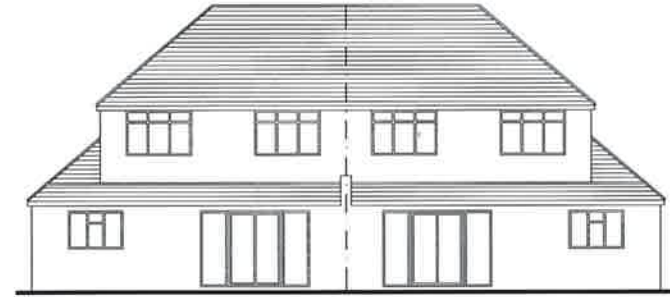
EXISTING SIDE ELEVATION



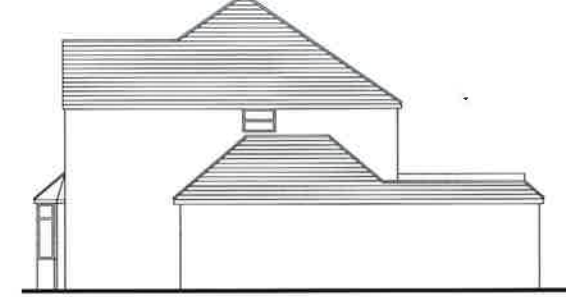
EXISTING SIDE ELEVATION



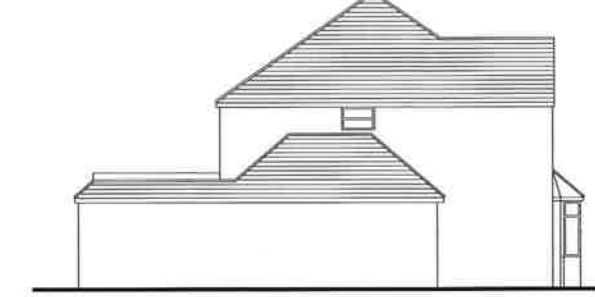
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

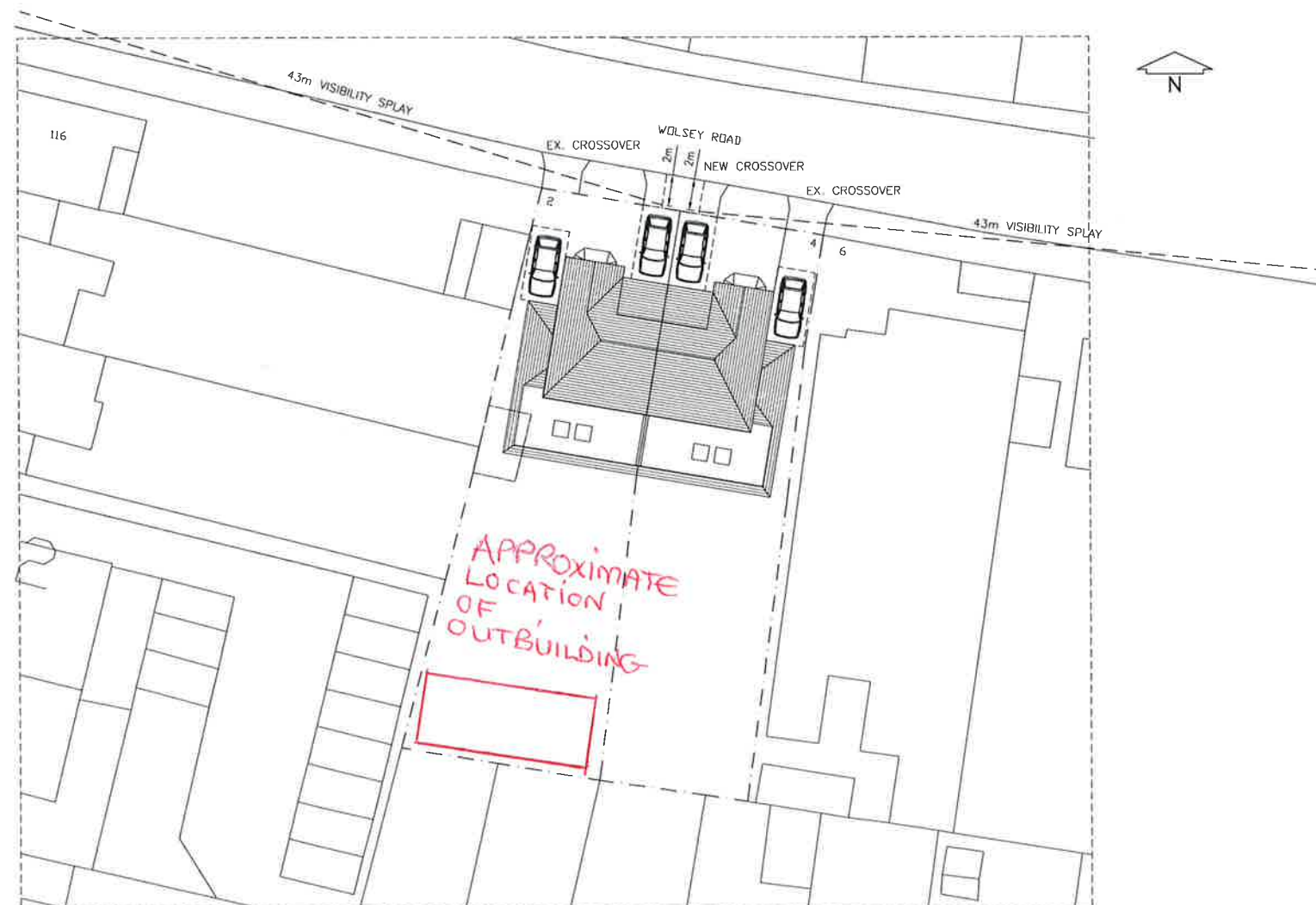


PROPOSED SIDE ELEVATION

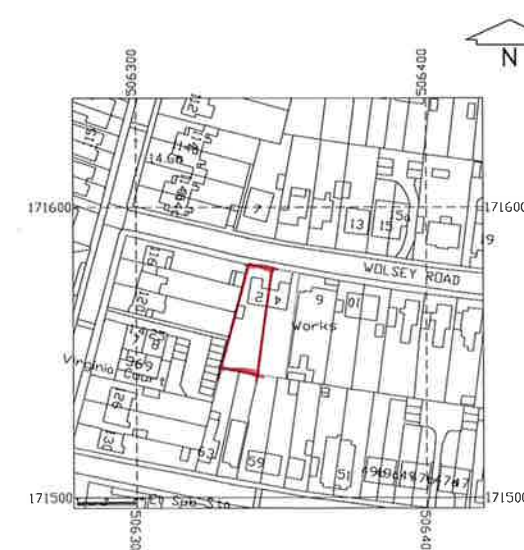


PROPOSED SIDE ELEVATION

FACING MATERIALS TO MATCH EX.



BLOCK PLAN 1:200
(Streetwise licence No. 100047474)



LOCATION PLAN 1:1250
(Streetwise licence No. 100047474)

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PLANNING ISSUE

Address
NO. 2 & 4 WOLSEY ROAD,
ASHFORD, MIDDX.
TW15 2RB

Title
APPROVED REMODELLING
ELEVATIONS, BLOCK PLAN
& LOCATION PLAN

Org. No **WR/02-04/02** Revision: 'A'
Scale 1:50, 1:100 & 1:1250 @ A1 Date DEC '14



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PLANNING APPEALS**LIST OF APPEALS SUBMITTED BETWEEN 4 NOVEMBER 2016 AND 26
JANUARY 2017**

<u>Planning Application/Enforcement Notice Number</u>	<u>Inspectorate Ref.</u>	<u>Address</u>	<u>Description</u>	<u>Appeal Start Date</u>
16/01529/HOU	APP/Z3635/W/ 16/3162952	77 Thames Side Staines-upon- Thames.	Erection of 2-storey side and rear extensions, formation of new roof to create a 2-storey dwelling house, single storey riverside extension, creation of balconies, and erection of detached garage.	29/11/2016
16/00746/HOU	APP/Z3635/D/1 6/3158230	57 Rosefield Road Staines-upon- Thames	Proposed hip to gable roof alteration with a rear dormer and three rooflights in the front elevation to join up with a proposed first floor side extension above the existing side extension.	05/12/2016
16/00066/ENF	APP/Z3635/C/1 6/3158151	The Boatyard, Clarks Wharf, Thames Street, Sunbury on Thames	The unauthorised development of boat/car store on the land without the benefit of planning permission.	04/01/2017
16/00536/FUL	APP/Z3635/W/ 16/3157394	The Boatyard, Clarks Wharf, Thames Street, Sunbury on Thames	Retention of an open-sided boat and car parking area.	04/01/2017
The planning and enforcement appeals relating to The Boatyard, Clarks Wharf, Thames Street, Sunbury on Thames have been linked and will be decided together.				
16/01162/HOU	APP/Z3635/D/1 6/3162757	5 Cavendish Court Sunbury on Thames	Erection of two storey side extension.	04/01/2017

16/01333/T56	APP/Z3635/W/ 16/3162686	Grass Verge On Northern Side Of Staines Road East Sunbury On Thames	Installation of a 13.5m high T range column with 4 no. shrouded antennas along with associated ancillary works.	04/01/2017
16/00488/CPD	APP/Z3635/X/1 6/3164470	50 Hogarth Avenue Ashford	Certificate of lawfulness for the proposed development of loft alterations including a hip to gable alteration, the installation of a rear facing dormer, a single storey rear extension and a detached outbuilding.	11/01/2017
16/01593/HOU	APP/Z3635/D/1 6/3164300	19 Clifford Grove Ashford	Erection of an outbuilding (retrospective).	11/01/2017
16/00783/FUL	APP/Z3635/W/ 16/3164453	Land Rear Of 59 Vicarage Road Sunbury On Thames.	Erection of a two storey, one bedroom dwelling house following demolition of the existing garages.	20/01/2017
16/00638/FUL	APP/Z3635/W/ 16/3165115	103 London Road Staines-upon- Thames	Erection of an additional floor level to the previously approved scheme (13/01021/FUL) to provide 1 no. two bedroom apartment.	23/01/2017
15/00098/ENF	APP/Z3635/C/1 6/3162163	22 Thames Meadow, Shepperton	Enforcement notice for: Without planning permission, the making of a material change of use of the land and mooring to a mixed use comprising (1) the continuous mooring of a boat for the purpose of permanent residential accommodation; (2) the stationing of a caravan on the land for the purpose of human habitation; and (3) storage purposes	26/01/2017

			including but not limited to the storage of motor vehicles, building materials and other paraphernalia.	

**APPEAL DECISIONS RECEIVED BETWEEN LIST OF APPEALS SUBMITTED
BETWEEN 4 NOVEMBER 2016 AND 26 JANUARY 2017**

Site	294 London Road, Staines-upon-Thames
Planning Application no.	16/00470/HOU
Proposed Development:	Erection of a single storey rear extension following demolition of existing single storey rear element.
Reason for refusal:	It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would have an acceptable impact, in relation to a Large Cypress Tree situated within the curtilage of no.292 London Road. Further information is required to conclusively establish that there would not be a detrimental impact upon this tree. The proposal is therefore contrary to Policy EN8 of the Core Strategy and Policies DPD, 2009.
Appeal Reference	APP/Z3635/D/16/3156010
Appeal Decision Date:	24/11/2016
Inspector's Decision	The appeal is allowed.
Inspector's Comments:	<p>The Inspector considered that the main issues were “the effect of the proposed development on the landscape and nature conservation value of the site and surrounding area, with particular regard to the tree in the back garden”. The Inspector noted that the tree was not protected by a TPO, nor was it located within a conservation area. Given its current position close to an existing shed conservatory and also a shed at no. 294, he was not convinced that the proposed extension would jeopardise its health.</p> <p>However, even if the tree was adversely affected by the development, the Inspector felt that “it would not result in a significant, harmful impact on the</p>

	<p>landscape”. He commented that the “tree appears to have once been a large specimen but its position so close to the houses, in relation to its size, appears uncharacteristically and disproportionately close. It also appears to have been reduced in height to the degree where its remaining shape appears truncated, and its crown, thin. Its overbearing relationship to the buildings does not contribute to the landscape character of the area. I have taken into account that the tree provides a resource for bio-diversity; however, as there are numerous trees and plants in the gardens of the houses, any impact on its health would not have a significant, harmful impact on nature conservation.”</p>
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Site	13 Montford Road, Sunbury on Thames
Planning Application no.	16/01194/HOU
Proposed Development:	Erection of two storey front extension following demolition of existing porch.
Reason for refusal:	The proposed front extension would by virtue of its location, scale and design projecting forward of the host dwelling and the prevailing building line would be obtrusive and out of character with the neighbouring properties, and so constitute an incongruous feature in the street scene that would have an unacceptable harmful impact on the character of the area. The proposal is therefore considered contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document and the Councils Supplementary Planning Document 2009 for the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference	APP/Z3635/D/16/3160234
Appeal Decision Date:	30/11/2106
Inspector’s Decision	The appeal is dismissed
Inspector’s Comments:	The Inspector considered that the main issue for the appeal is the effect of the proposal on the character and appearance of the host property and the surrounding area. The Inspector noted that the extension would obscure a large proportion of the front elevation and “would appear unduly prominent, detracting from the simple proportions of the host dwelling”. This would give an “intrusive and discordant appearance which would be harmful to both the appearance of the host dwelling, and the character of the area.” She therefore dismissed the appeal.

Site	Land Rear Of 273-275 Laleham Road, Shepperton
Planning Application no.	15/01144/FUL
Proposed Development:	Erection of detached bungalow with ancillary parking following demolition of existing garage.
Reason for refusal:	The proposed development would be out of character with the main form of development in the locality and would not make a positive contribution to the area. It would have no street frontage or sense of place and would be hard up against two boundaries with very little space around the building, appearing cramped. This would provide a poor standard of amenity, with poor outlook and poor amenity space located adjacent to a vehicular turning area and provide sub-standard internal floorspace. This would be of detriment to both the character of the area and on the amenity of future occupants contrary to Policy EN1 of the Core Strategy and Policies DPD 2009, The Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 and the Government's Technical Housing Standards-Nationally Described Space Standards Document March 2015.
Appeal Reference	APP/Z3635/W/16/3153335
Appeal Decision Date:	12/12/2016
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	The Inspector commented that the proposed dwelling would be visible from the street scene and from neighbouring houses and would have a bearing of the character of the area which he noted was a distinctive spacious street block layout where houses are arranged back to back across long back gardens with front gardens between them and the street . He noted that there were some positive factors of the design including it smaller than the garages it replaces, materials would be similar to neighbouring properties and it would have a pitched roof, which would help to integrate with the surrounding area. However, he stated that, '... the proposed layout with tall enclosing fencing running close to the long wall of the bungalow and between it and the space at the front would tend to sever the visual connection between the house and the space around it.' This he noted would run against the characteristic pattern of the surrounding development which has open frontages and he considered that the proposal would harm the character of the area.

	<p>The Inspector considered that it was unlikely that the dressing room would be used as another bedroom due to the lack of a window and its small size, as such the amenity space provided would be sufficient in size and he considered its use would not be materially affected by the proximity to the turning area of other car users. He noted that the shortfall in internal area would count against the proposal. Also that the bedrooms single window would be only 1.2m away from a 2m fence which would obstruct the outlook and cause harm to the amenity of the occupiers.</p> <p>He concluded that the shortfall in the floor area of the proposal together with the lack of outlook from the bedroom would result in unacceptable living conditions for future occupiers in terms of internal living space and outlook. He went on to note that although it was a modest benefit of one additional unit to the local housing supply, this was outweighed by the unacceptable harm caused to the character of the area and the living conditions of its future occupiers.</p>
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Site	218 Stanwell Road, Ashford
Planning Application no.	16/00618/FUL
Proposed Development:	Subdivision of existing dwelling to one 1 x bed dwelling and one 3 x bed dwelling.
Appeal Reference	APP/Z3635/W/16/3157227
Reason for refusal:	The proposed one bed unit is considered to provide insufficient habitable accommodation leading to a harmful impact upon the occupiers of the proposed smaller unit, contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (February 2009), the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011) and the Department of Communities and Local Government Technical Housing Standard - nationally described space standard (March 2015).
Appeal Decision Date:	12/12/2016
Inspector's Decision	<p>The appeal is dismissed.</p> <p>The application for an award of costs by the appellant is dismissed.</p>
Inspector's Comments:	The Inspector considered that the main issue was "whether the proposed one bedroom dwelling would provide acceptable living conditions for

	<p>future residential occupiers, having regard to the size of the property and its internal layout.”</p> <p>The Inspector agreed with the Council that there was every likelihood that the proposed 1 bed dwelling could be used for more intensive occupation, as a 2 bedroom dwelling, and should be considered as such. The Inspector noted that the gross internal floor area of the proposal fell short of both guidance in the Council’s SPD, and the National Standard for 2 bedroom dwellings. The Inspector considered that a condition or unilateral undertaking seeking to ensure that the property is only laid out as a one-bedroom dwelling, would not be enforceable. In conclusion, the Inspector found that the proposal would fail to provide a satisfactory standard of indoor living space for future occupiers.</p> <p>With regard to Costs, the Inspector noted that the Council had regard to the Council’s own internal space standards, and those provided in the National Technical Housing Standards. The Inspector found the Council reasonable in taking the national standards into account and that the Council were reasonable in coming to the view that the property would be capable of being used as a two bedroom dwelling and that the proposal would therefore fail to comply with the National Standard.</p> <p>The Inspector concluded that the Council did not delay development which should clearly have been permitted, having regard to local and national policy and any other material considerations. Therefore the Inspector found that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated and an award for costs was not justified.</p>
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Site	7, 9 and 11 Manygate Lane, Shepperton
Planning Application no.	15/01412/FUL
Proposed Development:	Demolition of existing houses and erection of a new building with three floors of accommodation to provide 16 no. 1 bed and 9 no. 2 bed sheltered apartments for the elderly including communal facilities. Creation of new access, associated parking area and landscaping.
Reason for refusal:	The proposal is considered to represent an overdevelopment of the site with the proposed development having insufficient regard to the character of the area in terms of its scale, bulk, depth and loss of garden land, to the detriment of the character and visual amenity of the surrounding area. Moreover, the proposal is considered to have an excessive housing density in this location. The proposal is therefore contrary to Policies EN1 and HO5 of the Spelthorne Development Plan Core Strategy and Policies

	DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (April 2001).
Appeal Reference	APP/Z3635/W/16/3147733
Appeal Decision Date:	12/12/2016
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector considered that the proposal would be unacceptable on design and layout grounds and that it would be out of keeping with the character of the area.</p> <p>With regard to the front elevation, he commented that the recessed area between the proposed 2-storey and 3-storey parts would clash unattractively with the roof slopes either side and would be an uncharacteristic building form in the street scene. He also objected to the northern end where the attractive eaves detailing would change to that of a parapet with hidden gutters, resulting in a raised wall height and the risk of a further unattractive junction with the pitched roofs at either end of that section. He considered this particular element to be bulky and out of scale.</p> <p>With regard to the proposed rear wing, the Inspector considered that the rearward projection would interfere with the appreciation of the protected trees along the rear boundary with the school playing fields. It would appear as an over-deep intrusion into their setting and the open space between them and the frontage development. When viewed from the roadway to the existing flats to the north of the site, the rearward projection would appear intrusive at the full three storeys.</p>

Site	24 Hannibal Road, Stanwell
Planning Application no.	16/01002/FUL
Proposed Development:	Conversion of existing dwelling into 1 x three bed dwelling and 1 x two bed dwelling with associated parking and amenity space.
Reason for refusal:	It is considered the internal layout of the proposed smaller unit (described as one bed) would allow a flexible use of the rooms, including the potential for it to be occupied as a two bedroomed house. It is on this basis the Council considers the unit to provide insufficient habitable accommodation

	leading to a harmful impact upon the occupiers of the proposed smaller unit, contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (February 2009), the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011) and the Department of Communities and Local Government Technical Housing Standard - nationally described space standard (March 2015).
Appeal Reference:	APP/Z3635/W/16/3159567
Appeal Decision Date:	14/12/2016
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector considered that the main was whether the proposed one-bedroom dwelling would provide acceptable living conditions for future occupiers, with particular regard to internal living space.</p> <p>The Inspector noted that the Council considered that in converting the extension into a single one bed unit with the existing smaller bedroom partitioned to provide storage space, this sub-divided area could conveniently be restored for use as a second bedroom in the future and it would be difficult for the Council to ensure the dwelling remained a one-bedroom unit. He further considered that a condition for the room to remain a one-bedroom house would fail the test of enforceability.</p> <p>The proposed dwelling has a gross internal floor area substantially below the minimum set by the SPD for a two-bedroom, two-storey house and the Government's nationally described space standards.</p> <p>Therefore, the Inspector considered that this proposal would not provide the high standard in the design and layout of new development necessary to satisfy CSP Policy EN1 and the SPD by providing a unit that might be conveniently be occupied as a two-bedroom dwelling, lacking satisfactory indoor living space and resulting in inappropriately cramped accommodation.</p>

Site	35 Avondale Avenue, Staines-upon-Thames
Planning Application no.	15/01620/HOU

Proposed Development:	Erection of single storey rear extension and enlarged conservatory. Erection of new roof with higher ridge height and 6 no. side facing dormers to provide accommodation in the roof space.
Appeal details	Appeal against condition 3 (obscure glazing of dormer windows in northern and southern elevations) of planning permission 15/01620/HOU for the erection of a single storey rear extension and enlarged conservatory; erection of new roof with higher ridge height and 6 side facing dormers to provide accommodation in the roof space
Appeal Reference	APP/Z3635/W/16/3157687
Appeal Decision Date:	22/12/2016
Inspector's Decision	The appeal is dismissed.
Inspector's Comments:	<p>The Inspector noted that the approved dormers would face directly over neighboring properties which are both situated a short distance from the appeal property.</p> <p>The Inspector agreed that it was necessary to protect the privacy of residents at no.37 when in their garden area, and so some form of restriction of views from first floor is necessary. He noted that obscure glazing would go some way to achieving this but was mindful of opening the window and therefore gaining views. He considered that the condition as imposed would not compromise the use or enjoyment of the bathrooms and bedrooms in the roof space and that its imposition was necessary, justifiable and reasonable.</p> <p>In relation to the northern side of the appeal site he considered that the possibility of views of the garden and views into the open windows in no.33 meant that the restrictions within condition 3 are also necessary, reasonable and justified.</p>

Site	Highway Verge Worple Road, adjacent to corner of Hurstdene Avenue, Staines upon Thames.
Planning Application no.	16/00840/T56
Proposed Development:	Installation of a 12.5m telecommunications dual user replica telegraph pole and 1 no. equipment cabinet.

Reason for refusal:	The proposed telecommunications mast, in view of its siting on an open area of land and its height and bulk would appear visually intrusive in the street scene and would also have an adverse impact upon highway safety for users of the adjoining highway and pedestrians. The proposal therefore does not comply with Policies CC2 and EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).
Appeal Reference	APP/Z3635/W/16/3157703
Appeal Decision Date:	22/12/2016
Inspector's Decision	The appeal is allowed.
Inspector's Comments:	<p>The Inspector considered that the main issue in this appeal was the effects of the proposal on the character of the surrounding area.</p> <p>The Inspector noted that the proposed mast will accommodate shared equipment and replicate the appearance of a wooden pole. The Inspector acknowledged that the area contains a number of such structures within the highway and other vertical structures is a feature of this area. He took the view that, even though the mast would be taller than other features, it would not be unacceptably dominant within the street-scene and would be seen as one of a much greater number of varying features.</p> <p>The Inspector considered that the recent dismissed appeal for a similar proposal on land adjacent to green space a short distance away was sufficiently removed from the appeal site and was not relevant. The Inspector viewed the appeal site from within the nearest property at No 1 Hurstdene Avenue did not consider that there would be any unacceptable effects for residents of this property.</p> <p>The Inspector was satisfied that the proposal would not have an unacceptable effect on the sight-lines at the junction of Hurstdene Avenue and Worple Road and the vehicular entrance for No 1 Hurstdene Avenue and considered that the proposal would not represent a hazard to highway safety.</p> <p>The Inspector also took account of the appellants supporting information in relation to conveying a demonstrable need to supplement coverage in the area and that other options have been considered.</p> <p>The Inspector concluded that the proposal would have no overriding unacceptable effects on the character of the area and it would not unacceptably affect residents.</p>

Site	Existing Access to South of 171 Upper Halliford Road, Shepperton
Planning Application no.	15/01528/FUL
Proposed Development:	Alterations to existing access
Reason for Refusal:	The proposed alterations to the access and the increase in hardstanding represents inappropriate development within the green belt for which no very special circumstances have been demonstrated. As such it is contrary to 'saved' local plan policy GB1 and guidance contained in the National Planning Policy Framework.
Appeal Reference	APP/Z3635/W/16/3155163
Appeal Decision Date:	6 January 2017
Inspector's Decision	The appeal is dismissed.
Inspector's Comments:	<p>The Inspector considered that the main issues are whether the proposal is inappropriate development in the Green Belt having regard to the <i>National Planning Policy Framework</i> (the Framework) and development plan policy, and if the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.</p> <p>The Inspector noted that appropriate engineering and other operations may be permitted provided such works do not conflict with the purposes of the Green Belt and maintain its openness. However, the Inspector considered that the widened access would have an urbanising effect on the appearance of the site and would fail to safeguard the countryside in this location from encroachment, contrary to the purpose of including the land within the Green Belt. Therefore, the proposal would be inappropriate development within the Green Belt.</p> <p>While noting that the proposal has the support of the Local Highways Authority, the Inspector considered both the lawful and unlawful uses on the site and took the view that the access improvements would have only a limited effect on the operation of the lawful use and so would bring limited benefits to the wider highway network.</p> <p>Therefore, the Inspector concluded that the proposal would comprise inappropriate development in the Green Belt and that no very special circumstances exist and that the proposal would fail to comply with guidance in the Framework and with policy GB1 of the Local Plan.</p>

Site	Rear of 52 Nursery Road, Sunbury On Thames
Planning Application no.	16/00904/FUL
Proposed Development:	Proposed conversion of annex building to a two bed roomed two storey house
Reasons for Refusal:	<p>The proposal in terms of location, scale and design fails to respect the design and prevailing street pattern of Nursery Road and Beverly Road and will be out of character with the surrounding area. Furthermore, the proposed development is considered to represent a cramped and contrived form of development which would result in an overdevelopment of the site and would provide a poor standard of amenity for future occupiers with insufficient amenity space and poor outlook, contrary to Policy EN1 of the Core Strategy and Policies Development Plan Document 2009 and Design of Residential Extensions and New Residential Development Supplementary Planning Document 2011.</p> <p>The proposal by way of overlooking is considered to have an unacceptable impact on the privacy of the neighbouring property no. 2 Beverly Road, contrary to Policy EN1 of the Core Strategy and Policies Development Plan Document 2009 and Design of Residential Extensions and New Residential Development Supplementary Planning Document 2011.</p>
Appeal Reference	APP/Z3635/W/16/3159369
Appeal Decision Date:	11/01/2017
Inspector's Decision	The appeal is dismissed.
Inspector's Comments:	<p>The Inspector considered that the main issues were:</p> <ul style="list-style-type: none"> - the character and appearance of the area; - the living conditions of future occupiers, with particular regard to outlook and amenity; and, - the living conditions of occupiers of 2 Beverly Road (No 2) with particular regard to privacy. <p>On the first issue the Inspector considered that the proposal would create <i>"an isolated unit of residential accommodation in a backland area with poor access that would also be unrelated to the underlying building pattern"</i> and concluded that it would not make a positive contribution to the street scene and would be out of character with the adjoining garden</p>

	<p>and rear amenity areas. The proposal was therefore contrary to Policy EN1 of the Core Strategy and Policies DPD 2009.</p> <p>The Inspector also agreed with the Council on the second issue that the proposed amenity area would be significantly below the Council's recommendations and that its location at the rear of the property would be unsatisfactory. She also considered that the outlook from the ground floor windows would be unsatisfactory and agreed with the Council that the proposal would represent cramped development. The Inspector concluded that <i>"the development would have a detrimental effect on the living conditions of future occupiers"</i> and that the development was contrary to the SPD and Policy EN1.</p> <p>On the third issue the Inspector stated that <i>"Although the development would be sited some 10 metres from No 2's rear elevation, there would be potential overlooking"</i> agreed that the development would fail to achieve a satisfactory relationship with adjoining properties in terms of privacy and was therefore contrary to Policy EN1.</p>
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Site	38 Vereker Drive, Sunbury On Thames
Planning Application no.	16/00890/HOU
Proposed Development:	Erection of a two storey rear extension
Reason for Refusal:	The proposed development in terms of its size, design and location is considered not to respect the character and appearance of the host building and the surrounding area, and would appear visually obtrusive in the street scene contrary to policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference	APP/Z3635/D/16/3157735
Appeal Decision Date:	12/01/2017
Inspector's Decision	The appeal is allowed.
Inspector's Comments:	The Inspector commented that the main issue was the "effect of the development on the character and appearance of the area". The Inspector noted that whilst there was an "underlying consistency of dormer windows on front roof slopes and half-hipped barn style roofs

	to the sides”, it was also apparent that most houses have had “significant extensions to the side and rear”. She felt that the view of development would be “restricted to one particular viewpoint in the street scene” and that the loss of a section of roof at the rear would not be detrimental to the appearance of the roof. On the Council’s concerns with the development being intrusive from Hawke Park to the south, the Inspector considered that it would be “more sympathetic to the underlying form of the host dwelling than other extensions previously carried out in the area” and as visible as one under construction nearby. She concluded that conclude that “the development would not be detrimental to the character and appearance of the street scene, or the host dwelling”.
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Site	81 Old Charlton Road, Shepperton
Planning Application no.	16/01264/HOU
Proposed Development:	Erection of part two storey, part single storey rear extension and creation of pitched roof over existing flat roof of existing two storey extension.
Reason for Refusal:	The proposed extensions would by virtue of their scale, position and bulk would infringe a horizontal 45 degree line when measured from the rear facing ground floor door which serves a habitable room, and so the extension would lead to an unacceptable loss of light and outlook, and the proposed extension would have an overbearing impact upon the rear facing windows and the rear patio area of no. 83 Old Charlton Road, resulting in an unneighbourly impact. The proposal is therefore considered contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document and the Councils Supplementary Planning Document 2009 for the Design of Residential Extensions and New Residential Development 2011
Appeal Reference	APP/Z3635/D/16/3162469
Appeal Decision Date:	13/01/2017
Inspector’s Decision	The appeal is allowed.
Inspector’s Comments:	The Planning Inspector acknowledged that the proposed 2 storey extension would breach the 45 degree horizontal arc; which would in turn be in conflict with the Council’s adopted SPD. However, the Inspector was of the opinion that the daylight to the neighbouring ground floor habitable room of no. 83 Old Charlton Road is already restricted due to its own existing rear extension and the existence of a shared boundary wall. These factors together with the suggestion that the affected room being dual aspect led the Inspector to conclude that the 2 storey and single

	storey additions would not result in material harm to the daylight and sunlight levels reaching this room. The Inspector also felt that the modest increase in depth of the appeal proposal, the relationship between the buildings and the setback location from the shared boundary would not appear overbearing in views from the rear garden or from rear facing windows.
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Site	95 Worples Avenue, Staines-upon-Thames
Planning Application no.	16/00730/HOU
Reasons for Refusal:	N/A- the appeal is on the ground of non-determination (see below)
Proposed Development:	Erection of a first floor rear extension above the existing extension
Appeal Reference	APP/Z3635/W/16/3158137
Appeal Decision Date:	13/01/2017
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector noted that although there is no formal decision from the Council, it would have refused permission if it had been in a position to determine the application due to the effect of the development on the character and appearance of the area and the living conditions of occupiers of neighbouring dwellings. The Inspector agreed with those concerns.</p> <p>Amended drawings were submitted during the application process, however, as these had not been subject to consultation the Inspector based her reasoning on the original proposal. The Inspector considered that the main issues were the effect of the development on the character and appearance of the area and the living conditions of occupiers of neighbouring dwellings with particular regard to outlook and privacy.</p> <p>The Inspector considered that 'the development would be incongruous with the pitched roofed extension on No 93 as well as appearing out of keeping with the roof form of the host dwelling', contrary to the requirements of the SPD and Policy EN1 of the Core Strategy.</p>

	<p>With regards to the amenity of neighbouring dwellings, the Inspector considered that although the development would not comply with the separation distances given in the SPD in relation to no. 13 Worple Road, it would not cause any harm in respect of outlook or privacy. The Inspector stated that whilst this decision is based on the original proposal she is 'not satisfied that the harm to the character and appearance, or the living conditions of occupiers of neighbouring dwellings, would be addressed by the amended proposals, even were they to be considered as part of the appeal'.</p> <p>Finally, the Inspector stated that although she had not found harm in relation to living conditions, the development would harm the character and appearance of the area and concluded that it would be contrary to the Council's Development Plan Document.</p>
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Site	Magnolia, Ferry Lane, Shepperton
Planning Application no.	16/00579/FUL
Proposed Development:	Retrospective application for the retention of an agricultural barn
Reason for Refusal:	The proposed retention of the development is considered to represent inappropriate development within the Green Belt for which no very special circumstances have been demonstrated to justify the retention of the development. As such, it is contrary to guidance contained in the National Planning Policy Framework and 'Saved' Local Plan Policy GB1 (2001).
Appeal Reference	APP/Z3635/W/16/3155676
Appeal Decision Date:	17/01/2017
Inspector's Decision	The appeal is allowed
Inspector's Comments:	<p>The Inspector considered that main issues were whether the development constitutes inappropriate development within the Green Belt; the effect on the openness of the Green Belt and if the development is inappropriate, whether very special circumstances exist to justify the development.</p> <p>The Inspector noted that the NPPF states that buildings for agriculture are appropriate development. The Inspector accepted the appellant's claim that the use of the land upon which the barn is sited is for agriculture.</p>

	Furthermore, given the extent of the agricultural land, the size and volume of the barn was not disproportionate. The inspector concluded that the barn is reasonably required for agricultural purposes on the land and its scale was justified and is appropriate development within the Green Belt. Therefore it was not necessary to consider the effect of the barn on the openness of the Green Belt.
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Site	418 Staines Road West, Ashford
Planning Application no.	16/00194/FUL
Proposed Development:	Erection of a single storey dwelling house with basement
Reason for refusal:	The proposed development by virtue of design, location, and plot size, is considered to have an unacceptable impact upon the character of the area, would result in a cramped and contrived form of development, which would be incongruous within the surrounding locality, would result in over-development of the site, and would not pay due regard to the scale and characteristics of neighbouring and adjoining properties. Furthermore the proposal would provide an unacceptable standard of amenity for future occupiers with poor outlook, and unacceptable overlooking form first floor windows of the host building. The development is therefore contrary to Policy EN1 of the Core Strategy and Policies DPD 2009, and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference	APP/Z3635/W/16/3158479
Appeal Decision Date:	19/01/2017
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector identified that the main issues were the effect of the development on the character and appearance of the area, and the living conditions of future occupiers, with particular regard to outlook and privacy.</p> <p>The Inspector noted the appeal is the rear portion of a long narrow garden behind 418 Staines Road West, which is a terrace dwelling. The inspector further noted that an access track is located alongside the plot leading to garages serving 418 and adjacent dwellings. It was commented that the development would introduce frontage activity to a backland area, and its</p>

	<p>main frontage would be perpendicular to the existing building pattern, which would be contrary to the Council's SPD on design. The introduction of frontage activity behind the dwellings on Staines Road West would also not respect the quiet character of these garden plots, and would result in a localized increase in density, which would appear cramped compared to the underlying development pattern. The Inspector was not satisfied the flat roof dwelling would be more visually pleasing than the existing pitched roof garage, and it was noted that the development would also appear incongruous with the garages and outbuildings within which it would be located. The visual impact of the development would reflect the scale of the nearby garages, but it would not be a garage. As a dwelling it should relate to neighbouring dwellings rather than neighbouring garages, and consequently the character of this backland area would change should the appeal be allowed. It was concluded that the development would represent overdevelopment and would have a detrimental effect upon the character and appearance of the area.</p> <p>The Inspector noted there would be one window to the living area on the basement floor, which would look onto a retaining wall some 2 metres away. The Inspector concurred with the Council that this would be an unsatisfactory arrangement for future occupiers of the dwelling. The amenity space would be less than the Council's 10.5 metres recommended garden depth. Whilst this minor shortfall would not be sufficient to warrant the dismissal of the appeal, the rear elevation of no.418 would also be less than 10.5 metres. Consequently both properties would fail to meet the Council's guidelines, which is reflective of cramped development.</p> <p>The use of one way glass would not mitigate overlooking from the host dwelling from the development's amenity space, and as such this argument is given little weight. It was therefore concluded that overlooking from the host dwelling, and poor outlook would be detrimental to the living conditions of future occupiers.</p> <p>Given the above, it was not necessary for the Inspector to consider other matters raised by interested parties, such as parking and emergency access.</p> <p>It was concluded that the development would be contrary to the relevant policies of the Council's Local Plan and therefore the appeal should be dismissed.</p>
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Site	132 Viola Avenue, Stanwell
Planning Application no.	16/00444/FUL

Proposed Development:	Erection of part single storey/ part two storey rear extension to facilitate the change of use of existing dwellinghouse to two self-contained flats.
Reason for refusal:	The proposed development, by virtue of the parking arrangements including its location in close proximity to adjacent habitable rooms together with the internal layout of the flats would result in a poor level of amenity for the future occupiers of the flats. This is contrary to policy EN1 of the Spelthorne Core Strategy and Policies DPD (2009).
Appeal Reference	APP/Z3635/W/16/3158310
Appeal Decision Date:	26/01/2017
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector considered that the main issue is the effect of the development on the living conditions of future occupiers, with particular regard to noise and disturbance, privacy and outlook.</p> <p>The Inspector noted that the proposed parking bays would be located directly adjacent to the bedroom window of one of the flats, with no buffer between the parking spaces and the window. While the appellant suggested that parking provision may be reduced as the site is in a town centre location which could reduce car dependency, the Inspector gave little weight to this claim. Little weight was also given to the enforceability of any condition restricting the use of a parking space to a particular occupier of the flats.</p> <p>The inspector concluded that the development's parking bays would cause noise and disturbance which would have a detrimental effect on the living conditions of occupiers of the ground floor flat. This would be contrary to Paragraph 17 of the NPPF which requires development to secure a good standard of amenity for all existing and future occupiers of land and buildings.</p>

FUTURE HEARING / INQUIRY DATES

Council Ref.	Type of Appeal	Site	Proposal	Case Officer	Date
16/00135/ FUL	Hearing	The Paddocks rear of 237 - 245 Hithermoor Road,	Siting of static mobile home for one family.	KW/LT	TBA

Council Ref.	Type of Appeal	Site	Proposal	Case Officer	Date
		Stanwell Moor			

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