

Planning Committee



4 April 2018

Application No.	17/01804/FUL		
Site Address	16 Springfield Road, Ashford		
Proposal	Erection of a two storey attached dwelling following demolition of side extensions to the existing HMO building.		
Applicant	Mr Dhaliwal		
Ward	Ashford Town		
Call in details	Called in by Cllr Rybinski due to concerns over inadequate parking and overdevelopment of the site.		
Case Officer	Matthew Clapham		
Application Dates	Valid: 19.12.2017	Expiry: 13.02.2018	Target: Extension of time agreed
Executive Summary	The application site is located on the eastern side of Springfield Road in Ashford and is currently occupied by a two storey detached dwelling, used as an HMO. Springfield Road is a residential road with a variety of detached, semi-detached and terraced properties. The use of the site as an HMO was granted on appeal in 2016. The proposal under consideration seeks to subdivide the plot and following demolition of an existing side extension, build a two storey three bedroom dwelling. This would be attached to the existing HMO building. The proposal includes amenity space to the rear for both properties and a single parking space to the front with access directly onto Springfield Road. No objections have been raised by the County Highway Authority nor the Council's Environmental Health section. The design and appearance of the proposed dwelling is considered to be acceptable and would not have any harmful impacts upon the character and appearance of the area. The parking provision is considered acceptable and no significant adverse impacts upon the residential amenity of adjoining properties.		
Recommended Decision	This application is recommended for approval, subject to conditions.		

MAIN REPORT

1 <u>Development Plan</u>

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
 - > EN1 Design of New Development
 - ➤ HO1 Providing for New Housing Development
 - CC3 Parking Provision

2 Relevant Planning History

2.1 15/01478/FUL

Use of existing dwelling as a house of multiple occupation. Allowed on Appeal 17.08.2016

3 <u>Description of Current Proposal</u>

- 3.1 The application site is located on the eastern side of Springfield Road and is currently occupied by a two storey detached dwelling, used as an HMO. Springfield Road is a residential road with a variety of detached, semi-detached and terraced properties.
- 3.2 The proposal under consideration seeks to provide a two storey, three bedroom dwelling, attached to the existing HMO on the site. A single off street parking space is provided to the front of the dwelling and a garden to the rear.

4 Consultations

The following table shows those bodies consulted and their response

Consultee	Comment	
County Highway Authority	No objections or requirements.	
Environmental Health -Pollution Control Officer (Contaminated Land)	No objections subject to conditions.	

5 Public Consultation

39 neighbour notification letters were sent, with 26 responses to date. The concerns raised are as follows:

- impact on character of the area

- loss of light
- traffic generation
- inadequate parking
- access for emergency and service vehicles
- loss or privacy and overlooking
- general over development of the site

5 Planning Issues

- Principle of Development
- Design, Appearance and Visual Impact
- Residential Amenity
- Parking / Transportation

7 Planning Considerations

Principle of Development

- 7.1 The site is located within the urban area and already forms part of an HMO. The proposal makes effective use of already developed urban land and meets one of the core planning principles as set out in the National Planning Policy Framework by supporting sustainable development to deliver homes.
- 7.2 Policy HO1 Spelthorne Core Strategy and Policies DPD (2009) seeks to deliver housing development within the borough, and to encourage housing development on all suitable sites for that purpose taking into account other policy objectives. The proposed development is considered to comply with these policy objectives. There is no policy objection to the addition of a residential unit on this site.
- 7.3 When considering planning applications for housing, local planning authorities should have regard to the government's requirement that they significantly boost the supply of housing and meet the need for housing in their area so far as is consistent with policies set out in the National Planning Policy Framework (NPPF) para 47.
- 7.4 Relevant policies for the supply of housing cannot be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable site (para 49 of NPPF).
- 7.5 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 Strategic Housing Market Assessment Runnymede and Spelthorne Nov 2015). In September 2017, the government produced a consultation paper on planning for the right homes in the right places. The proposals included a standard method for calculating local authorities' housing need and proposed a figure of 590 per annum for Spelthorne. On the basis of its objectively assessed housing need the Council is unable to demonstrate a five-year supply of deliverable sites.

- 7.6 However, the objectively assessed need figure does not represent a target as it is based on unconstrained need. Through the Local Plan review the Borough's housing supply will be assessed in light of the Borough's constraints which will be used to consider options for meeting need. Once completed, the Borough's up to date Strategic Land Availability Assessment will identify further opportunity sites for future housing development that can then be considered for allocation in the new Local Plan. This will also form the basis for a revised 5-year housing land supply figure.
- 7.7 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 polices 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 and given its sustainable location is considered to be acceptable in principle.
- 7.8 In March of this year, the Government launched the draft revised NPPF, consultation proposals. This reaffirms the presumption in favour of sustainable development for plan making and decision taking (with some amended wording) and focuses on delivering housing through a plan led system.

Design, Appearance and Visual Impact

- 7.9 Policy EN1 of the Spelthorne Core Strategy and Policies DPD (CS&P DPD) seeks to attain high standards of design and layout of new development. The proposed dwelling has been designed to respect the character and design of the host building to which it would be attached and is considered to be in character with surrounding properties, which are a mixture of types and styles of properties.
- 7.10 The front elevation includes a small 'undercroft' recess at ground floor level to provide adequate space for car parking. While there are no examples of this approach within the vicinity of the site, it is not considered that this design feature would cause any demonstrable harm to the visual amenity of the area. Furthermore, the site of the proposed dwelling is currently largely occupied by hardstanding and the extension to be replaced does not contribute positively within the street scene. There are, therefore, potential benefits and improvements to the character of the area by virtue of this proposal. Therefore, it is considered the design is acceptable and would not appear out of character within the street scene.

Residential Amenity

- 7.11 Policy EN1 of the CS&P DPD states that new development should achieve a satisfactory relationship with adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook. The Councils Supplementary Planning Document for the Design of Residential Extensions (SPD) also provides guidance on assessing impacts upon adjoining properties. In this instance, a 1m separation distance is provided to the side boundary of the neighbour at no. 14 Springfield Road which meets the requirements of the SPD. It is noted that this adjoining property has side facing windows and its front door is also located to the side. However one window is a secondary window, with a larger front window also serving the room. The front door does not generally provide light and outlook to a room. Satisfactory separation distances are maintained to the rear. The 45 degree horizontal and vertical angle lines taken from the neighbouring property at no. 14 Springfield Road would not be infringed by the proposed development. It is not considered that the adjoining properties would be significantly affected by the proposed extension in terms of any loss of light or overbearing impact.
- 7.12 With regard to the existing HMO building, while the 45 degree horizontal line would not be infringed, the 45 degree vertical angle line would be infringed by the proposed two storey rear projection to the dwelling. In assessing the potential impacts of this infringement, it is noted that this rear projection extends out by only 1.3m. In addition, the room in question is a large communal kitchen area shared by the occupiers of the HMO. This room has three separate windows, of which only the window/door closest to the proposed development would have its lighting infringed. In view of the additional sources of light to this room, it is not considered reasonable to refuse this application on the basis of potential harm to this window. There is a patio area extending across the width of this kitchen area, however due to the outlook to the rear and large rear garden together with the relatively small two storey projection to the rear of the proposal and that the extension is located to the north east of the patio, no adverse impacts in terms of loss of light are considered to arise. There is also a side facing ground floor window on the HMO building which would be removed as part of the proposal, however this room has another window serving it to the front and no adverse impacts are considered to arise.
- 7.13 In terms of privacy, the first floor rear bedroom windows look out onto the garden areas and are to be expected in an urban area. The side facing window serves a bathroom and is conditioned to be obscurely glazed. Therefore, the proposal would not give rise to any harmful loss of privacy Due to the separation distances which meets the Council's SPD and relationship with the adjoining properties, it is not considered that there are adverse impacts upon the residential amenity of adjoining properties in terms of any loss of light, privacy or visual intrusion and complies with Policy EN1 of the CS&P DPD.

Parking / Transportation

7.14 The County Highway Authority were consulted on this application and have confirmed that having undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision, they are satisfied that the application would not have a material impact on the safety

- and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.
- 7.15 Furthermore they also made the following observations regarding parking. The County Highway Authority acknowledged that this proposal provides a shortfall in on-site parking provision, where Spelthorne Borough Council's Parking Standards set out that 2 spaces should be made available. The County Highway Authority has undertaken a site visit, and considered the local representations made regarding this proposal, and understands that parking availability on Springfield Road is very limited. It is considered, however, that this is an existing situation, and the effect of one additional vehicles is unlikely to have a material impact on the safety or capacity of the highway.
- 7. 16 The concerns of local residents regarding parking are recognised. However, also of relevance to this application are the comments made by the Planning Inspector when allowing the appeal for the HMO at no. 16. In that HMO proposal which comprised nine bedrooms, two parking spaces were provided against a requirement of five, the County Highway Authority raised no objections to the shortfall in parking nor any highway safety concerns, to which the Inspector attached considerable weight to the views of the highway authority on these matters.
- 7.17 The Inspector also considered that the site was located in a sustainable location with access to a range of services and where there were opportunities to travel other than by car. The Inspector, while recognising that demand for onstreet parking spaces would increase in the evenings, there were a number of on-street parking spaces available during his site visit. He commented at paragraph 6 of his decision letter that: "...I have taken into account the Council's views regarding the location of the site in relation to public transport and other services. However, having walked from the appeal site to Ashford Station and Church Road at my site visit, I agree with the appellant that the site is located within a reasonable walking distance of public transport links. The appellant indicates that Church Road is served by at least six bus routes. Taking these factors into account, in my view, the site is located in a sustainable location with access to a range of services and where there are opportunities to travel other than by car...".
- 7.18 In addition, at para 10, he commented that "....given the extent of the unrestricted on-street parking availability in the locality and the clear views of the highway authority that the street is capable of accommodating the additional on-street parking demand, I have no substantive evidence to indicate that the proposal cannot make adequate provision for the level of parking required..."
- 7.19 With regard to access for emergency vehicles, this was also a consideration in the appeal proposal. The Inspector considered the advice given by the County Highway Authority and concluded that little weight could be given to these concerns. It is not considered that circumstances are significantly different to those previously assessed by the Inspector and refusal is not recommended on these grounds.

7.20 Therefore in view of the site's sustainable location, it is considered that the site would not conflict with Policy CC3 of the CS&P DPD and is acceptable on parking and highway safety grounds.

Local Finance Considerations

- 7.21 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 application's which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.
- 7.22 In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development rate of £140 per sq metre of new floorspace. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Conclusion

7.23 The proposed development is considered acceptable and provides an additional residential unit within a sustainable urban location. The design and scale of the building would have an acceptable impact on the streetscene and the adjoining properties. The scheme would provide satisfactory parking and access arrangements and would not result in any adverse impacts upon the residential amenity of neighbouring properties in terms of any loss of light, privacy or overbearing.

8 RECOMMENDATION

The application is recommended for APPROVAL subject to the following conditions

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. 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(s) and surface material for parking areas be submitted to and approved by the Local Planning Authority.

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

3. Prior to the commencement of development a survey report detailing ground conditions of the site shall be submitted to and approved in writing by the Local Planning Authority. Where made ground or contamination is encountered a scheme to investigate, assess and remediate contamination risks shall be agreed in writing with the Local Planning Authority, and shall be carried out in accordance with the agreed details and timetable.

Reason: To protect the amenities of future residents and the environment from the effects of potentially harmful substances. .

4. 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 building is 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.

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

Reason:-. To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development. In accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. That the parking space shown on the submitted plan be constructed within three months of the commencement of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, 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.

7. That within 3 months of the commencement of any part of the development submitted, 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 details hereby approved, and thereafter 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. That no further openings of any kind be formed in the rear or side elevation of the development hereby permitted without the prior written consent of the Local Planning Authority.

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

9. The development hereby permitted shall be carried out in accordance with the following approved plans: 01; 02; 03 and 04 received 15.03.2018.

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

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

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

11. 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 in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected By Contamination - Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at www.spelthorne.gov.uk.

Informatives to Applicant

1. 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.

The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

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).

All buildings or apparatus (with the exception of projecting signs) which project over or span the highway, including balconies, may be erected only with the formal approval of the Transportation Development Planning Division of Surrey County Council under Section 177 or 178 of the Highways Act 1980.

2. The Town and Country Planning (Development Management Procedure) (England) Order 2015

Working in a positive/proactive manner

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

Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

3. Historically land across Spelthorne has been subjected to extensive mineral extraction, with subsequent infilling of the resultant voids. Excavations during

some development works have encountered fill materials where records have not previously identified a history of extraction / infilling.

To confirm ground conditions at the application site minimum requirements of the survey are as follows:

The excavation of 2 -3 trial holes to a depth of 1.00mbgl. This can be done by hand or with a small digger

At least one location beneath the footprint of the proposed dwelling and another one to two holes within the proposed rear garden and other associated landscaped areas.

an inspection to be made of the ground conditions and confirm the absence or otherwise or any made ground / fill materials at this property, their thickness and extent.

Photographs shall be taken of each exploratory position including all associated soil arisings (soils excavated and placed to the side of the hole as works progress).

Where different soil horizons are encountered (i.e. topsoil to 0.40mbgl overlying a layer of sandy gravel to 0.60mbgl with stiff clay to the base of the excavation (c.1.00mbgl)) appropriate written logs will be required to detail the depths, thickness and description of the materials encountered.

a scale plan (such as the site layout plan) indicating the location of the exploratory positions in relation to the proposed property and a photograph taken across the site detailing the soils and arisings.

The information, logs and photographs can be submitted to us in a simple letter report.

If made ground materials are encountered during the excavations soil sampling and assessment of contamination risks will be required to be undertaken by a suitably qualified person.

Made ground refers to non natural / notable fill materials – fragments of brick, concrete, metal, plastic, timber, glass, ashy materials. Evidence of contamination is identified by either visual (staining of soil or sheens on groundwater (if encountered)) or olfactory means (organic, tarry, hydrocarbon / petrochemical odours). In the event that materials of this nature are discovered during the survey, you are advised to contact us for further guidance.

- 4 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;

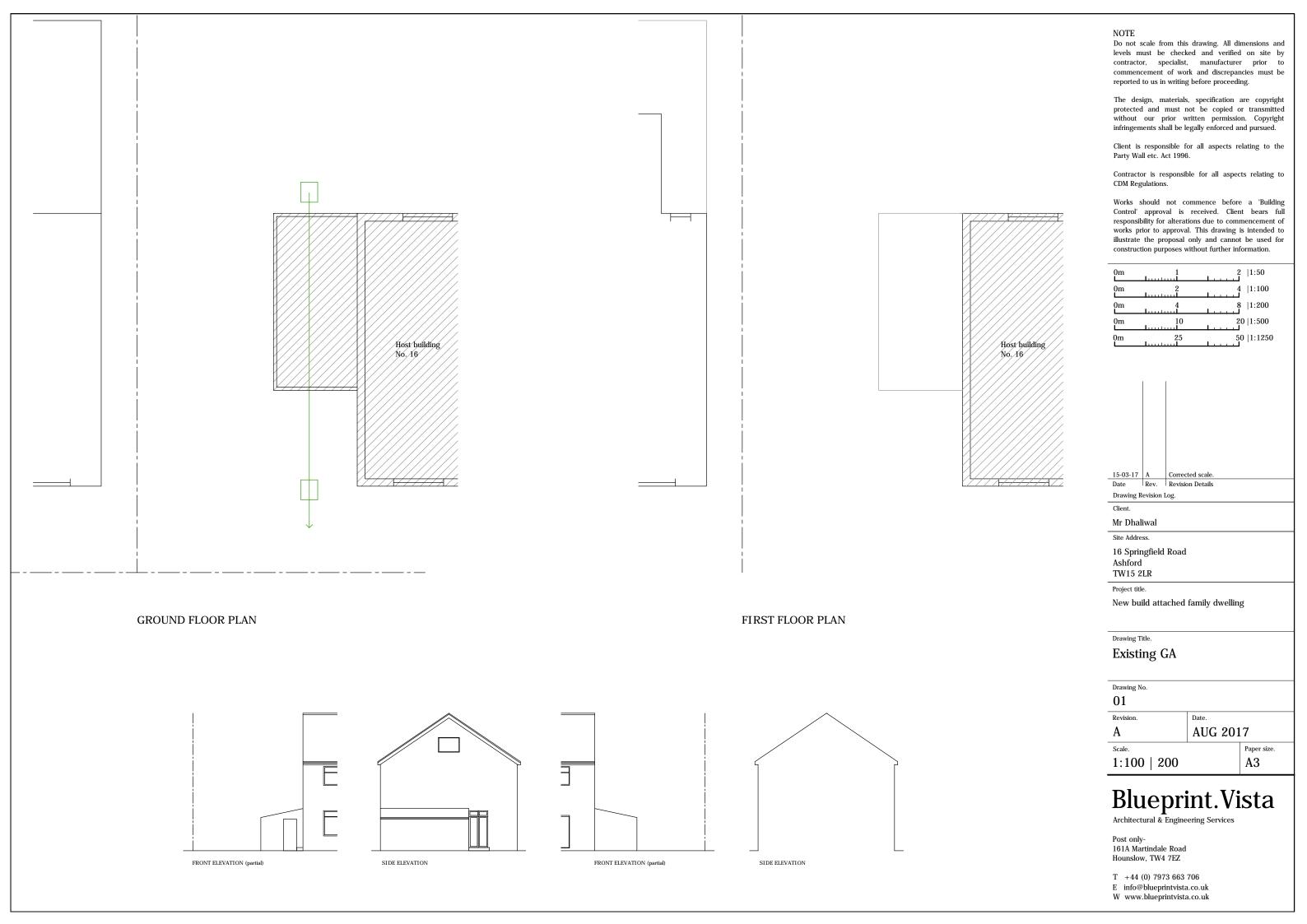
- (f) Only minimal security lighting should be used outside the hours stated above; and
- (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

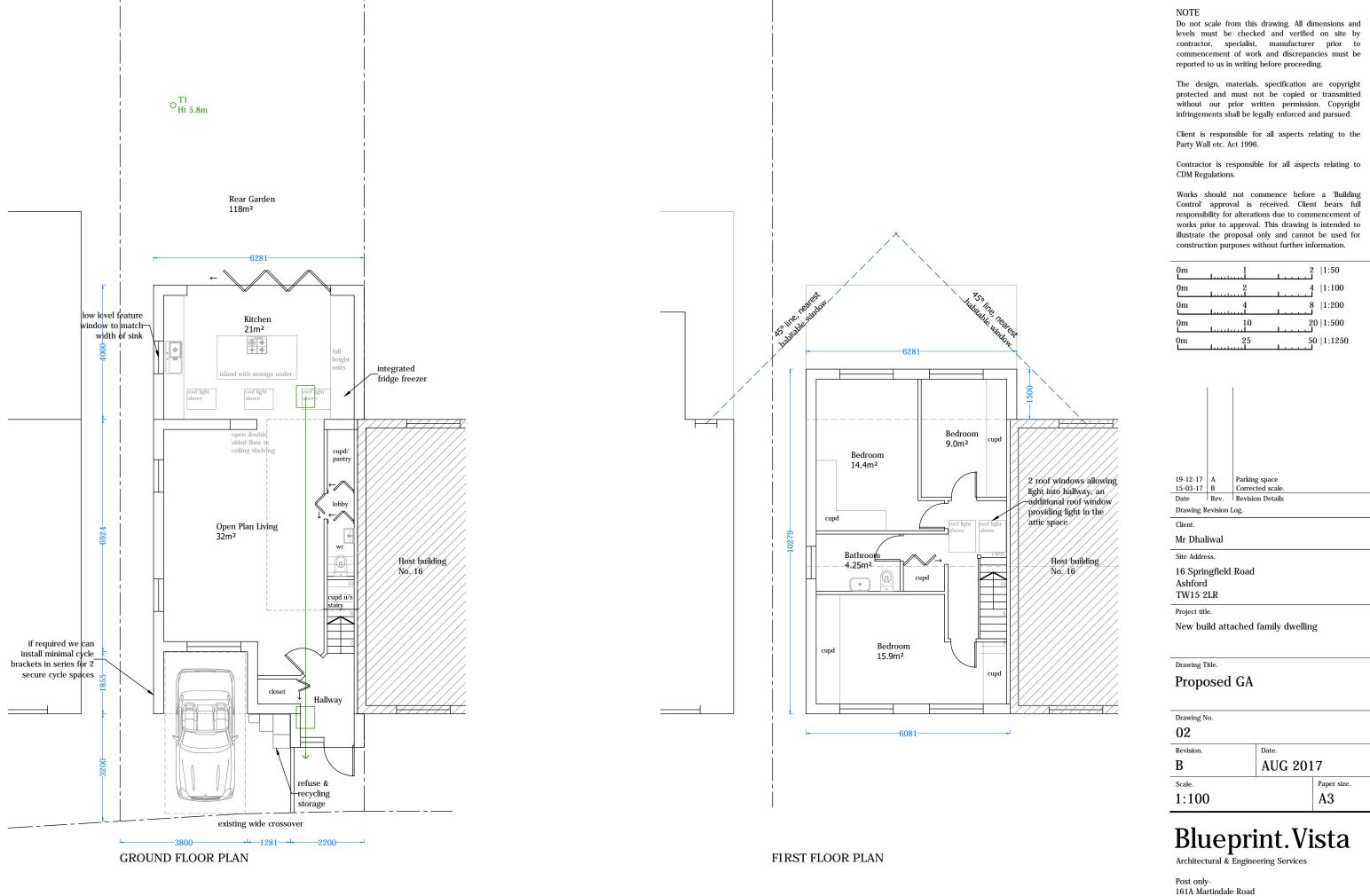
Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

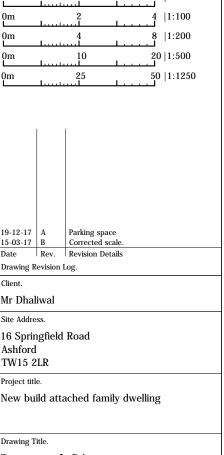
- 5. The applicant is advised that the essential requirements for an acceptable communication plan for surrounding properties forming part of a Method of Construction Statement are viewed as:
 - (a) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
 - (b) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
 - (c) the arrangements that will be in place to ensure a reasonable telephone response during working hours;
 - (d) the name and contact details of the site manager who will be able to deal with complaints; and
 - (e) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (http://www.ccscheme.org.uk/) would help fulfil these requirements.
- 6. Applicants should be mindful not to create a dust nuisance, especially when carrying out demolition works.
- 7. 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.







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NOTE

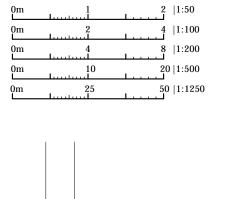
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The design, materials, specification are copyright protected and must not be copied or transmitted without our prior written permission. Copyright infringements shall be legally enforced and pursued.

Client is responsible for all aspects relating to the Party Wall etc. Act 1996.

Contractor is responsible for all aspects relating to CDM Regulations.

Works should not commence before a 'Building Control' approval is received. Client bears full responsibility for alterations due to commencement of works prior to approval. This drawing is intended to illustrate the proposal only and cannot be used for construction purposes without further information.



Date Rev. Revision Details
Drawing Revision Log.

Client.

Mr Dhaliwal

Site Address.

16 Springfield Road

Ashford TW15 2LR

Project tit

New build attached family dwelling

Drawing Title.

Proposed GA

Drawing No. 03

Revision. Date. AUG 2017

Scale.

1:100

A3

Blueprint.Vista

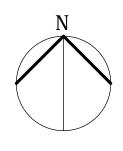
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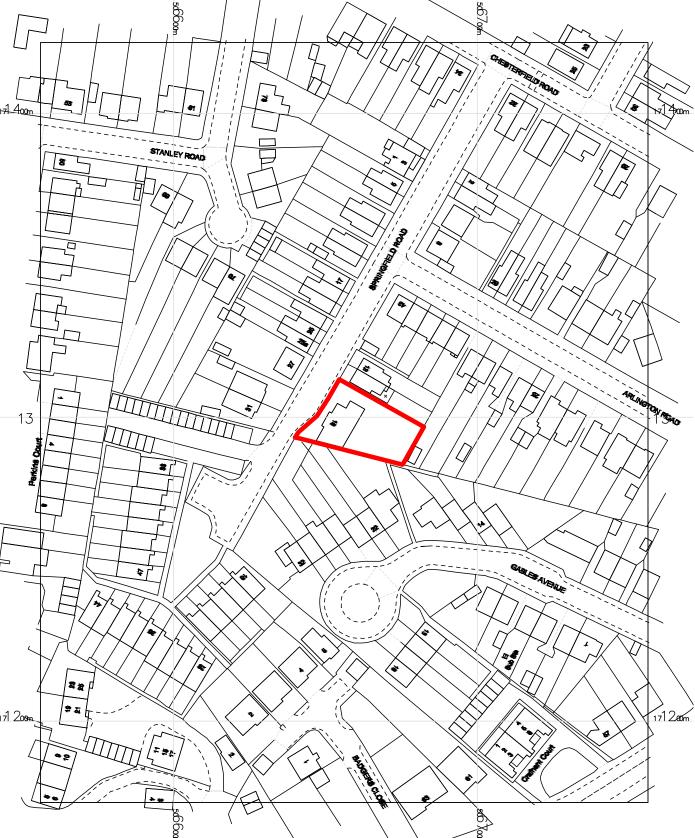
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Site Plan

1:500





Location Plan 1:1250

NOTE

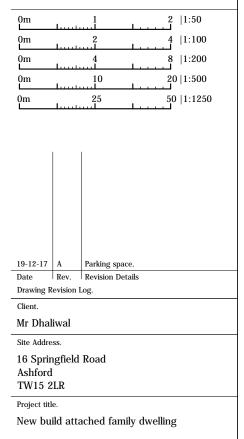
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Drawing Title.

Proposed Site Plan **Location Plan**

Drawing No. 04 Revision. **AUG 2017** A 1:500 | 1250 A3

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