

17/01274/FUL Brooklands, Ashford.

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Planning Committee

15 November 2017



Application No.	17/01274/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 five storeys to accommodate 357 dwellings (within 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), the 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: 04/09/2017	Expiry: 04/12/2017	Target: within 13 weeks
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 357 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. This is an amended scheme in response to a previous refusal at the site for a scheme providing 366 residential units and less car parking provision.</p> <p>The scheme is considered to have overcome the previous reasons for refusal with less number of units and more parking spaces and a reduction in the number of storeys from six to five. The scheme will 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. It 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</p>		

	air quality.
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 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.</p>

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.	Resolved to approved. Lapsed. Legal agreement 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	Approved 04.03.2009

infrastructure and ancillary works.

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
16/00972/FUL	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.	Refused 13.02.2017. Appeal lodged.

An appeal has been lodged and is pending consideration.
Public Inquiry arranged for 20-23 February 2018.

2.1 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
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2.3 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	Approved 06.03.2015
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bicycle spaces and refuse storage facilities.

3. Background

3.1 The previous planning application for 366 residential units and other associated development (16/00972/FUL) was reported to the Planning Committee for a decision on the 08 February 2017 with an officer recommendation for approval. However, the Committee overturned the officer recommendation and refused the application for 3 reasons:

- 1) The proposed development, by reason of the height, scale, proportions and design, fails to respect and make a positive contribution to the street scene and is out of character with the surrounding area, contrary to Policy EN1(a) of the Spelthorne Core Strategy and Policies DPD 2009.
- 2) The density of the proposed development is excessive and will result in an overdevelopment of the site, out of character with the surrounding area, contrary to Policy HO5 of the Spelthorne Core Strategy and Policies DPD 2009.
- 3) The proposal fails to comply with the Council's parking standards, resulting in unacceptable traffic congestion, contrary to Policy CC3 of the Spelthorne Core Strategy and Policies DPD 2009.

3.2 The applicant has since lodged an appeal against the refusal of the planning permission to the Planning Inspectorate. The appeal is due to be heard at a Public Inquiry to be held at the Council Offices from the 20 – 23 February 2018. Local residents have been notified of the appeal and given the opportunity to send their written representations to the Planning Inspectorate.

3.3 With regard to the third reason for refusal on transportation grounds, officers have sought the opinion of an independent impartial expert who has concluded that there are no good transport reasons for defending the refusal at the forthcoming appeal. This advice was considered by the Local Planning Authority's (LPA) counsel who concurred with the conclusions. The Planning Committee were informed of this advice and on the 23 August 2017. The Planning Committee agreed not to defend the highways reason for refusal at the forthcoming appeal. Consequently, only the first and second reasons for refusal will be defended by the Council at the appeal.

3.4 It is relevant to note that the applicant has stated that they are prepared to withdraw the appeal if the current planning application is approved and the Section 106 agreement is signed before the end of December 2017.

4. Description of Current Proposal

4.1 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 5 storeys in height comprising 357 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.

- 4.2 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.
- 4.3 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 been removed from the site.
- 4.4 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

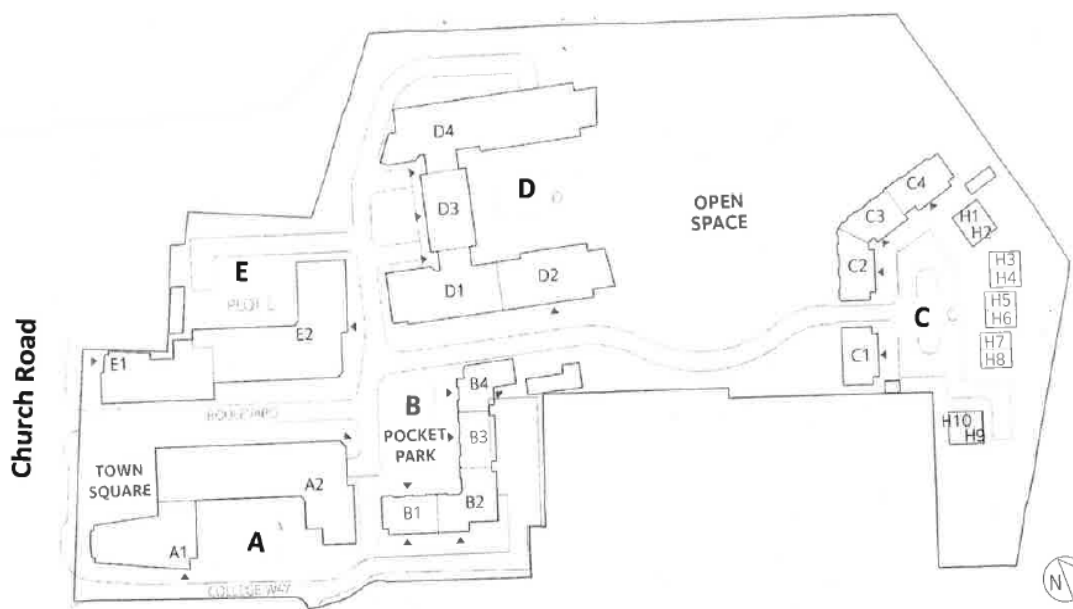
- 4.5 Immediately to the west of the site along Church Road is the Ashford Library, which is a 2 storey building with hardstanding to the front. The application site runs behind this and other further commercial uses along Church Road, including the small commercial development of Tesco and Subway, accessed 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.
- 4.6 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.
- 4.7 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.

- 4.8 There are many trees within the site, mostly close to the boundaries and none of them are subject to a Tree Preservation Order.

Proposal

- 4.9 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 Gymnastics club have been relocated to the Bishop Wand School in Sunbury to a new gym (14/02159/FUL). New accommodation for the hairdressing college forms part of this proposed development.
- 4.10 The layout of the proposed development comprises five main plots A - E. Plot A comprises retail floor space and flats. 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.



- 4.11 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.
- 4.12 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 mainly 4 and 5 stories. It has a 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.

- 4.13 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.
- 4.14 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

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

Residential

- 4.16 A total of 357 units, including 10 houses, are to be provided comprising, 4 no. studio flats, 121 no. 1-bedroom, 222 no. 2-bedroom, and 10 no. 3 bed houses. 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	
Studio	4			4
One bed	121			121
Two bed	200	22		222
Three bed			10	10
	325	22	10	357

The previous refused scheme provided the following mix:-

	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

- 4.17 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

- 4.18 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-west of plot E. The total amount of private amenity space for residents is some 0.45 ha.
- 4.19 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 1.86 ha in total.
- 4.20 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

- 4.21 A total of 502 parking spaces will be provided for residential properties (opposed to the previous scheme which provided 412 spaces), These will be provided around the buildings and also in the form of under croft parking. There will also be 9 spaces for retail staff and 4 spaces for the Brooklands College Hairdressing Academy. There will also be 7 motorcycle parking spaces and 347 secure bicycle spaces provided across the site in several locations.

Changes from the Previous Refused Scheme

- 4.22 The proposal differs from the previous refused scheme in that the number of residential units has been reduced from 366 to 357. This has been achieved by reducing the scale of some of the buildings and this is summarised below:
- The top floor of Plot A has been cut back by approximately 10 metres at the southern end fronting Church Road.
 - The top floor of Plot E has been cut back from the western boundary.
 - The previous 6th storey on Plot D has been removed. The southern wings have been reduced in height.
 - The rear of Plot C is now occupied by 2 storey houses. Previously second floor accommodation in the roof space with front facing dormers were proposed.

- Replacement of 4 flats in the north east corner of Plot C with 2 houses.
 - Reduction in amount of open space from 1.98 ha to 1.86 ha.
- 4.23 In addition, the proposed residential parking provision has been substantially increased from 412 to 502 parking spaces. As a result the proposed residential parking provision now complies with the Council's minimum parking standards.
- 4.24 The previous 25 no. public parking spaces have been removed and are not proposed in the current scheme.
- 4.25 The proposed level of affordable housing has been reduced from 52 units (34 affordable rent and 18 shared ownership units) to 32 units comprising 22 apartments for affordable rent and 10 no. houses for shared ownership. All of the affordable units are located at the rear of the site within Plot C.
- 4.26 The proposed site layout and elevation plans are provided as an Appendix. In addition, copies of the site layout and elevations of the appeal scheme (16/00972/FUL) are attached as an Appendix.

5 Consultations

5.1 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 received - any updates will be reported verbally but had no objection to previous application.
Group Head Neighbourhood Services (refuse)	No objection
Valuation Advisor	Considers the proposal to provide 32 affordable houses units to be acceptable.
Sustainability Officer	No objection
Local Lead Flood Authority (Surrey County Council)	No objection, recommend conditions
County Archaeologist	No objection, recommend condition
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 comments received - any updates will be reported verbally but had no objection to previous application subject to a condition requiring the recommendations in submitted report to be carried out in full.
Surrey Wildlife Trust	No objections, recommend condition to ensure biodiversity enhancement as set out in Ecological Appraisal.
Historic England	They did not consider it 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
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 will update verbally Objected to the previous scheme on the unjustified loss of a historic building which would harm the character of the local area and deprive it of an heritage asset of high local importance.
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.

6. **Public Consultation**

6.1 Neighbouring properties were notified of the planning application. Furthermore, statutory site notices were displayed and the application was advertised in the local press. 9 letters have been received at the time of writing regarding the proposal, including one on behalf of Ashford Baptist Church. In accordance with normal procedures, copies of the letters of objection have been uploaded onto the Councils website and will be placed into the Member's room prior to the committee meeting.

6.2 Reasons for objecting include:-

- revisions are extremely minor
- overpopulation of area/high density
- impact on local services and infrastructure including schools, doctors
- overlooking and loss of privacy
- lack of parking provision
- Increase in traffic
- Lack of public transport
- loss of iconic building
- overbearing to local residents
- pollution
- noise and pollution during demolition and construction
- overdevelopment of site
- out of character with surrounding area – height and materials.
- impact on light of nearby properties
- Lack of affordable homes
- more family housing required
- should only be 3 storeys
- setting precedence for tall buildings
- Ashford should not have to take so many of the houses required for the 5 year housing land supply figures
- proposal should include a school
- local residents can't park near homes at moment
- applicants have submitted an appeal to create a sense of panic
- gated development - park will not be accessible to public when they want
- loss of light to properties in Mead Way due to the height of building
- despite previous concerns and recommended condition, no screening has been proposed to large roof terraces on block A
- ridge of ridge of block B is overbearing cause loss of light
- vehicular access to development from College Way will become the main entrance and exit to development
- Additional traffic will cause noise nuisance to Mead way residents.

7. **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

8. Planning Considerations

Need for housing

- 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 & P DPD) -Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). On the basis of its objectively assessed housing need the Council is unable to demonstrate a five-year supply of deliverable sites.
- 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.

Principle of the development

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

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

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

- 8.8 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”

- 8.9 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 have relocated. 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.

- 8.10 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.

- 8.11 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.

- 8.12 In addition it should be noted that the gymnasium use on the site has been relocated to the Bishop Wand School site, Sunbury (ref 14/02159/FUL).
- 8.13 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. including further amendments to the scheme to address the Planning Committee's reasons for refusal. The aim has been to achieve residential development with commercial and educational 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.
- 8.14 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 demolition of the existing college building on the site has already been agreed in principle with this permission. It is acknowledged that although the original college building does have a distinct character and is of some age and that the Victorian Society objected to the previous application on the unjustified loss of a historic building which would harm the character of the local area and deprive it of an heritage asset of high local importance. However given it is not a listed building or a locally listed building, or within a Conservation Area and as such it has not statutory protected, the application cannot be objected to due to its loss.
- 8.15 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

- 8.16 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.”*
- 8.17 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.
- 8.18 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”

- 8.19 The previous planning application was refused because it was considered the density was excessive and would result in an overdevelopment of the site and out of character with the surrounding area.
- 8.20 In addition in February 2017, the Government issued a paper, ‘Fixing Our Broken Housing market.’ This sets out a number of measures intended to ‘boost housing supply and in the long term create a more efficient housing market.’ One of the ways to achieve this is by making ‘better use of land for housing by encouraging higher densities where appropriate such as in urban locations where there is high housing demand.’ The aim is to optimise the proposed density of development.
- 8.21 The paper also states that the Government proposes to amend the NPPF to make it clear that local plans and development proposals should:-
- make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting housing requirements.
 - address the particular scope for higher density housing in urban locations that are well served by public transport (such as around many railway stations) that provide scope to replace or build over low-density uses (such as retail warehouses, lock-ups, and car parks) or where buildings can be extended upwards by using airspace above them.
 - ensure the density and form of development reflects the character, accessibility and infrastructure capacity of an area and the nature of local housing need.
- 8.22 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 357 units and is on a site of some 4.04 ha, equating to 88 dwellings per hectare (dph). The previously refused scheme of 366 units had a higher density of 90.6 dph.
- 8.23 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.

8.24 As already mentioned, the proposal involves the creation of 357 residential properties (4.04 hectares) and the proposed housing density is 88 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 97% of the units are either studio, 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

8.25 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.

8.26 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.”*
- 8.27 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.”*

8.28 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 1.86 ha of space of which 1.41 ha (open space at the rear, Town Square and Pocket Park and perimeter landscaping) will be public and a further 0.45 ha will be private space for occupiers of the new housing. As such the proposed open space provision of 1.86 ha is a loss of only 18% 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)	1.1 ha
Proposed Open space (perimeter landscaping)	0.2 ha
Proposed Town Square	0.11 ha
Proposed private residential amenity space	0.45 ha
Total proposed open space	1.86 ha

- 8.29 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.
- 8.30 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

8.31 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, which have now been removed. 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 1.1 ha. In addition to this the scheme will provide private amenity space for the residents of some 0.45 ha, a Town Square area of some 0.11 ha and perimeter landscaping of 0.2 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

8.32 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.”*

8.33 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.

- 8.34 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

- 8.35 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.*"
- 8.36 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.
- 8.37 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.

- 8.38 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 properties opposite at 51-53 Church Road (10/00438/FUL) and 47-49 Church Road (17/00353/FUL) Adjacent to the car park is a detached building which is traditional in design and materials with pitched roof, occupied by a dentist.
- 8.39 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.
- 8.40 The scale of the proposed buildings across the site varies 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.
- 8.41 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.

- 8.42 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, with a 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 present in the previous scheme has been removed from the current application.)
- 8.43 To the rear of the site is Plot C which consists of 2 storey houses, with pitched roofs. The houses share their rear boundaries with existing dwellings on Village Way and also display design features of these 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.
- 8.44 One of the reasons for refusal on the previous planning application related to concerns that the height, scale, proportions and design, fails to respect and make a positive contribution to the street scene and would be out of character with the surrounding area, contrary to Local Plan Policy EN1(a) Since this time the proposal have been amended to provide a reduced number of units from 366 to 357 and the design has been amended in the following ways:-
- The top floor of Plot A has been cut back by approximately 10 metres at the southern end fronting Church Road.
 - The top floor of Plot E has been cut back from the western boundary.
 - The previous 6th storey on Plot D has been removed. The southern wings have been reduced in height.
 - The rear of Plot C is now occupied by 2 storey houses. Previously second floor accommodation in the roof space with front facing dormers were proposed.
 - Replacement of 4 flats in the north east corner of Plot C with 2 houses.

This has led to a reduction in the massing of the proposal.

- 8.45 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

8.46 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.”

8.47 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.

8.48 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).

8.49 Part of Plot A, as well as Plots B and C adjoin existing residential properties along Meadway and Village Way and the Echelford 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.

8.50 The proposed dwellings within Plot C which back onto the rear gardens of dwellings located along Village Way are 2 storey and meet the minimum separation distance requirements as set out in the SPD.

8.51 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.

8.52 Some of these properties within Plot B also face eastwards towards the rear gardens of properties on Meadway, including no. 49 whose garden widens at the rear. The actual dwelling at no. 49 is located directly behind Plot B, but because its garden widens at the rear, the built form on the corner of Plot A is located behind it. The proposed separation distance for the properties in Plot

B are 15m from the front of the proposed dwellings to the rear boundary of the Meadway properties and a minimum of 33m between the built form. Although there is no minimum distance for the front of dwellings, these properties are mainly 2 storey at the front, increasing in height to the rear to 3 storey and they accord with the back to boundary and back to back separation distances for 3 storey development as set out in the SPD. Therefore they will have an acceptable relationship with existing properties and will not lead to a significant overlooking, be overbearing or cause loss of light.

- 8.53 The proposed built form within Plot A, fronting College Way facing the rear boundary of 49 Meadway, is 3 stories in height, with the 4th and 5th floors set further back. There is a separation distance to the rear boundary of the existing dwelling at no. 49 Meadway, of some 15m, and a minimum separation distance between the built form of approx. 34m. This meets the minimum separation distances for back to boundary and back to back development as set out in the SPD. It should also be noted that this development is located to the rear of a large garden, which widens at the rear and is not located directly behind the existing dwelling at 49 Meadway. As such it will have an acceptable relationship with the existing properties, ensuring no significant overbearing or loss of light impact. This is further displayed by the fact that the proposal will not cross the 25 degree line when taken from the rear of the existing properties (as set out in the SPD and discussed further below) which will ensure an acceptable impact in terms of loss of daylight and outlook.. As noted there is a fourth floor which will be set further back and also a fifth floor set even further back. These will have a terraced area on top of the floor below. To ensure that these do not create an overlooking or loss of privacy issue to existing properties, a condition will be imposed to ensure that appropriate screening is installed on the elevation facing the existing properties.
- 8.54 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. As such Block C is considered to have an acceptable impact on the amenity of the care home residents.
- 8.55 Plot D will be mainly 4 stories in height with a fifth floor set back from the main elevation. The SPD does not contain minimum separation distances for development in excess of 3 storeys.
- 8.56 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

- 8.57 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 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.
- 8.58 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.
- 8.59 The previous application was considered to have an acceptable impact on the amenity of neighbouring residential properties. This amended scheme has actually improved some of these relationships as detailed earlier in the report.
- 8.60 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

- 8.61 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 1,910 sqm would be required for the 347 flats. The 10 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 2,610 sqm for the proposed houses and flats. The application actually provides 4543 sqm of residential garden spaces. 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.”

- 8.62 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 4,543 sqm. This is substantially above the minimum SPD standard of 2,610 sqm and is therefore acceptable. As noted above a further 1.1ha 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

- 8.63 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.
- 8.64 The Government has since published national minimum dwelling size standards in their “*Technical Housing Standards – nationally described space standard*” document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD and includes minimum sizes for studio flats. This national document must be given substantial weight in consideration of the current application in that it adds this additional category of small dwellings not included in the Council's Standards.

- 8.65 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/Service issues

- 8.66 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.”

- 8.67 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.

- 8.68 The County Council was consulted as the Highway Authority and has noted the following in terms of vehicle movements, ‘...*The proposed development is likely to generate less vehicle movements in the morning eight to nine peak and slightly more in the evening peak from 1700 hours to 1900 hours. The proposed development is offering slightly less housing than was previously proposed and subsequently rejected by the planning committee. The County Highway Authority (CHA) supported the previous application. Given that this development is proposing slightly less housing, the CHA also supports the development on traffic generation grounds.*’

- 8.69 The proposal itself has more parking than currently exists at the site and less houses and more parking than the previous scheme. 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 one car club vehicle for a minimum of two years, with all costs associated with the provision of the vehicle including provision of parking space and pump priming being met by the developer. When the first car is used by residents of the development for more than 25% of the time averaged over one month, then a second car shall be provided with all costs associated with the provision of the second vehicle including provision of parking space being met by the developer. If either the first or second vehicle is removed, then the money that would have been invested into either vehicle should be reinvested into the travel plan in order to provide non single vehicle modes of transport.
- Provision of 25 miles worth of free travel for residential users of the proposed

development using the car club vehicles.

- Provision of one year free membership of the car club for the first occupants of each of the proposed residential units.
- Provision of one £50 sustainable travel voucher per household (equates to £17,850 for the 357 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £17,850 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.

8.70 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 vehicles including refuse vehicles as shown by the supporting vehicle swept path analysis. The County Council has recommended a condition requiring tactile paving and details of the traffic calming measures to be submitted at the junction of Church Road and the site.

8.71 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

8.72 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.

8.73 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.

8.74 The proposed parking provision for the residential properties is 502 spaces. The Council's Parking Standards as set out in the Supplementary Planning Guidance requires 502 spaces and as such the proposed parking provision is policy compliant.

8.75 A comparison of the parking provision for the current and previous applications is set out below:

	Previous Refused Scheme	Current proposal
Housing Numbers	366	357
Parking for Housing	412	502
Parking for Education (Hairdressing)	4	4
Parking for Commercial	9	9
Public Parking	25	0
Total	450	515

The parking provision for the housing units meet the current parking standards. It is also proposed to provide one bike space per flat and this will be secure by a planning condition. It is noted that the amended proposal does not provide any public parking but it is not considered that this could form a reason to refuse. The proposed development 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. The site's town centre location, the availability of public transport and the proposed measures to be provided with this scheme are in addition to the policy compliant parking being provided as part of the scheme.

8.76 With regard to on street parking, the County engineers have commented 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. 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. A combination of 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. There would also be space for vehicles to pass each other.

- 8.77 With regard to parking management the developer is proposing an onsite parking management regime. Parking would not be permitted on roads or within areas for turning. Parking would only be allowed in designated areas. Staff and residents of the proposed development would be issued with fob keys to enter gated parking areas. Residents would be required to purchase a set number of permits for guests to park.
- 8.78 Therefore the proposed parking provision for the housing, education and commercial is acceptable. The CHA have raised no objection to the proposed scheme on highway safety grounds or parking provision. The proposal results in a total increase of 65 spaces with a reduction of 9 housing units compared to the refused scheme. As such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

Affordable housing

- 8.79 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.
- 8.80 The applicant is proposing to provide 32 affordable housing units (22 no. for affordable rent and 10 no. for shared ownership). The 32 units represent an affordable housing provision of 11%. The Council's affordable housing advisor has been consulted and raised no objection to the provision and commented that it is possible to provide 32 affordable housing on site whilst maintaining the viability of the proposed development.
- 8.81 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 10 out of 32 units for intermediate (shared ownership) and this equates to 31%. As such the proposal conforms to this requirement.
- 8.82 Although this affordable housing provision is only 11% of the total proposed 357 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

- 8.83 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). .

- 8.84 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.
- 8.85 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.
- 8.86 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.
- 8.87 The Environment Agency (EA) were consulted but at the time of writing have not responded. They were also consulted on the previous application and replied by stating that they did not need to be consulted on that application because of the low risk of flooding in this area. 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

- 8.88 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.
- 8.89 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

- 8.90 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."

- 8.91 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
- 8.92 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 ecological value are minimal under the proposal. 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.
- 8.93 The Surrey Wildlife Trust were consulted and have raised no objection on ecological grounds subject to a condition requiring the proposed precautionary bat mitigation measures during the demolition phase set out in the submitted ecological assessment to be carried out. The Surrey Wildlife Trust have also recommended that the proposed wildlife enhancement measures in the ecological assessment are carried out and this is to be controlled by imposing a condition. The proposed landscape scheme will be sympathetic to boosting biodiversity. Consequently, 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

- 8.94 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 232 family units which would require some 0.77 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 1.41 ha. There is also additional communal areas which can be used by residents. The proposal fully conforms to this policy.

Dwelling mix

- 8.95 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.
- 8.96 The proposal complies with the requirements of Policy HO4. In particular, the number of proposed studio, 1-bed and 2-bed flats is 347, which represents 97% of the total units. (There are 4 studio flats and these are considered to fall within the smaller units category for the purpose of this policy).

Archaeology

- 8.97 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.
- 8.98 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

- 8.99 The applicant has carried out a tree survey at the site and a total of 51 individual trees with stem diameters of 75mm, and several tree groups, were surveyed and recorded. It is proposed that 6 trees will be removed.
- 8.100 An Arboricultural Impact Assessment and Method Statement, a Tree Report and an indicative landscape masterplan have been submitted. The landscape plan shows 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. 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, soft landscaping and 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. 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 along the site boundary providing visual screening.
- 8.101 Private amenity spaces will also be landscaped. Hedgerows and decorative tree planting will be used around car park areas to help break up hardstanding and add visual interest. With regard to the area of land in the north-eastern corner of the site (rear of 3 – 9 Meadway), this is to remain as

open space to provide a 'conservation zone' within the site. It will comprise wildflower meadow planting and other landscaping to encourage wildlife.

- 8.102 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

- 8.103 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

- 8.104 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.
- 8.105 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

- 8.106 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 for the demolition and construction phase. It is considered that this can be controlled by the imposition of a condition. 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.
- 8.107 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 for a 'car club').

Refuse Storage and Collection

- 8.108 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 located 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 145 'Euro Bin' type communal bins (1100 litre sized), and 35 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.
- 8.109 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

- 8.110 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.
- 8.111 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 Payment based on a rate of £40 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
- 8.112 The previous proposal was refused on:-

- Height, scale, proportions and design failing to respect and make a positive contribution to the street scene, out of character with the surrounding area (Policy EN1 (a))
- Excessive density, resulting in an overdevelopment of the site out of character with the surrounding area (Policy HO5)
- Inadequate parking resulting in an unacceptable traffic congestion (Policy CC3)

With regard to the first two reasons with this current proposal the applicant has reduced the number of units and size of some buildings thereby reducing the density. The third reason relating to transportation can no longer be defended at appeal but notwithstanding this the proposed parking for the dwellings meets the Councils Standards. Whilst the public car park is no longer proposed the overall parking on site has increased by 65 spaces and the parking is acceptable.

Conclusion

- 8.113 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.
- 8.114 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.
- 8.115 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 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.

9. Legal Agreement

- 9.1 There are highway, affordable housing, 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.

10. Recommendation

10.1 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:

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

1. To provide at least 32 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 Planning Development Manager.

- The split of the type of affordable housing shall be at least 22 for affordable rent and at least 10 dwellings 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 will be subject to a viability review mechanism to be reviewed on an open book basis to ascertain whether any further contribution can be made by way of an off-site contribution in lieu.

2. To secure public access and maintenance of the public open space, the Local Equipped Area of Play (LEAP), the Pocket Park and the Town Square, details to be agreed with the Local Planning Authority.

3. To provide the following sustainable transport financial payments and measures:

- (a) Payment of a travel plan audit fee of £6,150
- (b) Provision of one car club vehicle for a minimum of two years, with all costs associated with the provision of the vehicle including provision of parking space and pump priming being met by the developer. When the first car is used by residents of the development for more than 25% of the time averaged over one month then a second car shall be provided with all costs associated with the provision of the second vehicle including provision of parking space being met by the developer. If either the first or second vehicle is removed then the money that would have been invested into either vehicle should be reinvested into the travel plan in order to provide non single vehicle modes of transport.
- (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 £17,850 for the 357 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £17,850 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 use.

In the event that the Section 106 Agreement is not completed

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

REFUSE the planning application for the following reasons:

- 1) The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009.
- 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.

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

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

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

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

2055-01-DR-0001 Rev. P01; /0100 Rev. P01; /0101 Rev. P01; /0102 Rev. P01; /0103 Rev. P01; /0104 Rev. P01; /0110 Rev. P01; /0400 Rev. P01; /0401 Rev. P01; /0402 Rev. P01; /0403 Rev. P01; /0404 Rev. P01; /0600 Rev. P01; /601 Rev. P01; /0602 Rev. P01; /0603 Rev. P01; /0604 Rev. P01; /0605 Rev. P01; /0606 Rev. P01; /0650 Rev. P01; /0651 Rev. P01 received 21 August 2017.

2055-11-DR-0099 Rev. P01; /0101 Rev. P01; /0102 Rev. P01; /0103 Rev. P01; /0104 Rev. P01; /0450 Rev. P01; /0600 Rev. P01; /0601 Rev. P01; /0602 Rev. P01; /0603 Rev. P01; /0604 Rev. P01 received 21 August 2017.

2055-16-DR-0100 Rev. P01; /0101 Rev. P01; /0102 Rev. P01; /0600 Rev. P01 received 21 August 2017.

2055-21-DR-0100 Rev. P01; /0101 Rev. P01; /0102 Rev. P01; /0600 Rev. P01; /0601 Rev. P01; /0602 Rev. P01 received 21 August 2017.

2055-31-DR-0099 Rev. P01; /0100 Rev. P01; /0101 Rev. P01; /0102 Rev. P01; /0103 Rev. P01; /0104 Rev. P01; /0600 Rev. P01; /0601 Rev. P01; /0602 Rev. P01 received 21 August 2017.

Topographical Survey drawings 1, 2, 3 & 4 received 21 August 2017.

INL20124-01 (North 1 of 2), INL21373-03 (North 1 of 2), INL20124-01 (North 1 of 2), INL20124-01 (South 2 of 2), INL21373-03 (South 2 of 2), INL21373 10, INL21373 15 received 21 August 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

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. A raised table with ramps and tactile paving or other suitable pedestrian improvements shall be provided at the junction of College Way with Church Road between the carriageway edge of Church Road and the back of the footway on the north side of Church Road 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. The development shall not be occupied until a Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. 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 submitted plans, the proposed development shall not be occupied until a minimum of 98 car parking spaces for the 347 one and two bedroom apartment units have been fitted with electrical infrastructure for electric vehicle trickle charging points and for a minimum of seven spaces to be provided with charging points with the remainder to be provided in accordance with additional demand when all of the first seven charging points have been used. The development shall also not be occupied until each of the 10 three bedroom dwellings units have been fitted with one electric vehicle trickle charging point, all to be permanently retained.

Reason: The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF

16. Notwithstanding the submitted Construction Management Plan dated July 2017, no development shall commence until a Construction Transport Management Plan, to include details of:

- (a) loading and unloading of plant and materials
 - (b) provision of boundary hoarding behind any visibility zones
 - (c) HGV deliveries and hours of operation
 - (d) vehicle routing
 - (e) measures to prevent the deposit of materials on the highway
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

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

Reason: The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF

18. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:
- a) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS
 - b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+CC% allowance for climate change storm events, during all stages of the development (Pre, Post and during).
 - c) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite.
 - d) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development, to include details on how the existing soakaways will be protected.

- e) Evidence that the permeable paving is protected against ingress of silt and debris and the methodology of inspection for maintenance of such measures.
- f) Finalised drawings ready for construction to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters and their respective levels and long and cross sections of each SuDS Element.
- g) Details of management and maintenance regimes and responsibilities.

Reason: To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site.

19. 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.

20. 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 July 2017.

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

21. 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 July 2017 shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme and thereafter maintained.

Reason:- To encourage wildlife on the site.

22. The 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, .

23. 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.

24. 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,

25. 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,

26. 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.

27. 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 21 August 2017 and the Tree Protection Plans INL21373-03 (North 1 of 2) and INL21373-03 (South 2 of 2) received 21 August 2017.

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.

28. 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

29. 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.

30. 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.

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

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

32. 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.

33. 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.

34. 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.

35. Prior to the construction of the buildings hereby approved details of privacy screens to be installed on the roof terraces of 3rd floor Unit A2.3.13 and fourth floor Unit A2.4.10 shall be submitted to and approved in writing by the Local Planning Authority. The agreed privacy screens shall be installed prior to the occupation of the Units and thereafter retained as approved.

Reason:- To safeguard the amenity of neighbouring properties.

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

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

37. 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.

38. The public open space and children's playground hereby approved shall be made permanently available and accessible to members of the public during the following times, unless otherwise agreed in writing by the Local Planning Authority:

- 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
- 08.00 to 20.00 hours April, May, June and July
- 08.00 to 20.00 hours August
- 08.00 to 19.00 hours September

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

39. Prior to the construction of the buildings details of all street furniture to be installed on the site together with a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The street furniture shall be carried out in accordance with the agreed details and timetable.

Reason:- To ensure that a satisfactory level and quality of street furniture is provided on the site.

40. Notwithstanding the submitted plans, the proposed development shall not be occupied until space for storing a minimum of 347 bicycles in a secure and covered location has been provided for the flats and a minimum of 10 secure cycle spaces has been provided for visitors 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 above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF

41. 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.

42. 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.

43. 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.

44. 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.

45. 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.

46. The development must be designed to ensure that habitable rooms in the residential element of the development are not exposed to vibration dose values in excess of 0.13 m/s during the night-time period of 23.00 - 07.00hrs.

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

47. No demolition, site clearance or building operations shall commence until a Dust Management Plan detailing dust suppression and other mitigation measures during demolition and 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.

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 developer's 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.
5. The developer is advised that the Parking Management Plan shall be in a similar format to that dated 22 September 2016 submitted to support

application 16/00972/FUL and shall include details of how fines are to be calculated, and the frequency of checking parking within the site.

6. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
7. **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 consider the risk and suitable mitigations are proposed.
8. The development is close to the airport and the landscaping which is included may attract birds which in turn may create an unacceptable increase in bird strike hazard. Any such landscaping should, therefore, be carefully designed to minimise its 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>)
9. 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>)
10. 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.
11. 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.

12. 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.
13. 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.
14. 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.
15. 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 wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
16. 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.

17. 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.

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

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

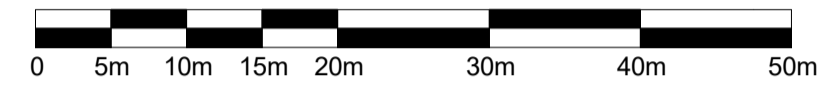
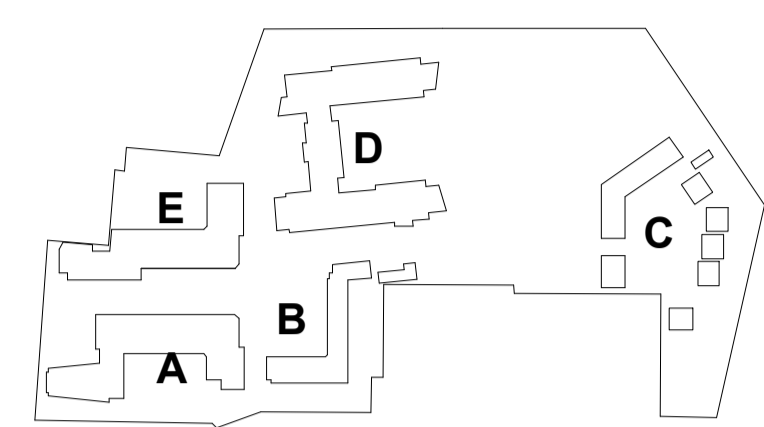
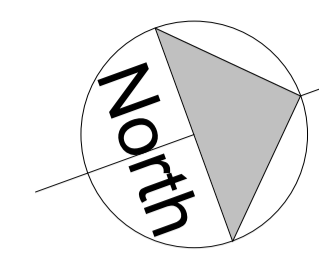
19. The applicant is advised that all gas fired boilers should meet a minimum standard of less than 40mgNO_x/kWh. All gas-fired CHP plant should meet a minimum emissions standard of 50mgNO_x/Nm³ for gas turbines - note other limited apply for spark or compression ignition engines. Where biomass is proposed within an urban area it is to meet minimum

emissions standards of: Solid biomass boiler 275 mgNO_x/Nm³ and 25 mgPM/Nm³.

Decision Making: Working in a Positive and Proactive Manner

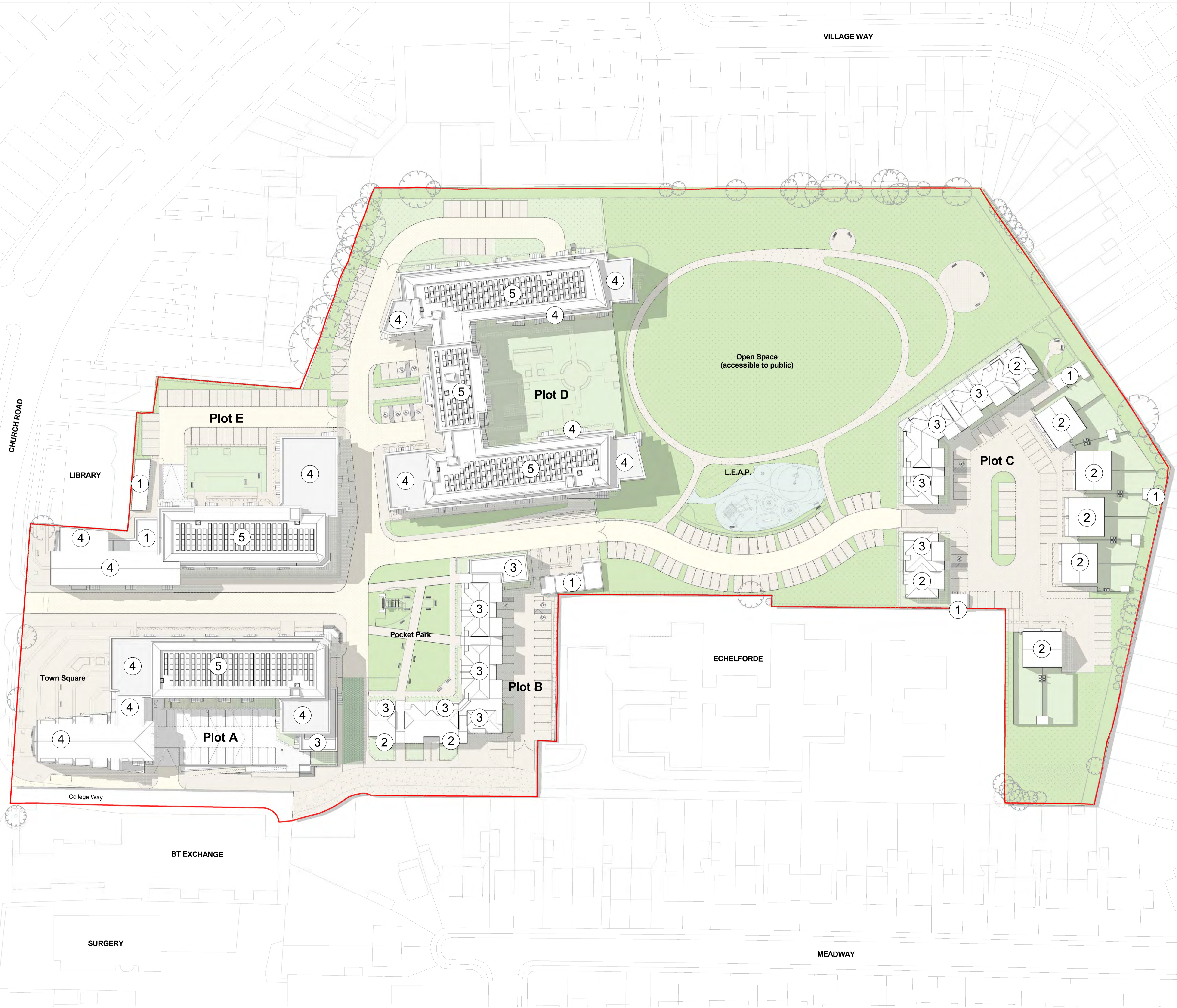
In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- 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.



— Site Boundary

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



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning

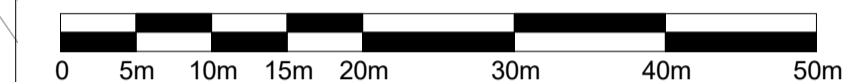
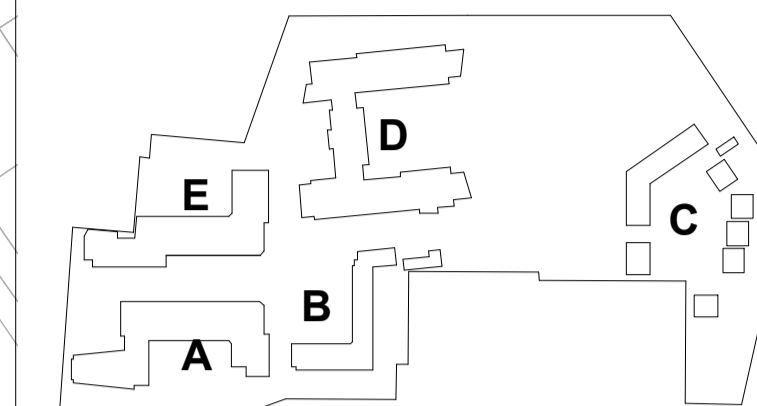
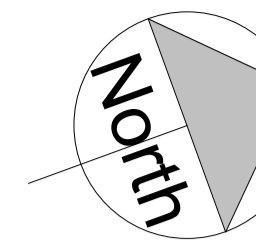
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Client:
Brooklands Helix Developments Ltd

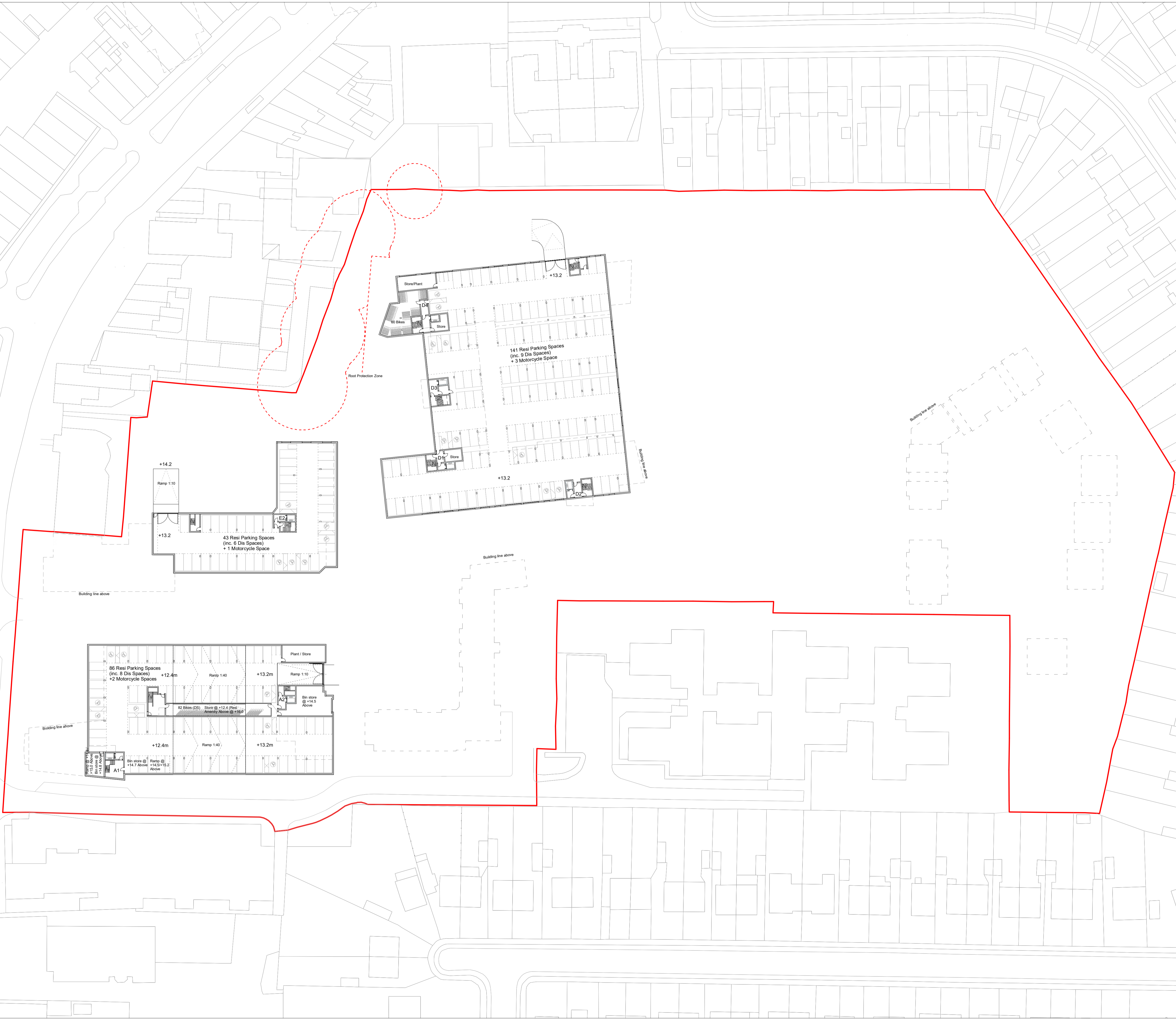
Project:
Church Road, Ashford

Title:
Site wide - Roof Plan

Drawing status:
Planning



— Site Boundary



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning

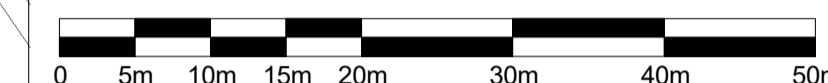
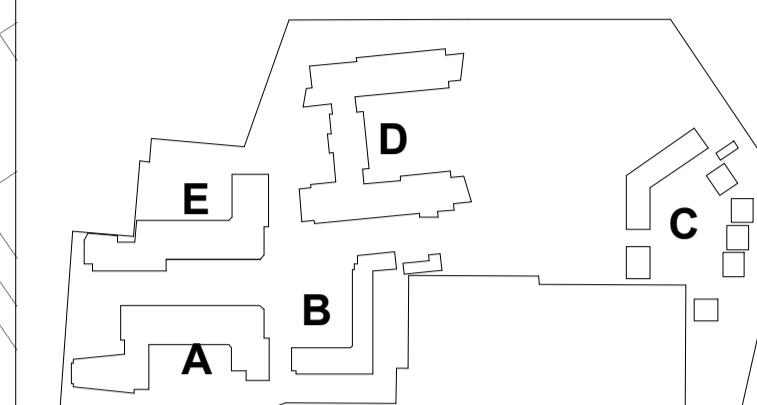
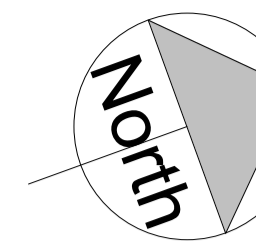
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Dimensions to be checked on site
Plot date: 28/07/2017 21:31:01

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Undercroft Parking Plan

Drawing status:
Planning



Site Boundary



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning

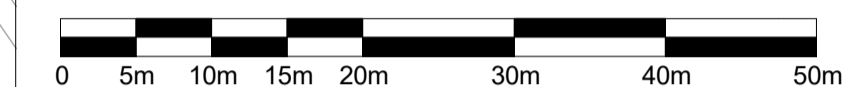
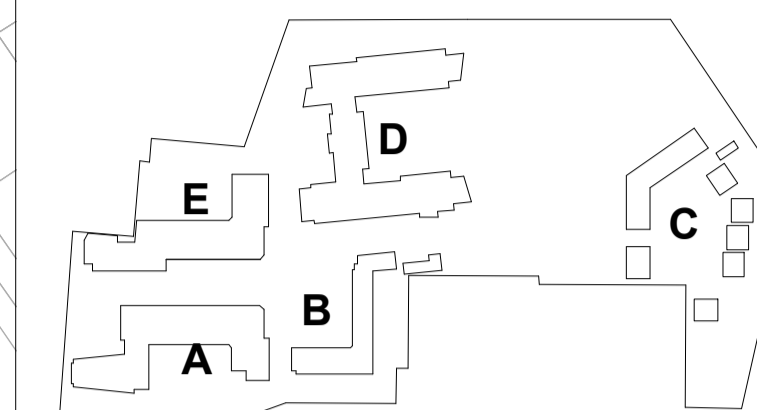
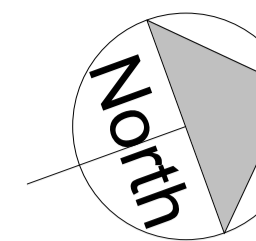
Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
Plot date: 31/07/2017 16:10:06

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Ground Floor Plan

Drawing status:
Planning



— Site Boundary



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning

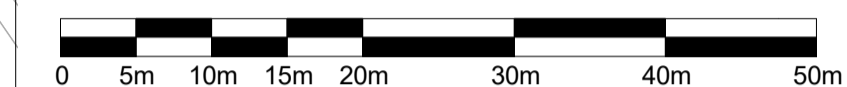
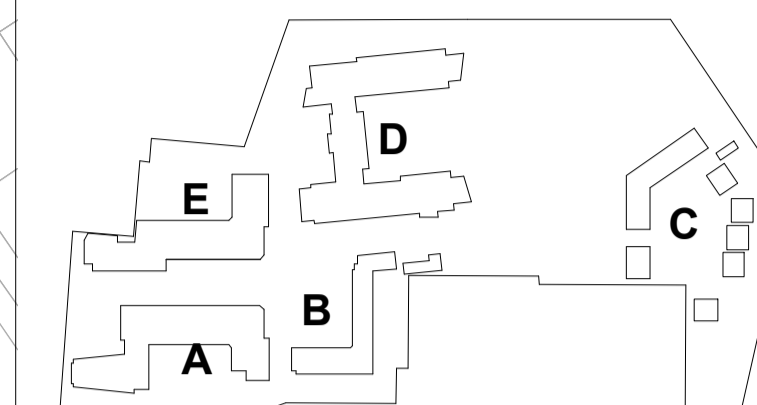
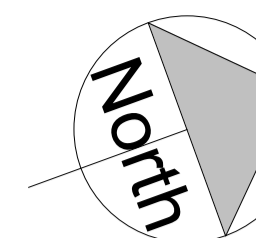
Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
Plot date: 28/07/2017 21:31:14

Client:
Brooklands Helix Developments Ltd

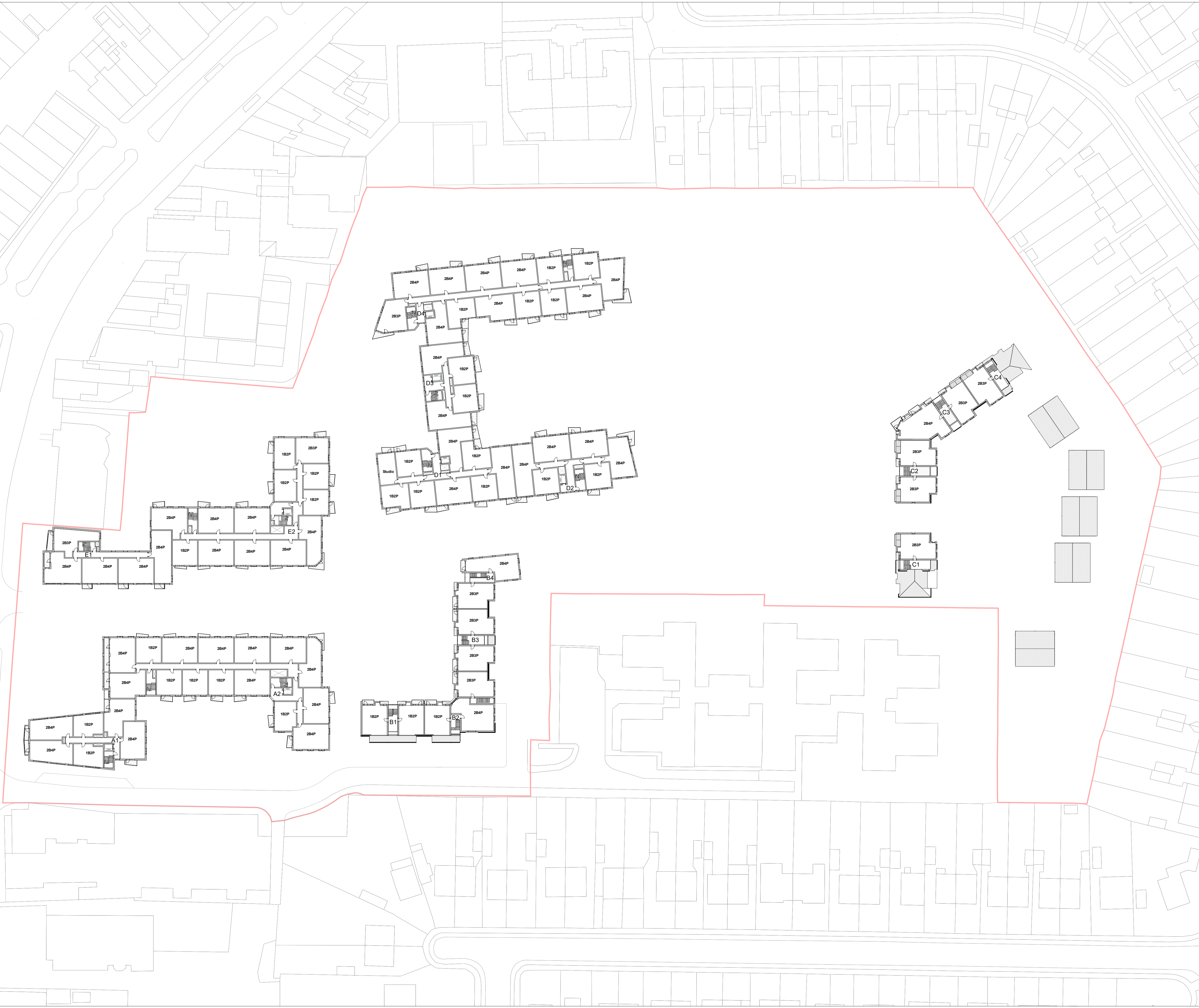
Project:
Church Road, Ashford

Title:
Site wide - 1st Floor Plan

Drawing status:
Planning



— Site Boundary



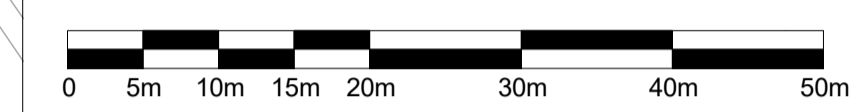
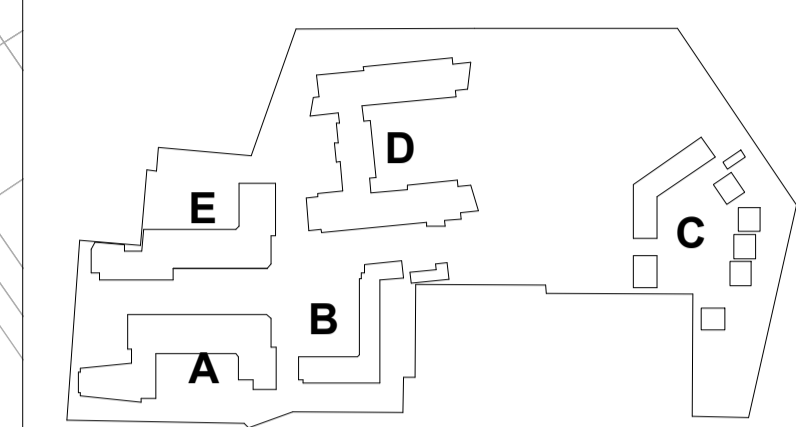
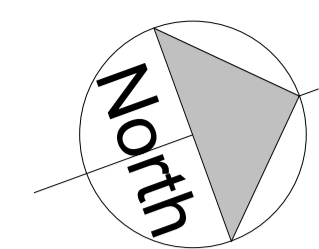
Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning
Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
Plot date: 28/07/2017 21:31:19

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - 2nd Floor Plan

Drawing status:
Planning



— Site Boundary



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning

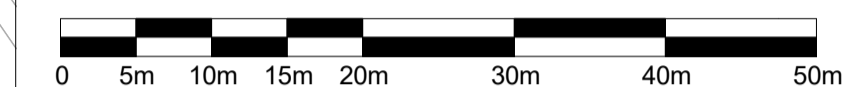
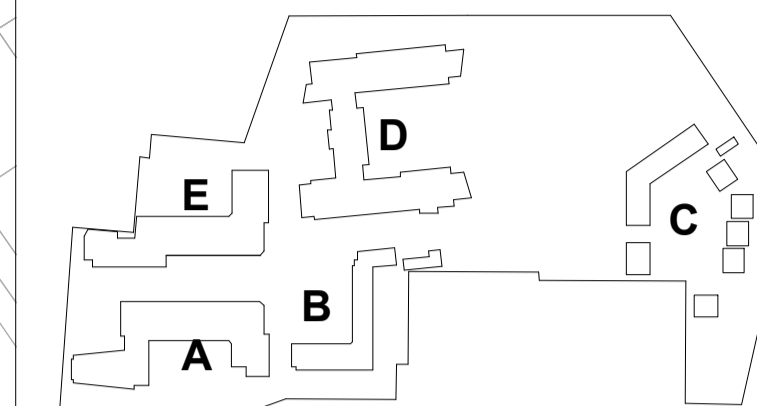
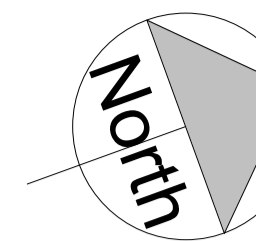
Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
Plot date: 28/07/2017 21:31:24

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - 3rd Floor Plan

Drawing status:
Planning



— Site Boundary



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning

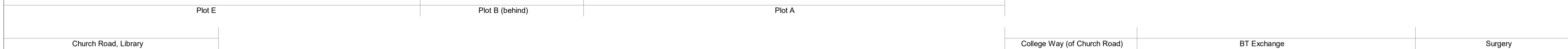
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Report all errors and omissions to the Architect
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Client:
Brooklands Helix Developments Ltd

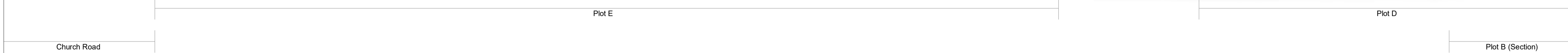
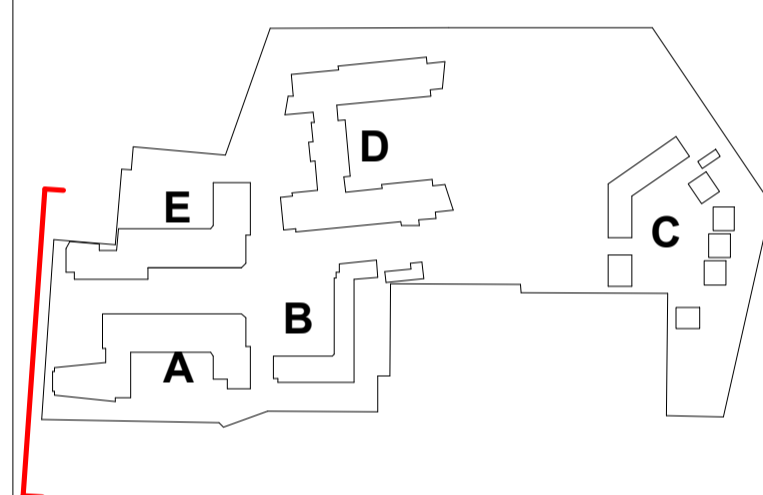
Project:
Church Road, Ashford

Title:
Site wide - 4th Floor Plan

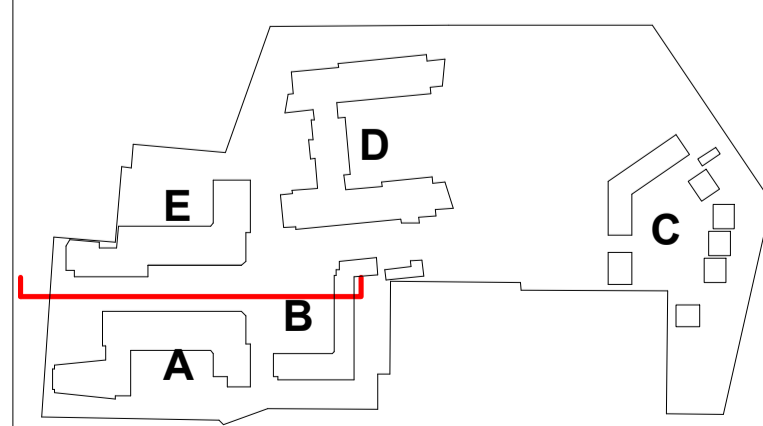
Drawing status:
Planning



Town Square Elevation



Plot E - East Elevation



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
 Issue for planning

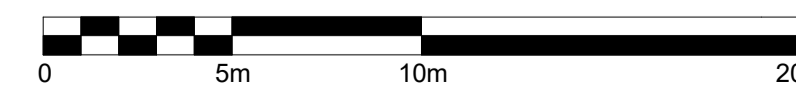
Do not scale off this drawing
 Report all errors and omissions to the Architect
 Dimensions to be checked on site
 Plot date: 28/07/2017 21:02:15

Client:
 Brooklands Helix Developments Ltd

Project:
 Church Road, Ashford

Title:
 Site wide - Building Elevations Sheet 1

Drawing status:
 Planning





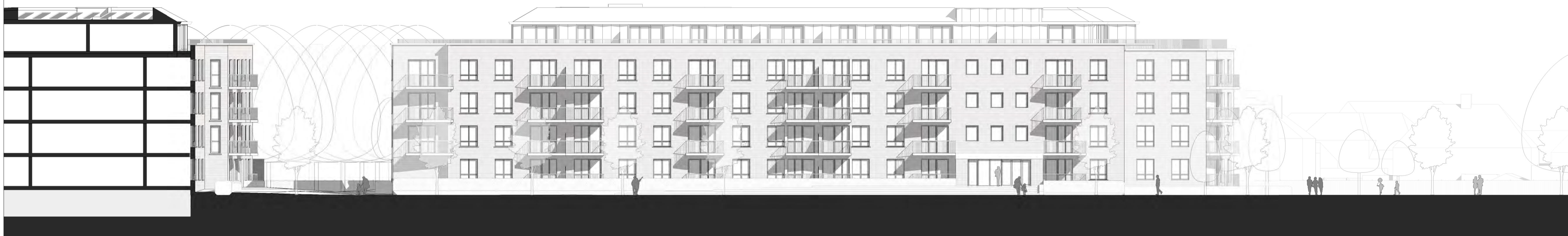
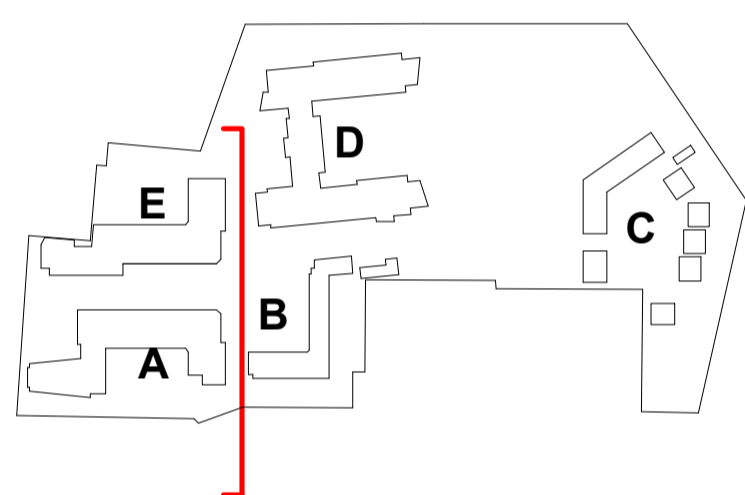
Plot A

Plot E

BT Exchange

College Way

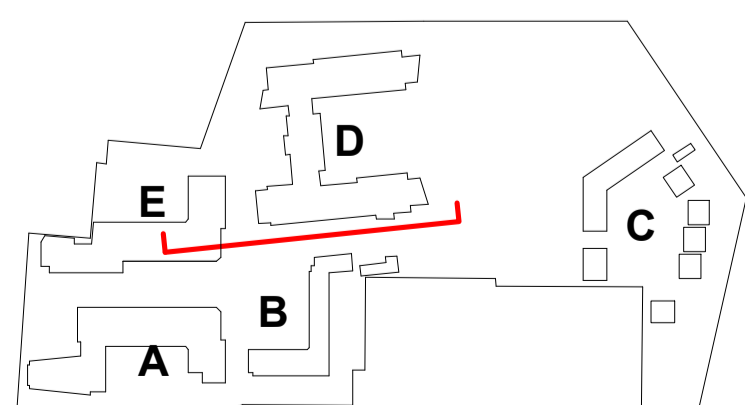
Plot A/E - North Elevation



Plot E (Sectional Elevation)

Plot D

Plot D - East Elevation



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning

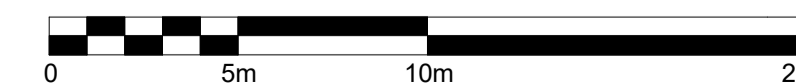
Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
Plot date: 28/07/2017 21:02:47

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 2

Drawing status:
Planning

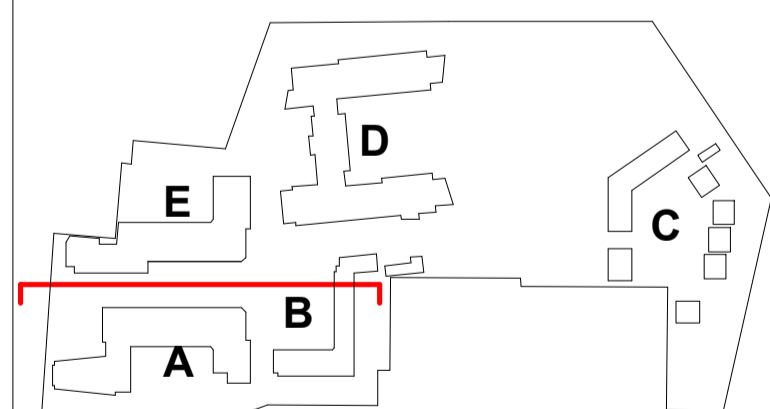




Plot B (Sectional Elevation)

Plot E

Plot A/B - West Elevation



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
Issue for planning

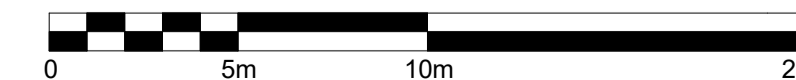
Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
Plot date: 28/07/2017 21:33:01

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 3

Drawing status:
Planning



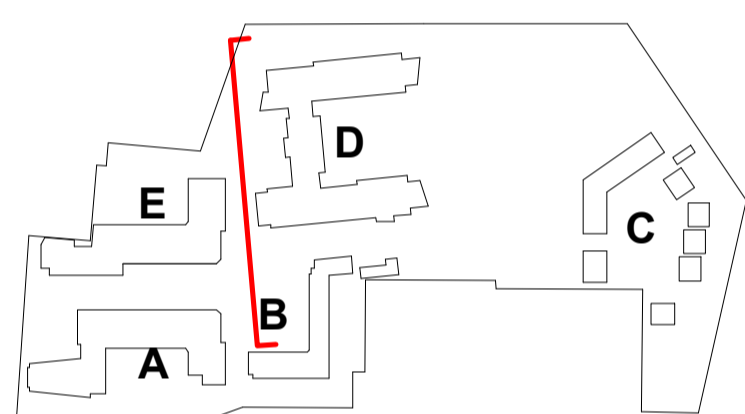


Plot D

Plot C (behind)

Plot B

Plot B/D - South Elevation



Plot B

Plot D

Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
 Issue for planning

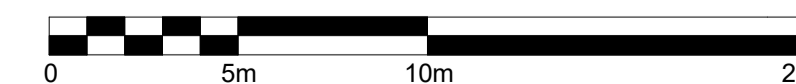
Do not scale off this drawing
 Report all errors and omissions to the Architect
 Dimensions to be checked on site
 Plot date: 28/07/2017 21:33:30

Client:
 Brooklands Helix Developments Ltd

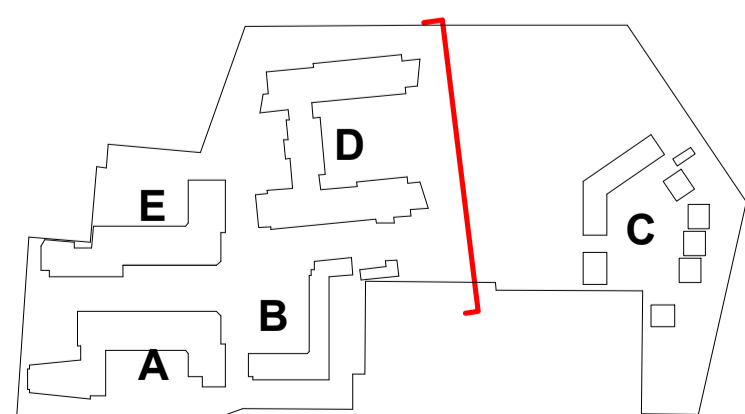
Project:
 Church Road, Ashford

Title:
 Site wide - Building Elevations Sheet 4

Drawing status:
 Planning



Plot B/D - North Elevation



Echelforde

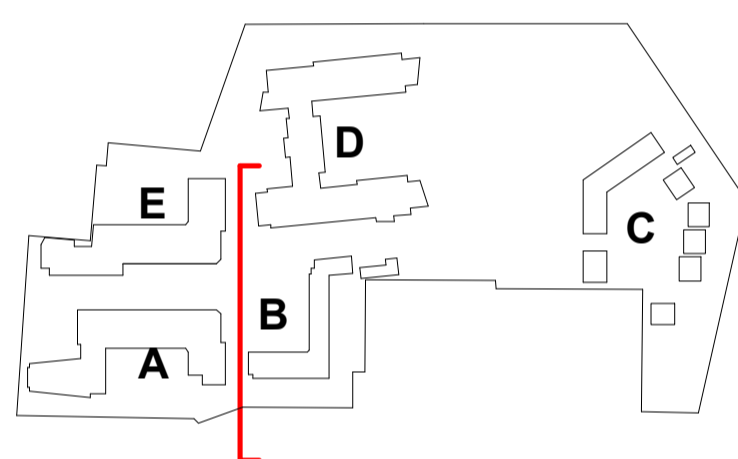


Plot D

Plot C (behind)

Plot B

Plot B/D - South Elevation

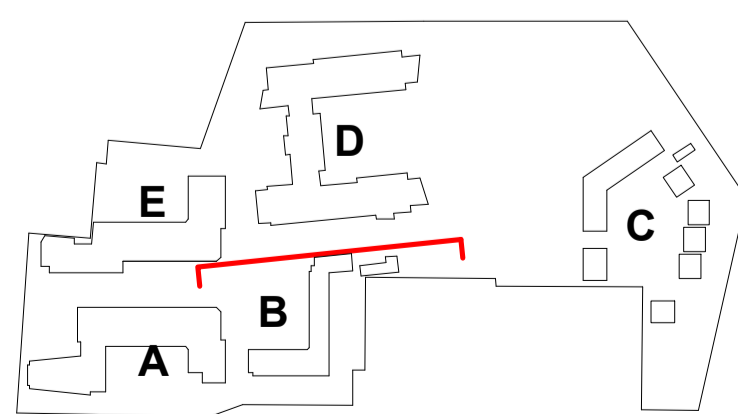


Echelforde

Plot B

Plot A

Plot A/B - West Elevation



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW

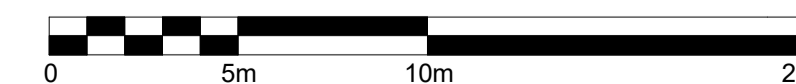
Issue for planning
Do not scale off this drawing
Report all errors and omissions to the Architect
Dimensions to be checked on site
Plot date: 28/07/2017 21:33:47

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 5

Drawing status:
Planning

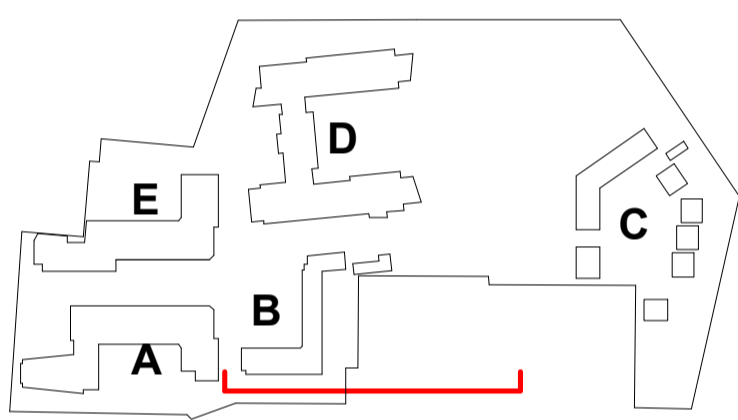




Plot A Plot B Echelforde

Plot D (behind)

Plot B - East Elevation



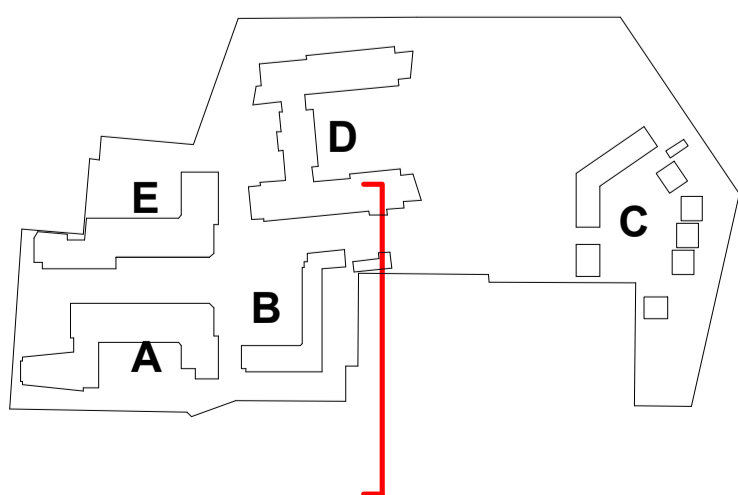
Plot B

Plot D

Plot A (behind)

Plot E (behind)

Plot B - North Elevation



Rev: P01 Date: 31.07.2017 Drw: TS Chk: AW
 Issue for planning

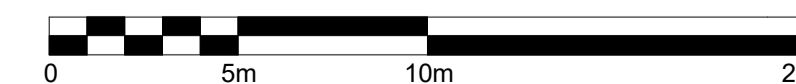
Do not scale off this drawing
 Report all errors and omissions to the Architect
 Dimensions to be checked on site
 Plot date: 28/07/2017 21:04:15

Client:
 Brooklands Helix Developments Ltd

Project:
 Church Road, Ashford

Title:
 Site wide - Building Elevations Sheet 6

Drawing status:
 Planning



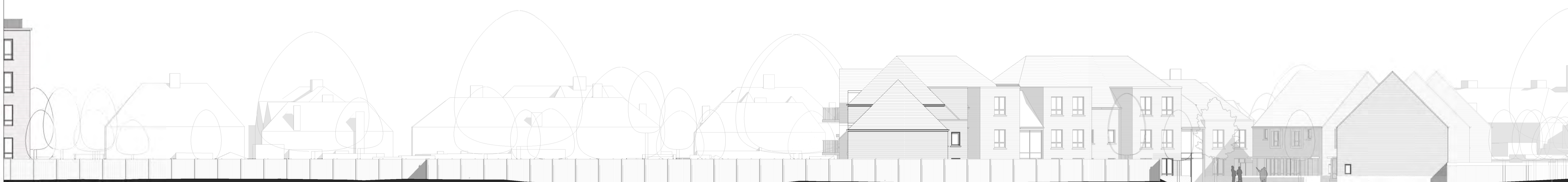
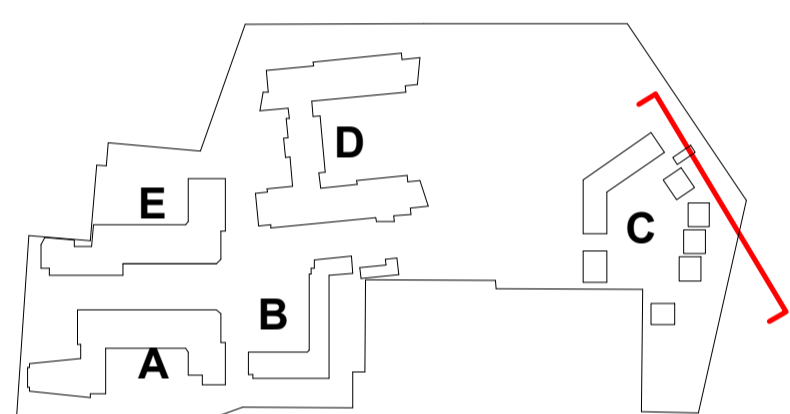


Plot C

Plot B (behind)

Plot D

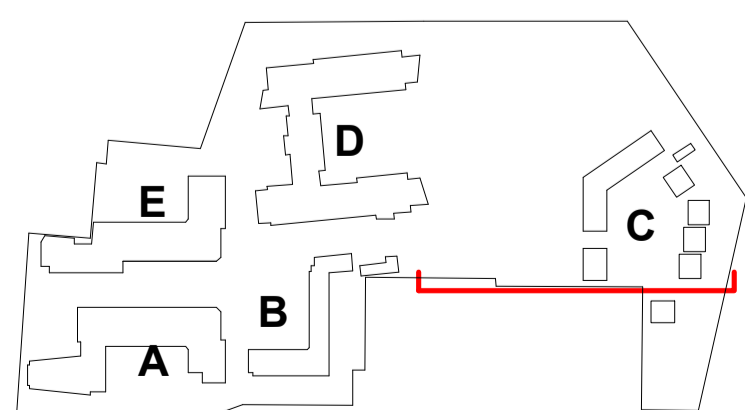
Plot C - North Elevation



Plot D

Plot C

Plot C - East Elevation



Rev: P01 Date: 31.07.2017 Drw: 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
Plot date: 28/07/2017 21:04:36

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Building Elevations Sheet 7

Drawing status:
Planning

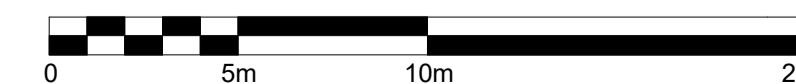




FIGURE 4.23 - VIEW FROM TOWN SQUARE



FIGURE 4.24 - ELEVATION CHURCH ROAD NOT TO SCALE



FIGURE 4.25 - VIEW OF TOWN SQUARE LOOKING WEST ALONG CHURCH ROAD



FIGURE 4.32 - VIEW TOWARDS POCKET PARK & PLOT B



FIGURE 4.33 - PLOT B - SOUTH ELEVATION



FIGURE 4.34 - PLOT B - NORTH ELEVATION

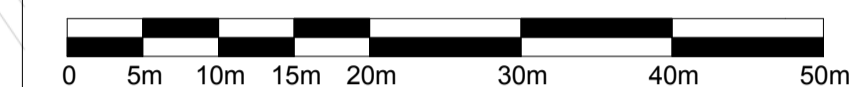
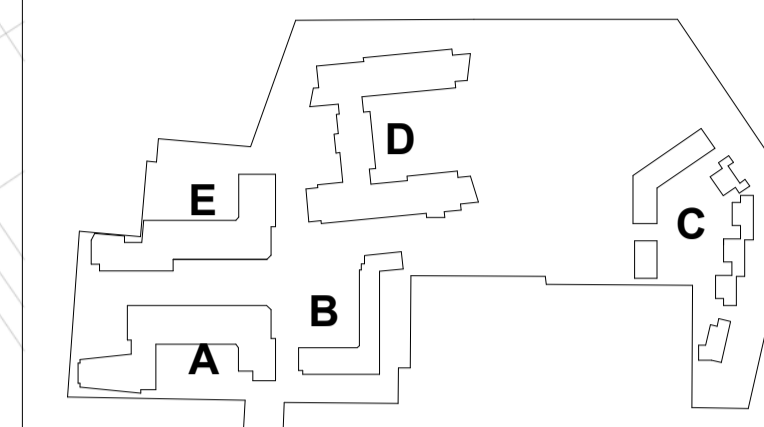
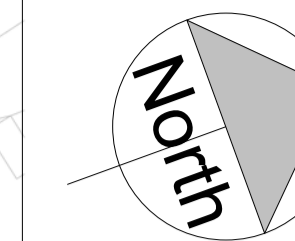


FIGURE 4.18 - MODEL OF THE PROPOSALS VIEWED FROM SOUTH



FIGURE 4.22 - MODEL OF THE PROPOSALS VIEWED FROM NORTH

SITE LAYOUT PLAN OF APPEAL SCHEME (16/00972/FUL)



— 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: T.J/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
Plot date: 19/01/2017 16:50:22

Client:
Brooklands Helix Developments Ltd

Project:
Church Road, Ashford

Title:
Site wide - Roof Plan

Drawing status:
Planning



FIGURE 4.24 - VIEW FROM TOWN SQUARE



FIGURE 4.25 - ELEVATION CHURCH ROAD NOT TO SCALE



FIGURE 4.19 - MODEL OF THE PROPOSALS VIEWED FROM SOUTH