

Monkey Puzzle – 17/00366/FUL.

Scale 1:1,250

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Planning Committee

20 September 2017



Application No.	17/00366/FUL		
Site Address	Monkey Puzzle House, 69-71 Windmill Road, Sunbury		
Proposal	Alterations and extension to existing building to provide 14 apartments (12x2 bed and 2x3 bed)		
Applicant	Monkey Puzzle Holdings Ltd		
Ward	Sunbury Common		
Case Officer	John Brooks		
Application Dates	Valid: 6.3.2017	Expiry: 5.6.2017	Target: Over 8 weeks
Executive Summary	<p>The proposal involves the extension and conversion of the existing premises to provide 14 flats. A Prior Approval application was agreed in September 2-0116 for the conversion to 16 flats and therefore the principle of the change of use has already been established.</p> <p>The scheme will meet a pressing need for additional housing in the Borough.</p> <p>The extension of the premises is in design terms consistent with other more modern buildings in the vicinity and also reflects the existing material in the current building. There are no adverse amenity or highway impacts and the scheme complies with the Council's policies for parking and amenity space.</p>		
Recommended Decision	Approve		

MAIN REPORT

1. **Development Plan**

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

- SP2 (Housing provision)
- HO1 (Providing for New Housing Development)
- HO4 (Housing Size and type)
- HO5 (Density of Housing Development)
- EM1 (Employment Development)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

2. **Relevant Planning History**

15/00758/CLD – Certificate of Lawfulness application for existing use of the building as B1a (Offices). Certificate Granted 11 August 2015.

16/01179/PDO – Prior approval for the change of use from Office (Class B1a) to 16 residential flats (Class C3) comprising 4x1bed and 12x2 bed flats. Prior Approval Granted 26 Sept 2016.

3. **Site Description**

3.1 The site is 0.17ha and is located on the east side of Windmill Road, opposite International Way (a large residential estate) and just north of the signalised junction of Windmill Road with Brooklands Close. Immediately to the south of the site is an office building occupied by RBS and to the north of the site is a factory with outside storage occupied by River Plastics. Further to the east is a car park associated with commercial premises within the Windmill Trading Estate. The site has direct access onto Windmill Road.

4. **Description of Current Proposal**

4.1 The proposal involves the extension of the existing office premises by the removal of the pitched roof and creation of a third floor with a flat roof and extending the building forward by some 4.5 metres and conversion to residential use with 14 flats. With a flat roof the building will be 9.5 metres high – some .35metres less than the existing pitched roof. To the front of the

site will be a parking area for 23 cars as well as secure cycle parking for 14 cycles and bin stores. 297m2 of amenity space will be provided.

- 4.2 The current building is of a modern design and constructed with red brick and the extension will use materials to match.

5. Consultations

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

Consultee	Comment
County Highway Authority	No objection but recommends a planning condition requiring a Construction Transport Management Plan.
Neighbourhood Services	Required dropped kerbs to allow easy movement of refuse bins and some related detailed design adjustments. (These have all been addressed in an amended plan).
Environmental Health (Pollution)	No objections but request conditions relating to mechanical ventilation, charging points for electric cars, cycle parking, an asbestos refurbishment and demolition survey and boiler efficiency.

6. Public Consultation

- 6.1 21 properties were notified of the planning application. No objections were received.

7. Planning Issues

- Need for housing and loss of employment
- Design and amenity
- Highways issues and parking
- Air quality

8. Planning Considerations

Need for housing and loss of employment

- 8.1 In terms of the principle of housing development regard must be had to paragraph 47 of the National Planning Policy Framework (NPPF) which states: “ *When considering planning applications for housing local planning authorities should have regard to the government’s requirement that they boost significantly the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent with policies set out in the National Planning Policy Framework* “.

- 8.2 The government also requires housing applications to be considered in the context of the presumption of sustainable development. Relevant policies for the supply of housing cannot be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable site (NPPF para 49).
- 8.3 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD (CS&PDPD) -Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). On the basis of its objectively assessed housing need the Council is unable to demonstrate a five-year supply of deliverable sites.
- 8.4 Para 14 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay. When the development plan is absent, silent or relevant policies are out of date, permission should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole or specific policies in this Framework indicate development should be restricted.”* This application must be considered having regard to the above requirements of Para 14 of the NPPF.
- 8.5 Taking into account the above and adopted policy HO1, which encourages new housing development, it is considered that particular weight should be given to the use of this urban site for housing.
- 8.6 Whilst this proposal will lead to the loss of 998m² of employment floor space the principle of the conversion of offices to residential is strongly supported by the government as a means of boosting housing supply. It is for this reason that in 2013 it introduced the Prior Approval process to provide a ‘fast track’ means of facilitating the conversion of offices to residential. Such an application was approved in September 2016 for conversion to 16 units. The existence of this approval is an important material consideration in determining this proposal. For this reason an objection in principle to the loss of these offices could not be sustained.

Housing type, size and density

- 8.7 Policy H04 of the CS&P DPD and the Council's Supplementary Planning Document (SPD) on Housing Size and Type seeks 80% of dwellings in development of 4 or more units to be 1 or 2 bed in size. This is to ensure the Borough's overall dwelling stock meets the demands that exist including the greater demand for smaller dwellings. The provision of 4x1 bed and 12x2 bed flats helps to meet this need and therefore the proposed dwelling mix is acceptable.
- 8.8 The government's technical Housing Standards prescribe minimum internal floor space standards for different sizes of dwelling. All of the 14 units proposed exceed these standards and therefore on this point are acceptable.
- 8.9 Policy HO5 of the CS&P DPD sets out general guidance on density although this must be interpreted in the context of the particular mix of dwellings proposed. Whilst the east side of Windmill Road is generally in employment

use the wider area contains some higher density residential development as well and in such an area Policy HO5 indicates a guide density range of 40 to 75 dwellings per hectare. This scheme has a density of 82.3dph and, being a wholly flatted development where higher numerical densities can be achieved, it is consistent with the policy guide range.

Design and Appearance

- 8.10 Policy EN1 of the CS&P DPD, which is supported by the Supplementary Planning Document on the 'Design of Residential Extensions and New Residential Development', requires a high standard of design and sub point (a) requires new development to demonstrate that it 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”*
- 8.11 The development is located in a commercial area of limited architectural merit and the existing building is already arguably one of the more attractive structures on this side of the road. The extension and conversion of the premises with additional landscaping will further enhance this site.
- 8.12 Policy EN1 (b) requires that new development *“achieves a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight, sunlight, or overbearing effect due to bulk, proximity or outlook”*.
- 8.13 There are no residential properties in the near vicinity on this side of Windmill road and the converted premises are physically set back and some distance from the residential estate on the opposite side of the road. There is no infringement of this policy.
- 8.14 The scheme is designed with 297m² of amenity space which exceeds the minimum requirement of 245m². This provision is acceptable.

Highway Issues and Parking

- 8.15 There is already significant commercial use on the site. The current commercial use would generate some 140 vehicle movements a day compared to 112 for the 14 flats proposed. The projected traffic levels at peak times are lower by a slightly greater margin. There can be no traffic based objection to the proposal.
- 8.16 The scheme provides 23 parking spaces which fully complies with the Council parking standards. Cycle parking is also to the Council's standards.

Air Quality

- 8.17 The proposed scheme is close to air quality hot spots but it will generate less traffic than existing and therefore have a marginally beneficial effect. The Council's Environmental Health officers have recommended several planning conditions relating to mechanical ventilation, charging points for electric cars, cycle parking, an asbestos refurbishment and demolition survey and boiler efficiency. Other than the condition relating to cycle parking numbers – the scheme already meets the Councils standards and boilers – efficiency levels

are set nationally and to which appliances must comply – all other points are reflected in the conditions or informatives proposed.

Other matters - Local Finance Considerations

- 8.18 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate a CIL Payments based on a rate of £140 per sq. metre of net additional gross floor space. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Conclusions

- 8.19 The NPPF at para 14 requires permission for housing to be granted unless the impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. There are no significant adverse impacts of this proposal and given it will meet an acknowledged shortfall in housing there is a compelling case to approve.

9. Recommendation

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: MPS 1,4,5,6 and 16203 - LSX ,E, G, I, R submitted on 6 March 2017 and revised plans MPS 2,3 and 7 submitted on 29 August

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. Prior to occupation of any part of the development permitted 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.

5. That the parking spaces shown on the submitted plan be constructed and the spaces shall be completed prior to the occupation of the dwellings 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.

6. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans to provide secure and covered cycle parking to the satisfaction of the Local Planning Authority and shall thereafter be permanently maintained.

Reason: The condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the National Planning Policy framework.

7. 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
- (f) HGV deliveries and hours of operation
- (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.

8. 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 LAeqTT*, 20dB LAeqTT+, 45dB LAFmax T*

Living Rooms – 35dB LAeqT+

Dining Room – 40dB LAeqT+

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 policy.

9. Prior to the occupation of the development hereby approved details shall be submitted for the approval of the Local Planning Authority of onsite mitigation measures for mechanical ventilation/ air filtration to protect the occupiers of the development from poor air quality. The development shall not be occupied until such mitigation measures have been provided and shall thereafter be retained with the approved details.

Reason: To provide appropriate protection from potential levels of poor air quality from vehicles in the vicinity.

10. Prior to the occupation of the development hereby approved double headed 7kW charging points shall be installed at the three locations within the car park as shown on Drg No.101. The 7kW charging points shall be retained exclusively for its designated purpose.

Reason: - The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF and to ensure charging points are of sufficient power to enable rapid charging.

Informatives to be attached to the planning permission

1. Access by the Fire Brigade Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings. There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

2. 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.

3 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.

4 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. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

5 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

6. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

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

(g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

7. The applicant is advised that the essential requirements for an acceptable communication plan for surrounding properties forming part of a Method of Construction Statement are viewed as:

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

Article 2(3) Development Management Procedure (Amendment) Order 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.

WINDMILL ROAD



**ACCOMMODATION SCHEDULE:
GROUND FLOOR**

- UNIT 1 2B/4P @ 80.7 M² (868 FT²)
- UNIT 2 2B/4P @ 86.5 M² (931 FT²)
- UNIT 3 2B/4P @ 77.0 M² (828 FT²)
- UNIT 4 2B/4P @ 86.6 M² (932 FT²)
- UNIT 5 2B/4P @ 80.7 M² (868 FT²)

FIRST FLOOR

- UNIT 6 2B/4P @ 84.3 M² (907 FT²)
- UNIT 7 2B/4P @ 86.5 M² (931 FT²)
- UNIT 8 2B/4P @ 77.0 M² (828 FT²)
- UNIT 9 2B/4P @ 86.6 M² (932 FT²)
- UNIT 10 2B/4P @ 84.3 M² (907 FT²)

SECOND FLOOR (ADDITIONAL FLOOR)

- UNIT 11 2B/4P @ 72.1 M² (776 FT²)
- UNIT 12 3B/5P @ 114.3 M² (1230 FT²)
- UNIT 13 3B/6P @ 114.4 M² (1231 FT²)
- UNIT 14 2B/4P @ 72.2 M² (777 FT²)

- 12 No 2 BED APARTMENTS
- 2 No 3 BED APARTMENTS

APARTMENTS GIFA: 1206M² (12,981 FT²)

PARKING:
23 SPACES & 14 BICYCLE SPACES

PLANNING

Revisions

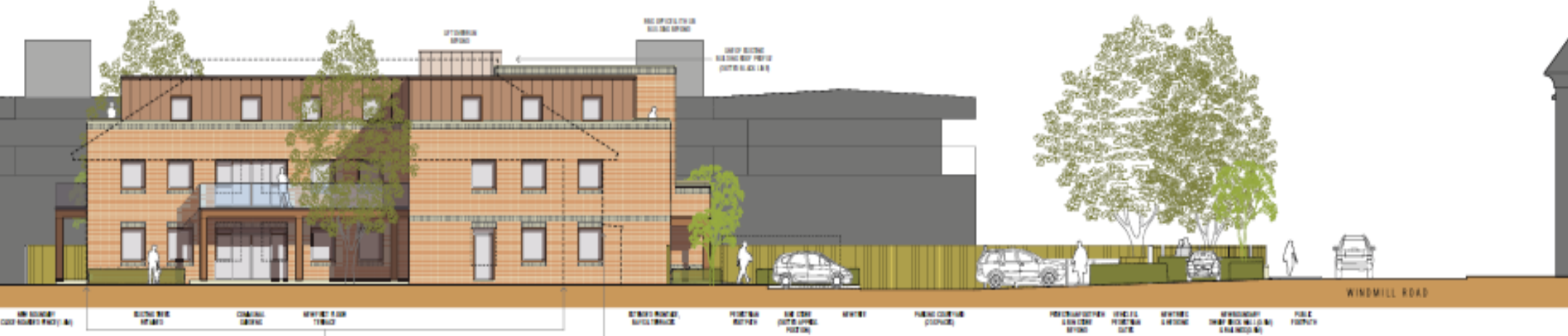
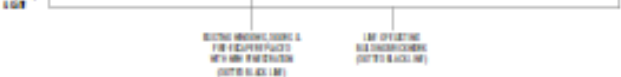
A - 29.08.17: Reconfigured security gates allowing clear access to bin stores. Recycling and general refuse separated within bin store. Dropped kerbs noted and bin store reinforced with brick walls/railings and metal frame.

Project MONKEY PUZZLE HOUSE, 69-71 WINDMILL ROAD, SUNBURY-ON-THAMES, TW16 7DT		
Drawing PROPOSED SITE LAYOUT & GROUND FLOOR PLAN		
Drawing No. MPS-03A	Scale 1:100 @ A1 / 1:200 @ A3	Date 01.03.17

CONTEXTUAL ELEVATION : A - A FRONT ELEVATION (WEST FACADE)



CONTEXTUAL ELEVATION : D - D SIDE ELEVATION (NORTH FACADE)



- NEW CLADDING: COLORED BRICK (3.5M)
- EXISTING BRICK (4.5M)
- CONCRETE BASEMENT
- NEW ROOF: 8.5M (TERRACE)
- NEW ROOF: 6.5M (FLAT ROOF)
- EXISTING BRICK (3.5M)
- NEW ROOF: 6.5M (FLAT ROOF)
- NEW ROOF: 6.5M (FLAT ROOF)
- NEW ROOF: 6.5M (FLAT ROOF)
- PARKING LOT (CONCRETE)
- PERCENTAGE OF OPEN SPACE
- NEW ROOF: 6.5M (FLAT ROOF)
- NEW ROOF: 6.5M (FLAT ROOF)
- NEW ROOF: 6.5M (FLAT ROOF)
- NEW ROOF: 6.5M (FLAT ROOF)
- NEW ROOF: 6.5M (FLAT ROOF)
- WINDMILL ROAD

CONTEXTUAL ELEVATION : C - C REAR ELEVATION (EAST FACADE)

