



18/00138/FUL.
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Planning Committee

02 May 2018



Application No:	18/00138/FUL		
Site Address:	Wardle Dental Surgery, 68 Church Road, Ashford, TW15 2TW		
Proposal:	Erection of a roof extension including front and side dormers and the raising of the ridge height, the erection of a part two storey, part single storey rear extension with habitable space in the roof, the provision of parking space, and the creation 4 no. 1 bedroom flats.		
Applicant:	Mr Amit Dodia		
Ward:	Ashford Town		
Call in details:	The application has been called in by Councillor Gething, over concerns relating to overdevelopment and the impact upon the street scene close to Ashford War Memorial.		
Case Officer:	Matthew Churchill		
Application Dates:	Valid: 14.02.2018	Expiry: 11.04.2018	Target: Over 8 weeks (Extension of time until 08.05.2018)
Executive Summary:	<p>This planning application is seeking a roof extension that would include the installation of front and side dormers and the raising of the ridge height, the erection of a part two storey, part single storey rear extension with habitable space in the roof form, together within the provision of parking space, which would create 4 no. 1 bedroom flats. The proposal would also incorporate the existing dental surgery within the ground floor, which would contain 4 rooms, a reception and waiting room area, and a kitchen.</p> <p>There is an existing planning permission for the site, which was granted planning consent in September 2017, under the reference 17/00758/FUL. This permission is similar to the present proposal externally, although the rear element of the scheme would be sited in a different position (some 0.75 metres to the east) and the present</p>		

	<p>scheme proposes an additional doorway within the western flank elevation. Internally, the existing consent would provide 3 residential units, and notwithstanding the entrance to the upper floor flats, would contain the dental surgery on the whole of the ground floor. Within the proposal presently under consideration, the first and second floor flats contain similar (almost identical) layouts to the upper floor flats previously granted consent, although an additional 1 bedroom flat would be contained on the ground floor, and the floor space of the dental surgery would be reduced in comparison to the scheme previously granted consent.</p> <p>The proposal would provide 6 parking spaces at the rear of the site, which the applicant has confirmed would be allocated to the residential use. The site is located within a sustainable town centre location and the scheme would contribute to the borough's housing supply.</p> <p>The proposal would comply with the relevant core strategy and Development Plan Document and is considered to be acceptable.</p>
Recommended Decision:	The application is recommended for approval.

MAIN REPORT

1. **Development Plan**

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- EN1 (Design of New Development)
 - CC2 (Sustainable Travel)
 - CC3 (Parking Provision)
 - CO1 (Providing Community Facilities)
 - EM1 (Employment Development)
 - HO1 (Housing)
 - HO5 (Density of Housing Development)
 - TC3 (Development in Ashford, Shepperton and Sunbury Cross Centres)
 - EN6 (Historic Landscapes)
- 1.2 Also relevant is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011, and the National Planning Policy Framework (NPPF), 2012

2. Relevant Planning History

93/00312/FUL	Erection of single storey rear extension to provide a store	Grant Conditional 09.08.1993
11/00733/OUT	Construction of new building comprising 2 no commercial units (shops / offices, 2 no 2 single bedroom flats and 2 no 1 bedroom flats to rear of the site address, with parking for 4 vehicles.	Grant Conditional 01.12.2011
14/01258/OUT	Outline application for the erection of a block of 4 flats on land at rear of 68 Church Road.	Application Refused 27.11.2014 Appeal Dismissed 10.06.2015
17/00758/FUL	Erection of roof extension including front and side dormer windows, the erection of a two storey rear extension and a single storey rear addition and provision of car parking spaces in connection with the extension of the dental surgery and the provision of 3 x 1 bedroom flats.	Grant Conditional 14.09.2017

3. Description of Current Proposal

- 3.1 The application site is occupied by a two storey building, which contains Wardle Dental Surgery, set across both floors. The site is located within a prominent corner plot location, and is situated on the northern side of Church Road, which is the main shopping street in Ashford, and the eastern side of Brownrigg Road. A single storey outbuilding is also contained within the rear of the site, as well as an area of hardstanding used for parking. The buildings immediately adjoining the Dental Surgery within Church Road, contain 3 storeys through the incorporation of dormer windows within the roof space. Brownrigg Road is residential in character and predominantly contains detached and semi-detached dwellings. The site is located some 35 metres to the east of Ashford War Memorial, which is a Listed Building, and is located within the Ashford Commercial Area, the Ashford Employment Area and the Ashford Shopping Area.

- 3.2 The application proposes the erection of a roof extension including front and side dormers and the raising of the ridge height, the erection of a part two storey, part single storey rear extension with habitable space in the roof, the provision of parking space and the creation of 4 no. 1 bedroom flats. The site would contain a bin and cycle storage area, together with 6 parking spaces at the rear. The plans have been amended since the scheme was originally submitted, with trees removed from between parking spaces 1 and 2, and spaces 4 and 5, to make them more accessible. The applicant has also included parking stops within the parking spaces to avoid damage to a neighbouring fence, and a neighbouring building has been redrawn to reflect the existing situation. The revised plans were re-advertised to the occupiers of neighbouring and adjoining dwellings on the 12th of April 2018.
- 3.3 The site benefits from an existing planning permission which was granted planning consent on the 14th of September 2017, under the reference 17/00758/FUL. This permission has not been implemented to date and relates to the “*Erection of roof extension including front and side dormer windows, the erection of a two storey rear extension and a single storey rear addition and provision of car parking spaces in connection with the extension of the dental surgery and the provision of 3 x 1 bedroom flats*”.
- 3.4 Copies of the site layout and elevations are provided as an Appendix.

4. **Consultations**

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

Consultee	Comment
Environmental Health	No objection subject to conditions relating to contamination.
County Highway Authority	The County Highway Authority having assessed the application on safety, capacity and policy grounds, recommends that 5 conditions and 3 informatives are attached to the decision notice.
The Council's Arboricultural Consultant	No objections on the grounds of the adjacent ornamental plum tree within no.1 Brownrigg Road, which is not worthy of a TPO. The car parking partially falls within the Root Protection Area of the plum however, the ground levels have been previously lowered and it is unlikely that the installation of the parking surface will be detrimental to the tree.
Heritage Consultant	Raised no concerns over the impact upon Ashford War Memorial.

5. Public Consultation

The occupiers of 57 neighbouring properties were notified of the planning application, and at the time of writing seven letters of representation have been received, objecting to the proposal on the following grounds:

- Concerns over car parking generated by the residential and dental use of the building.
- There is already a large number of cars parked in Brownrigg Road, by those using shops and offices nearby.
- Concerns over parking space size, turning space and the location of trees within the parking area.
- After 9am there is little chance in finding parking spaces in surrounding roads.
- The site should provide a parking area similar to the Studholme Medical Facility, located within Church Road.
- Concerns over the future of the nearby multi-storey car parking facility, and parking for the elderly and disabled.
- The scheme is overdevelopment of a small site, and should not protrude beyond the building line of Brownrigg Road.
- The pavement is not suitable for entrances to the dental practice or flats.
- Concerns over the description of the proposal and waste disposal.
- Health concerns over the use of X-rays within the dental practice. (Officer note: this is not a planning matter)
- The proposal is inappropriate for a residential road.
- There is likely to be a need for an extra 20-30 cars generated on site.
- The scheme would introduce a dense concentration of competing land uses.
- Front doors fronting on to Brownrigg Road will be out of character, with neighbouring front doors set much further back.
- The new entrance changes the aspect of the building.
- The plans are not detailed enough, withhold information and do not show two neighbouring flats (Officer Note: the neighbouring flats have been added).
- There will be a loss of four 'on the road' parking spaces.
- The junction of Brownrigg/Church Road is already dangerous, which will get worse with the loss of car parking for dental surgery staff and patients.
- Concerns that a previous application did not go before Planning Committee (Officer note: there was no requirement to).
- Trucks delivering to shops in Church Road, stop in Brownrigg Road blocking access.
- Staff parking in the existing parking spaces at the rear of the site.
- Measurements on the floor plans are missing and these plans conflict with building regulations (Officer Note: the plans are to scale and measurements within the plans are correct).

The Council has also received one letter in support of the application on the following grounds:

- The proposal makes good use of the space, and many residents of flats in town centre locations no longer use cars, preferring public transport.
- The rear section of the building is further away from 70 Church Road than the previous application and will have a better relationship with this building.
- The slightly closer position to the footpath in Brownrigg Road is not significant.
- There is a local and national need for new housing.
- Concerns over the first floor front bedroom.

The applicant submitted revised plans on the 11th of April 2018, which were 're-advertised' to the occupiers of neighbouring and adjoining dwellings on the 12th of April 2018. At the time of writing two further letters of representation have been received, which object to the amended proposal on the following grounds:

- Concerns over car parking space numbers not being mentioned.
- The new information does not alter previous objections.

The occupiers of neighbouring properties are able to comment on the amended plans until the 26th of April 2018, and if any further letters of representation are received they will be reported to Committee.

6. Planning Issues

- Design and appearance.
- Layout for future occupiers.
- Density
- Housing Supply.
- Amenity of the occupiers of neighbouring and adjoining residential properties.
- Parking provision.
- Listed Building (Ashford War Memorial).

7. Planning Considerations

7.1 Design and Appearance

7.2 Policy EN1 of the CS & P DPD states that the Council will require a high standard of design and layout of new development. Proposals should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land. Also of relevance is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011.

7.3 When considering the design and appearance of the scheme, it is important to give significant weight to scale and design of the existing planning consent at the site (17/00758/FUL). Externally, the present proposal would measure the same height as the previous scheme, measuring 8.731 metres to the ridge over the front element of the building, and 5.752 metres to the ridge over the rear element. The present scheme would also measure the same

depth as the existing planning permission, projecting approximately 14.15 metres beyond the existing single storey rear element of the building. The main external differences between the present proposal and the existing planning consent, relate to the location of the rear element of the scheme, which would be sited approximately 0.75 metres to the west (some 0.75 metres closer to Brownrigg Road). The rear element of the scheme would also be sited approximately 0.75 metres further from the eastern boundary in comparison to the existing permission (1.153 metres). The present scheme also proposes an additional doorway, serving the ground floor flat, within the western flank elevation.

- 7.4 Internally, the previous planning consent (17/00758/FUL) incorporated two, one bedroom flats on the first floor, with a further studio flat located on the second floor. Notwithstanding the entrance to the upper floor flats, within the existing planning permission the dental surgery would occupy the whole of the ground floor, and would incorporate 5 surgery rooms, a hygienist room, a kitchen, together with a reception and waiting area. The present scheme also proposes two, one bedroom flats on the first floor, which contain an almost identical layout to the first floor flats approved within the existing permission. The first floor flats would also incorporate the same level of internal floor space (50 m² and 58.3 m²) as those within the existing permission. The present scheme also proposes a studio flat on the second floor, which again would contain an almost identical layout to the existing permission, and would also incorporate the same level of internal floor space (45 m²). The main alteration internally between the present proposal and the existing planning permission, relates to the ground floor of the scheme, which in addition to the re-siting of the rear element, would result in a reduction in the proposed floor space of the dental surgery, and the incorporation of an additional ground floor one bed flat. The dental surgery within the present proposal would incorporate 4 rooms (as opposed to 5 surgery rooms and a hygienist room in the existing consent) together with a waiting area, reception and kitchen.
- 7.5 The overall massing and height of the scheme is viewed to be compatible with other development within the surrounding locality, and is not considered to result in overdevelopment of the site, particularly given the scale and design of the existing permission, which the applicant is able to implement. The roof would incorporate a gable design, which is considered to be acceptable in the context of the site and the wider street scene. The proposed dormers would largely be compliant with the Council's guidelines on dormer design, although the dormers within the rear element would be set down 0.35 metres from the ridge rather than the Council's 0.5 metre guideline set down distance. However, given the overall scale and design of the dormers, together with the existing planning permission, this is not considered to be reason to recommend the application for refusal on design grounds. A number of other dormers were also observed within Church Street at the time of the site visit and as such the scheme would not be unduly out of character in this regard. The roof lights proposed within the eastern elevation are also considered to be acceptable by virtue of siting and scale.
- 7.6 The Council has received a number of letters of representation raising objections to the proposal on the grounds of the impact upon the prevailing

building line. It is accepted that properties within Brownrigg Road, are generally set back significantly from the highway and contain driveways and/or front gardens. It is also accepted that the present proposal would be located some 0.75 metres closer to the highway of Brownrigg Road than the existing permission at the site. However, given that the existing building already projects up to the west boundary of the site, and is some 0.75 metres closer to the boundary than the proposed rear element of the scheme, it is not considered that an objection could be sustained on the grounds of the impact upon the prevailing building line, particularly as the scheme would not project beyond the western elevation of the host building, and would have a marginally better relationship with the adjoining buildings at no.70 Church Road. The Council has also received a letter of representation objecting to the proposal, as the doorway would open out onto Brownrigg Road rather than Church Road. It is not considered that this would be reason to recommend the application for refusal from a design perspective as this would not harm the overall character of the area and complies with policy EN1.

7.7 Layout and future occupiers

7.8 The ground floor flat would contain 1 bedroom and would incorporate an internal floor area measuring 56.83 m². The nationally described *Technical Housing Standards* (March 2018) and the Council's SPD on the Design of Residential Extensions and New Residential Development (April 2011), both state that a 1 bedroom unit, occupied by 2 people, and contained over a single storey, should incorporate a minimum internal floor area of 50 m². The proposed ground floor flat would be in adherence to this guidance, and as such, is considered to be acceptable in this regard.

7.9 The first floor flats would also both contain 1 bedroom, and would each be in adherence to the minimum requirements within the *Technical Housing Standards* and SPD on design, as highlighted above. The Council has received a letter of representation raising concerns over the layout of the first floor front bedroom and the compliance of this bedroom with Building Regulations. However, as this bedroom would be laid out almost identically to the previously approved bedroom in the first floor flat (17/00758/FUL), it is not considered that an objection could be sustained in this regard in planning terms and adherence to Building Regulations is not a planning matter. The second floor flat would incorporate a studio style layout, and would contain an internal floor space measuring 45 m². Whilst this would fall some 5 m² short of the 50 m² minimum requirement set out within the Council's SPD on design and the *Technical Housing Standards* for a one bed flat, given the studio layout, together with the layout approved within the existing permission at the site, it is not considered that a recommendation for refusal could be justified on the basis of this relatively minor shortfall, and as the first floor flat within the existing permission incorporates the same level of floor space (45 m²). The flats are also considered to provide an acceptable level of outlook and light for future occupiers and would be acceptable in this respect.

7.10 The Council would normally require an appropriate level of amenity (garden) space for new residential development. However, the site is located within

a town centre site and partly involves the conversion of an existing building. The value of providing residential development in town centres, as well as the need to provide more dwellings to meet housing needs is such, that it could not reasonably be argued in this case that the shortfall would cause demonstrable harm overall, and this would not be reason to recommend the application for refusal.

7.11 Density

7.12 Policy HO5 indicates that when considering proposals for new residential units, other than in the case of the conversion of existing buildings, development within Ashford centre should generally be in the range of 40 to 75 dwellings per hectare. However, the policy also states that higher density development may be acceptable where it is demonstrated that the scheme 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.

7.13 The scheme would provide a density of 100 dwellings per hectare. However, the proposal would be in adherence with policy EN1 in design and layout terms and is located within an area accessible by non-car based travel. It would also provide housing on brownfield land within a sustainable location in accordance with government policy and it is not considered that a recommendation for refusal could be justified on this basis. The draft revised NPPF (paragraph 123) is also relevant as outlined within paragraph 7.23 below.

7.14 Housing Supply

7.15 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 (NPPF) para 47.

7.16 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 sites (para 49 of NPPF).

7.17 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.

- 7.18 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.
- 7.19 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.
- 7.20 For the reasons outlined within this report, it is considered that the proposal would accord with the Council's development plan.
- 7.21 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.
- 7.22 It should be noted paragraph that 122 of the draft revised NPPF states:
- "Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area's prevailing character (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive places".
- 7.23 Paragraph 123 of the draft revised NPPF also states: Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:
- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be

tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site”.

7.24 Furthermore policy HO1 states that the Council will ensure that provision is made for housing by encouraging housing development, including redevelopment, infill, and conversion of existing dwellings and the change of use of existing buildings on all sites suitable for that purpose taking into account all other policy objectives. For the reasons outlined within this report, the proposal is considered to be in adherence to the objectives of the Council's planning policies.

7.25 Employment and Commercial Space

7.26 Policy TC3, states that within the defined employment area of Ashford, the Council will encourage mixed use development combining offices with residential and other uses that contribute positively to the centre, where development can take place in an acceptable manner, and where the existing amount of employment space is retained. Policy EM1 also states the Council will allow mixed use schemes in town centres where there is no net loss of employment space.

7.27 The existing dental surgery has an internal floor space that measures approximately 125 m². The dental surgery within the proposed scheme would contain an internal floor area measuring some 95 m². The proposal would therefore result in a loss of some 30 m² of dental surgery space within Ashford Town Centre (and some 58 m² less dental surgery floor space in comparison to planning permission 17/00758/FUL). However, the dental surgery use would be maintained at the site and the dental surgery would contain 4 rooms with a more efficient layout. The value of providing additional residential space within this town centre location, which would contribute to the vibrancy and vitality of this town centre location, and would provide dwellings to meet the borough's housing needs, would on balance outweigh the loss of 30 m² of dental surgery floor space, particularly when a dental surgery of some 95 m² would be maintained at the site.

7.28 Policy CO1 states that the Council will seek to ensure community facilities are provided to meet local needs by amongst other things, resisting the loss of existing facilities. Whilst dental surgery floor space would be lost, the dental surgery would be maintained at the site with a more efficient use. Consequently, the proposal is acceptable in terms of policy CO1.

7.29 Amenity of neighbouring and adjoining properties

7.30 The proposal is considered to have an acceptable impact upon the residential amenity of all neighbouring and adjoining dwellings, particularly in view of the existing planning permission at the site. The rear elevation of the scheme would be situated some 19.5 metres from the boundary with no.1 Brownrigg Road, and as such the scheme would be in adherence to the Council's 13.5 metre minimum 'back to side' distance. Furthermore as a result of this distance, it is not considered that the scheme would have an adverse impact upon the light or privacy of this property. In addition, the rear window, serving the second floor flat would be some 33 metres from the boundary with no.1 Brownrigg Road and also complies with the Council's guidance.

7.31 The scheme is further considered to have an acceptable impact upon no.1 and 2 Janae Court located to the east of the application site, at the rear of no.70 Church Road, and would be situated slightly further from these properties than the existing planning permission. There is a wall between the application site and this property, which is considered to mitigate any adverse impacts upon light and privacy. Furthermore the rear element of the scheme would measure a height of approximately 3.6 metres at the eaves, which is not considered to be overbearing. The rear element would also be set in 1.153 metres from the eastern boundary, slightly further than the existing permission. The proposed roof lights are also considered to have an acceptable impact upon this property owing to their siting within the roof form.

7.32 The proposal is also considered to have an acceptable impact upon no.70A and 70B Church Road, situated to the east of the site, particularly given the existing planning consent. The scheme is also considered to have an acceptable impact upon the amenity of all further properties within the immediate locality.

7.33 Parking Provision

7.34 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals, in accordance with its maximum parking standards.

7.35 The scheme proposes 6 parking spaces that would be located at the rear of the site. The parking spaces within the original plans incorporated trees between spaces 1 and 2, and spaces 3 and 4. The siting of such trees would have reduced the width of such parking spaces, to below the minimum 2.4 metre width and 4.8 metre minimum depth requirements, as set out within the Council's Parking Standards. This was drawn to the applicant's attention, and amended plans were submitted on the 11th of April 2018, which removed

these trees. The revised layout of the parking spaces is therefore considered to be acceptable when assessed against the Council's minimum dimension requirements. The applicant has also incorporated parking stops within the proposed plans, after concerns were raised in relation to a neighbouring fence.

- 7.36 The Council has received a number of letters of representation objecting to the proposal on the grounds of parking. The Council's Parking Standards, the proposals for one bedroom dwellings should incorporate 1.25 car parking spaces per dwelling. As such the residential element of the scheme would be required to incorporate 5 car parking spaces. However, the Council's Parking Standards state a reduction of parking requirements will normally be allowed within the 4 town centres defined in the Core Strategy, where public transport accessibility is generally high. Ashford Railway Station is located approximately 600 metres from the site, and Church Street is well served by buses, being the main shopping street in Ashford. The applicant also confirmed in an email dated 03 April 2018, that all 6 of the parking spaces would be allocated to the flats, although in any event the County Highway Authority has not raised objections were the spaces to be also utilised by dental surgery staff.
- 7.37 The dental surgery would contain 4 rooms. The Council's Parking Standards state that clinics, including dental clinics, should provide 3 car parking spaces per consulting room (meaning a total of 12 spaces). However, the Parking Standards also state, and as outlined above, parking provision below such standards may be acceptable in areas well-served by public transport, particularly in town centres. The application site is located within a sustainable town centre location, with good public transport links. There is also an existing planning consent on site (17/00758/FUL) that could be implemented by the applicant. This would contain 5 surgery rooms and 1 hygienist room (which outside of an area well served by public transport would require a total of 18 parking spaces), although the previous consent would have only contained 3 residential units, meaning there would be a requirement for that scheme to incorporate 1.25 less residential parking spaces than the present scheme. Whilst a number of letters of representation have been received on the grounds of parking provision, the Council must give significant weight to the existing planning permission and the town centre location of the site, which is well served by public transport. It is not therefore considered that an objection could reasonably be sustained on parking grounds. The below table summarises the parking space requirements when assessed against the Council's Parking Standards, had the application site been located outside of a Town Centre location, which was not well served by public transport.

	Planning Permission 17/00785/FUL (Approved)	Present Application 18/00138/FUL
Residential Car Parking Spaces (1.25 spaces per 1 bedroom dwelling)	3.75 Spaces	5 Spaces
Dental Surgery Parking Spaces (3 spaces per consulting Room)	18 Spaces	12 Spaces
Total Car Parking Spaces Required	21.75 Spaces	17 Spaces

7.38 It is important to note that as the application site is located within a town centre location, which is well served by public transport, the minimum requirements outlined in the above table are not applicable in this instance. However, it does demonstrate that the present proposal, would generate a requirement for less parking spaces (in a non-town centre location) than the existing planning permission, which the applicant is able to implement on site.

7.39 The County Highway Authority (CHA) was consulted and assessed the application of safety, capacity and policy grounds, and did not raise any objections, recommending that 5 conditions and 4 informatives are attached to the decision notice. The Council also requested further comments on the parking arrangements and parking within the immediate vicinity of the site. The CHA commented:

“Six parking spaces are shown on the submitted drawings. It is acknowledged that this parking area will be tight, and that manoeuvring into spaces numbered 3 and 6 will not likely be achieved in one movement. However, it is considered that adequate space has been provided to make all of the spaces usable. 4.8m by 2.4m is the standard dimensions requested for parking spaces, and 6m clearance behind each bay is the standard requirement for perpendicular spaces”

In regards to the residential spaces the CHA commented:

“the guidance does allow for reduced provision in sustainable locations where it’s reasonable that residents could live without a car. It is considered that the location of this site meets this criteria, as it is within easy walking distance of local shops, bus services and Ashford Rail Station.

It is understood that the spaces provided will not be available for staff of the dental practice. This will likely lead to a small increase in off-site parking demand. However, this is unlikely to cause a highway safety concern, as parking restrictions in the vicinity of the site prohibit parking in areas that could cause an issue. Public car parking areas are available in the vicinity of the site”.

7.40 Given the comments of the County Highway Authority, and the existing planning permission at the site, which the applicant is able to implement, whilst the concerns of neighbouring residents are noted, and in the event that

the spaces are used by residents of the flats and dental surgery staff, it is not considered that a recommendation for refusal could be justified on this basis.

- 7.41 It is also worth noting the Inspector's comments within an appeal decision at the site in June 2015, which related to the proposed erection of 4 flats at the rear of the site, and would have incorporated 3 off-street parking spaces. Whilst each application is determined on its own planning merits, and while the appeal was dismissed (as a result of the impact upon the character of the area), in that instance the Inspector commented that the proposed development would have generated little traffic and would have had an insignificant effect on the local highway network. The Inspector also commented that any overspill parking on street could be adequately accommodated in the immediate surrounding network without harm to either highway safety or the appearance of the area.

7.42 Finance Considerations

- 7.43 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.

- 7.44 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 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.

7.45 Ashford War Memorial

- 7.46 The application site is situated some 35 metres to the east of Ashford War Memorial, which is a Listed Building. Section 66 of the Listed Building Act 1990 requires authorities when considering whether to grant planning permission affecting a Listed Building to have special regard to the impact upon the Listed Building and its setting. The NPPF (Paragraph 132) also states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Council's Heritage Consultant was notified of the application, and has raised no concerns in terms of the impact upon this Heritage Asset. Given the distance of the scheme to the War Memorial, and in view of the existing planning consent at the site, it is not considered that an objection could be sustained on the grounds of the impact of the War Memorial and its setting. As such it is not considered that the scheme would detract from the character and appearance of the War Memorial, and the scheme would be in accordance with policy EN6 in this regard.

7.47 Other Matters

- 7.48 It was noted during the site visit that conifer trees were located within the application site. These trees are not subject to a Tree Preservation Order and are not located within a Conservation Area. Therefore the removal of such trees would not be a breach of planning control. It was also evident during the site visit that an Ornamental Plum Tree was located within the front garden area of no.1 Brownrigg Road, which would be situated in close proximity to the proposed parking area. As such the Council's Tree Officer was notified of the application and undertook a site visit. The Tree Officer commented:

"The ornamental plum adjacent to the site is considered to be a low grade tree of no particular merit. It has a dense congested crown and has been unsympathetically pruned in the past, it will never develop into a good tree and is not worthy of a TPO. The car parking partially falls within the Root Protection Area of the plum however, the ground levels have been previously lowered and it is unlikely that the installation of the parking surface will be detrimental to the tree. Ground disturbance has already occurred on the other side of the fence that is likely to be more detrimental to the tree as it would appear that a trench has been dug close to the tree".

- 7.49 The Council's Head of Neighbourhood Services initially raised concerns over access to the bins from Brownrigg Road as there was no provision for a dropped kerb at the front of the bin storage area. Such concerns were brought to the applicant's attention and the dropped kerb in front of the bin storage area was annotated on the revised plans.
- 7.50 In total the Council has received 7 letters of representation in objection to the original plans and 2 letters in objection to the amended plans. Of the objections not already covered within this report, the plans have been amended to accurately reflect the layout of no.70 Church Street and Janae Court, and trees have been removed from the proposed parking spaces. Furthermore, the letters of representation raised concerns that the previous planning permission did not go before Planning Committee (17/00758/FUL). This planning consent was determined under delegated powers and was not 'called in' to Committee for a decision. The Council has also received a letter of representation raising health concerns over the use of X-Rays within the dental surgery in close proximity to the residential units. This would not be a planning reason to recommend the application for refusal and would be covered by other legislation outside of planning.

8. Recommendation

- 8.1 GRANT subject to the following conditions:-

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans; JSD-16-57/100 Rev A, JSD-16-57/102 Rev A (Received 03.04.2018), JSD-16-57/101 (Received 11.04.2018)

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

3. No construction above damp proof course level shall take place until details of the materials to be used for the external surfaces of the building(s) and surface material for any parking areas have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

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. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to the site has been constructed in accordance with the approved plans, Drawing No. JSD-17-68/101.

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.

5. Notwithstanding the dropped kerb area in front of the bin store, prior to occupation of the development, the rest of the existing access from the site to Brownrigg Road (D3251) that is made redundant as a result of the development shall be permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, and a plan shall be submitted of the retained kerb area in front of the bin store that is to be agreed in writing with the Local Planning Authority.

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

6. Notwithstanding the submitted plan the development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Brownrigg Road, the depth measured from the back of the footway and the widths outwards from the edges of the access. No obstruction to visibility

between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

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.

7. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes

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

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

Reason:- The above condition is required in order to encourage sustainable travel and in recognition of Section 4 "Promoting Sustainable Transport "in the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 10 No development shall take place until:-
- (i) 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.
 - (ii) 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.
 - (iii) 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:- 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.

- 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

1. Article 2 (3) Development Management Procedure (Amendment) Order 2012 Working in a positive/proactive manner
In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-
- (a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
 - (b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

2. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
4. 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).
5. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
6. 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.

7. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - a) A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
 - b) Site perimeter automated noise and dust monitoring;
 - c) Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
 - d) Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)

- e) A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;
- f) To follow current best construction practice BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- g) BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration,
- h) BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- i) Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999,
- j) Relevant CIRIA practice notes, and
- k) BRE practice notes.
- l) Site traffic – Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- m) Site waste Management – Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.
- n) Noise mitigation measures employed must be sufficient to ensure that the noise level criteria as outlined in BS8233:2014 and WHO guidelines is achieved.

- 8 The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.

Legend



Proposed planting



Concrete block paving



Parking stops to be installed to protect boundary fences see adjacent picture

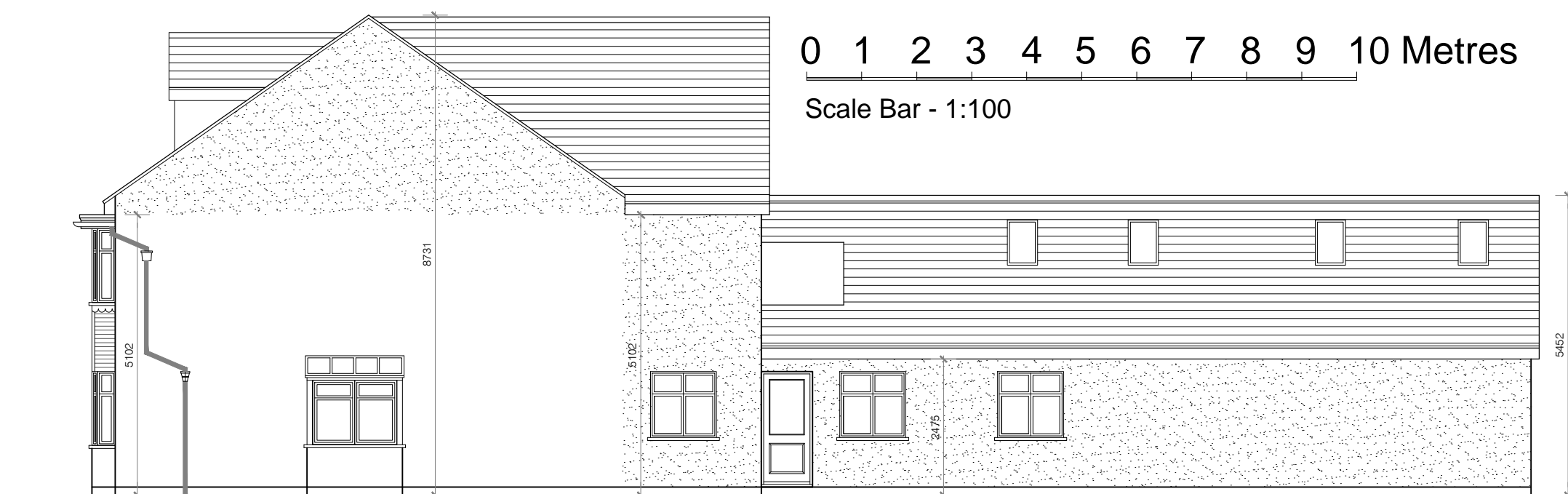
Wardle Dental Surgery, 68 Church Road, Ashford, TW15 2TW



Proposed Front Elevation



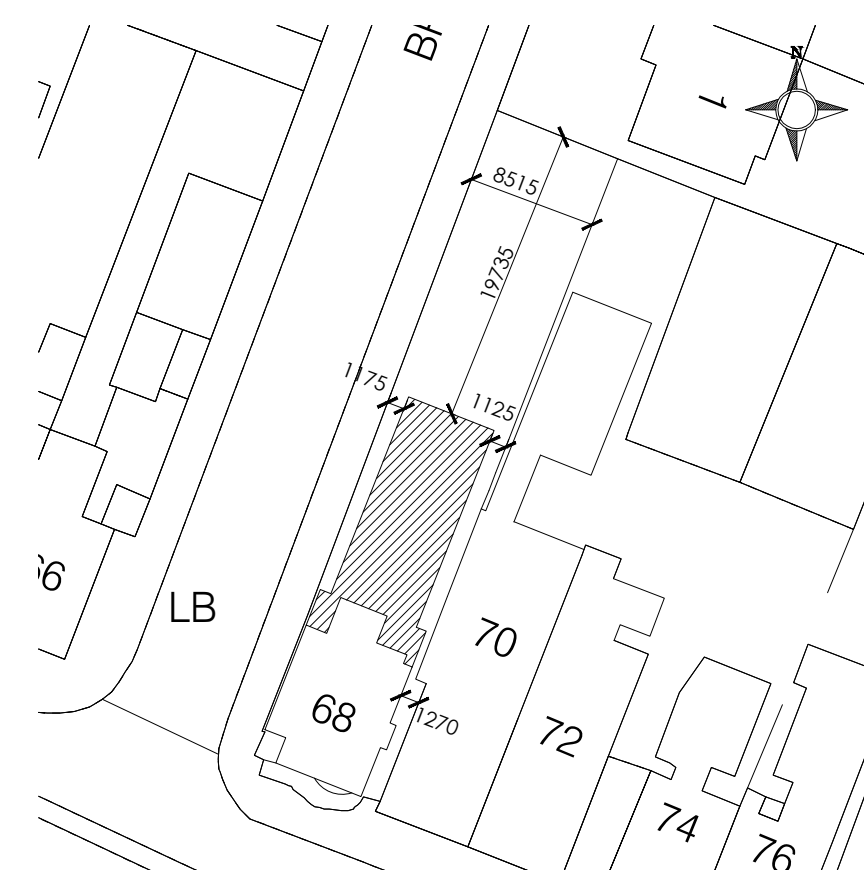
Proposed Side Elevation



Proposed Side Elevation



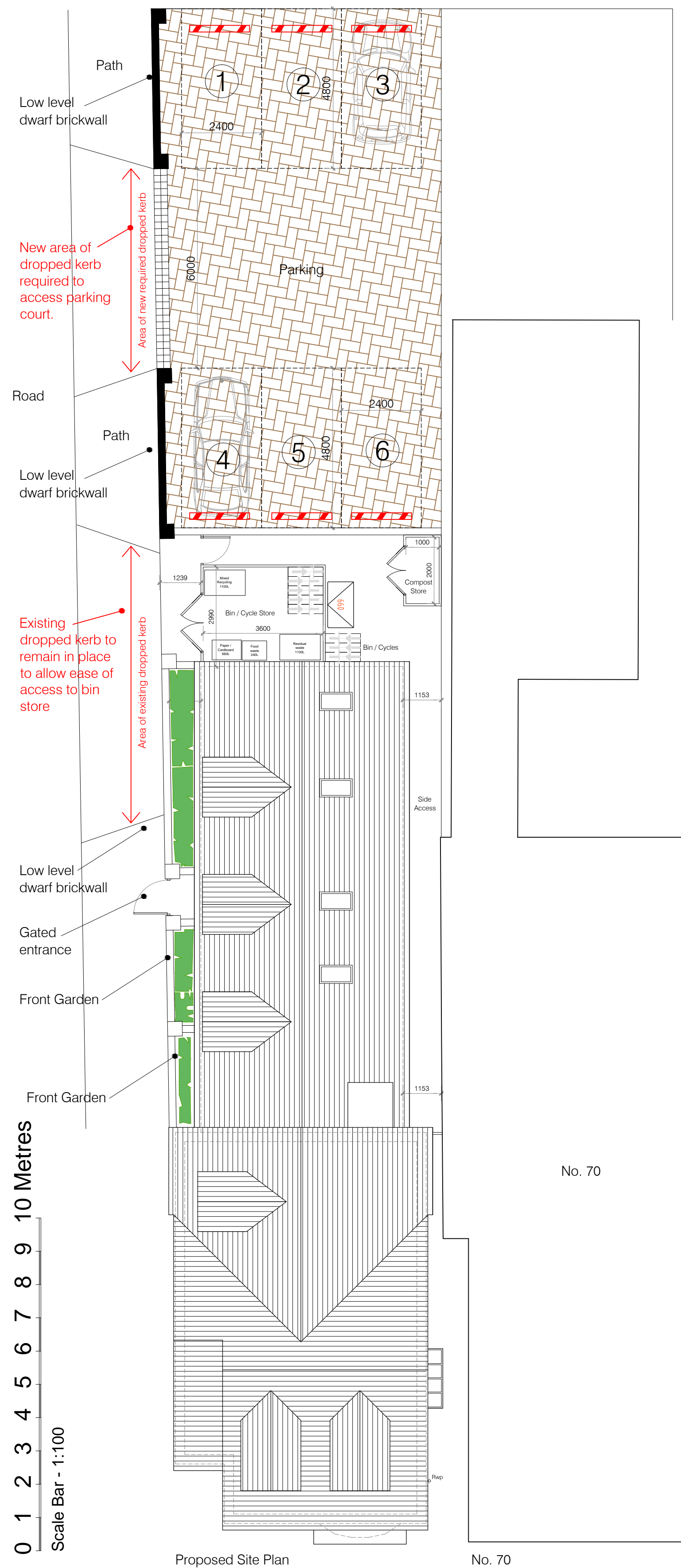
Proposed Rear Elevation



Block Plan 1:500 Scale

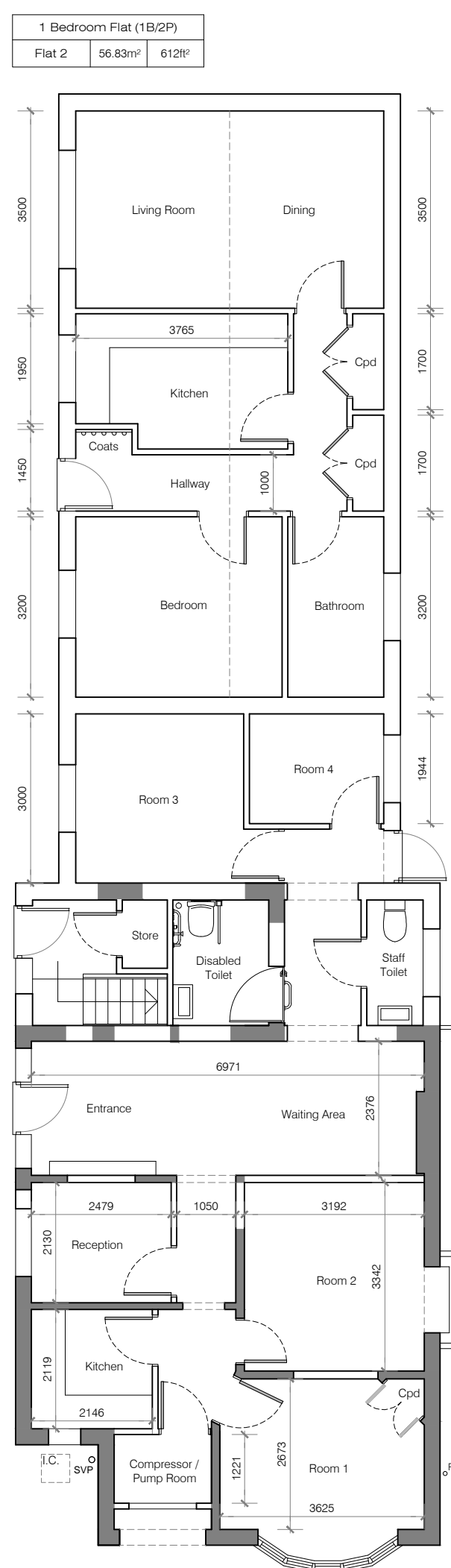
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Proposed Site Plan

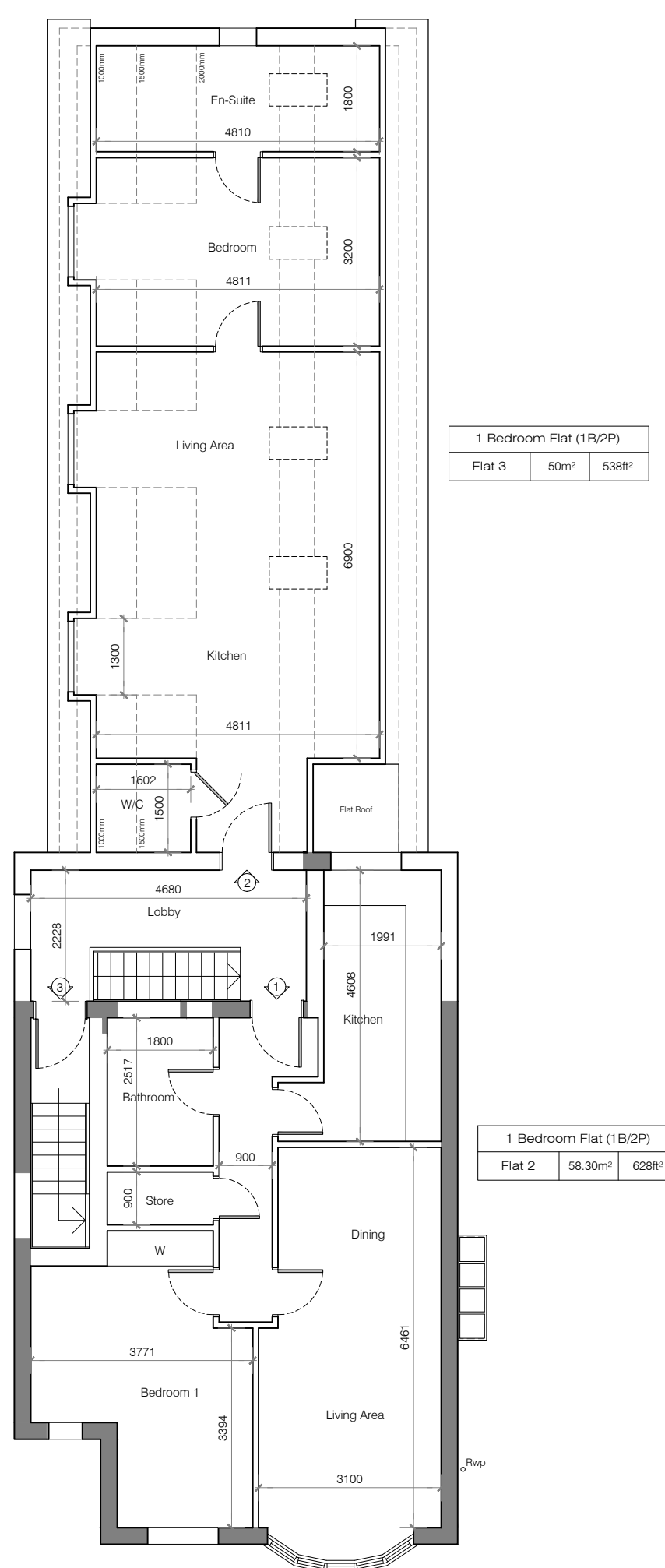
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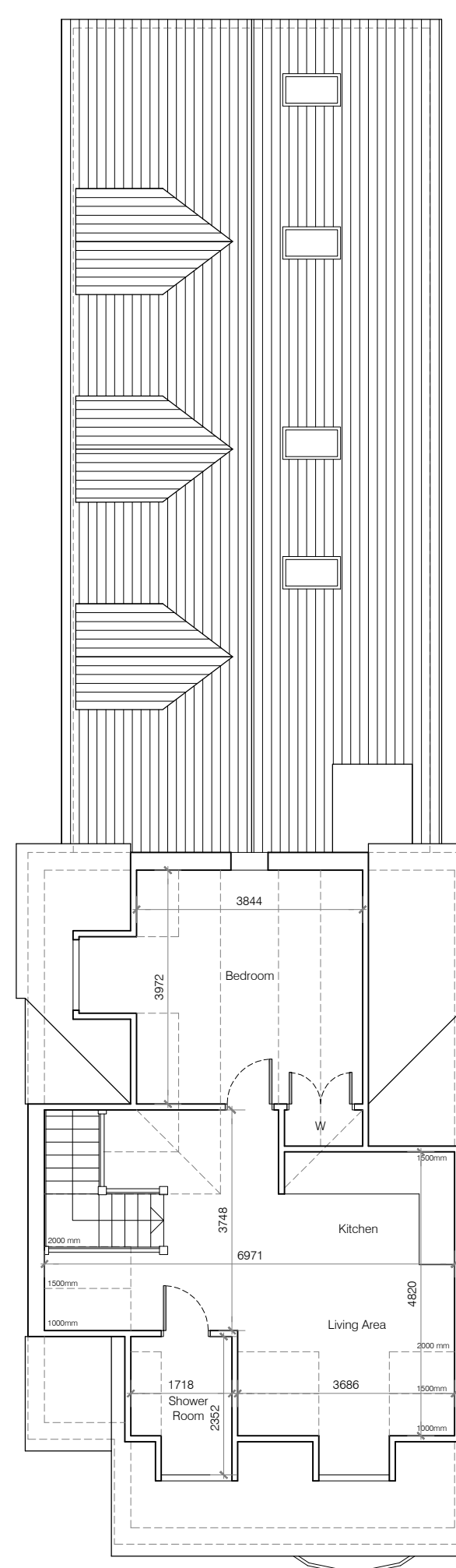
Proposed Ground Floor Plan



No. 70



Proposed First Floor Plan



Proposed Second Floor Plan

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Unable to survey the Loft as no access was available during the Survey.

C	20.04.18	Flat 1 renamed 1 bedroom	JPS
B	10.04.18	Dropped kerb added to parking court	JPS
A	03.04.18	Planning officers comments added.	JPS

Rev	Date	Details
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Dr Mayuran Nathan

Client:

Wardle Dental Surgery
68 Church Road, Ashford
TW15 2TW

Address:

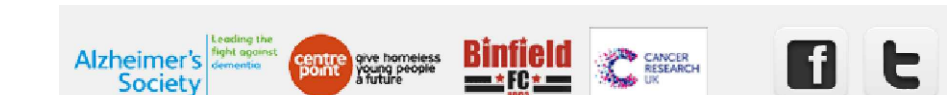
Proposed Elevations,
Floor Plans & Location Plan

Checked by: JEP
Drawing Number: JSD-17-68/101

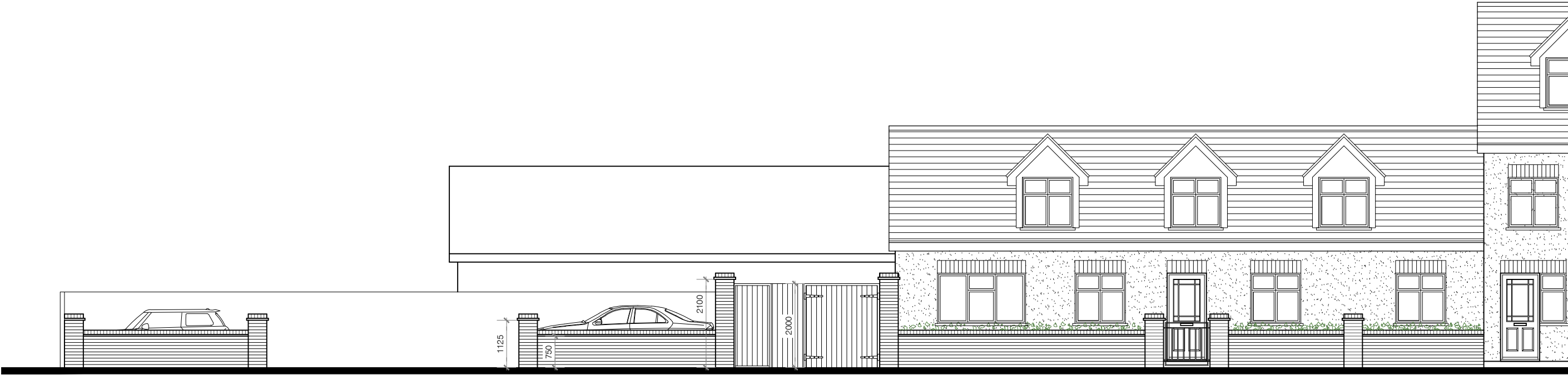
Stage of Project: PLANNING

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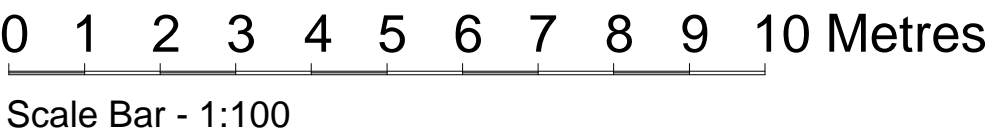
BERKSHIRE OFFICE: 50 Frog Lane Bracknell Berkshire RG12 7AD Tel: 07850 765491	DORSET OFFICE: 85 Jessopp Avenue Bridport Dorset DT6 4AS Tel: 01308 281 872
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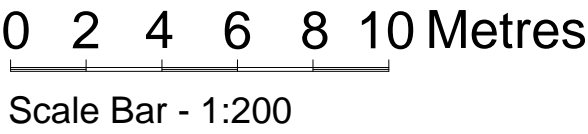
Wardle Dental Surgery, 68 Church Road, Ashford, TW15 2TW



Proposed Side Elevation / Street Scene
1:100



Proposed Side Elevation / Street Scene
1:200



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A 03.04.18 Planning officers comments added. JPS

Rev Date Details

Client: Dr Mayuran Nathan

Address: Wardle Dental Surgery
68 Church Road, Ashford
TW15 2TW

Existing Elevations Date: December 2017
Scale: As Shown | Paper Size: A3
Checked by: --- Drawn by: JEP

Drawing Number: JSD-17-68/102 Revision: A

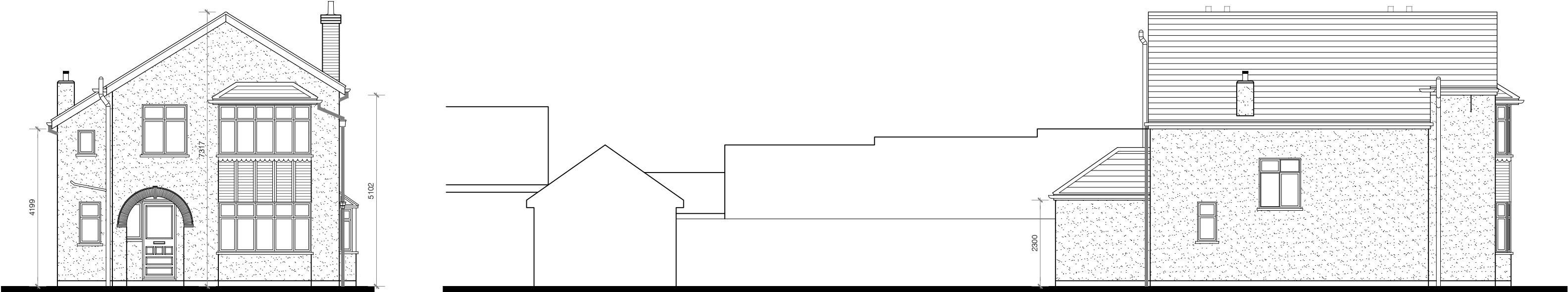
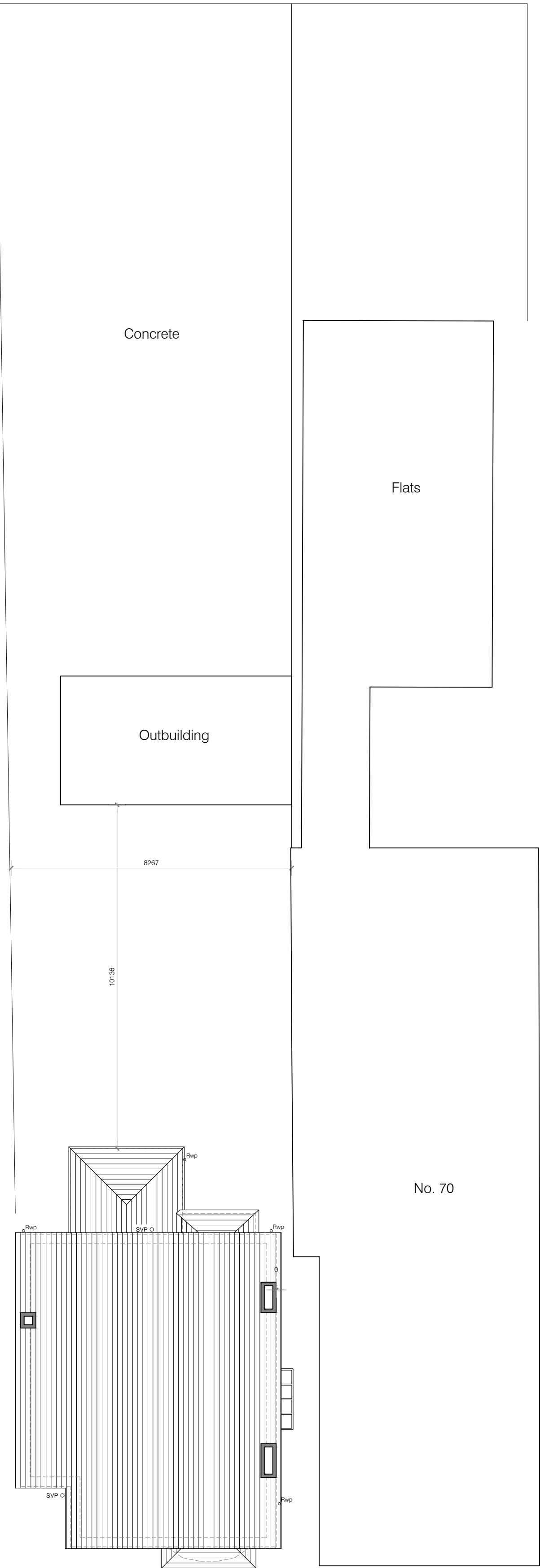
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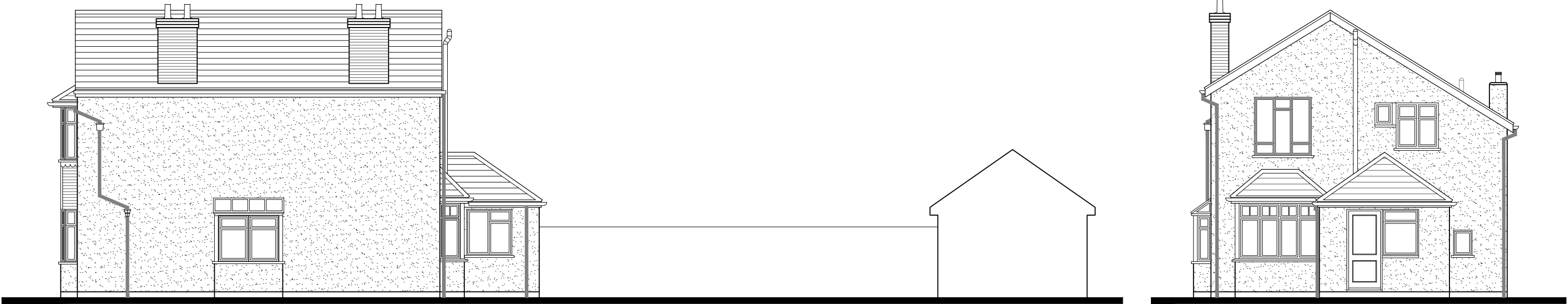


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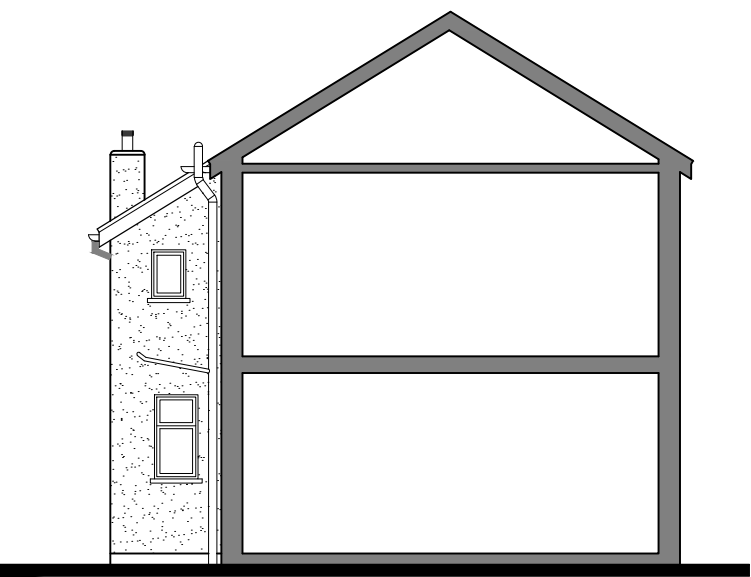
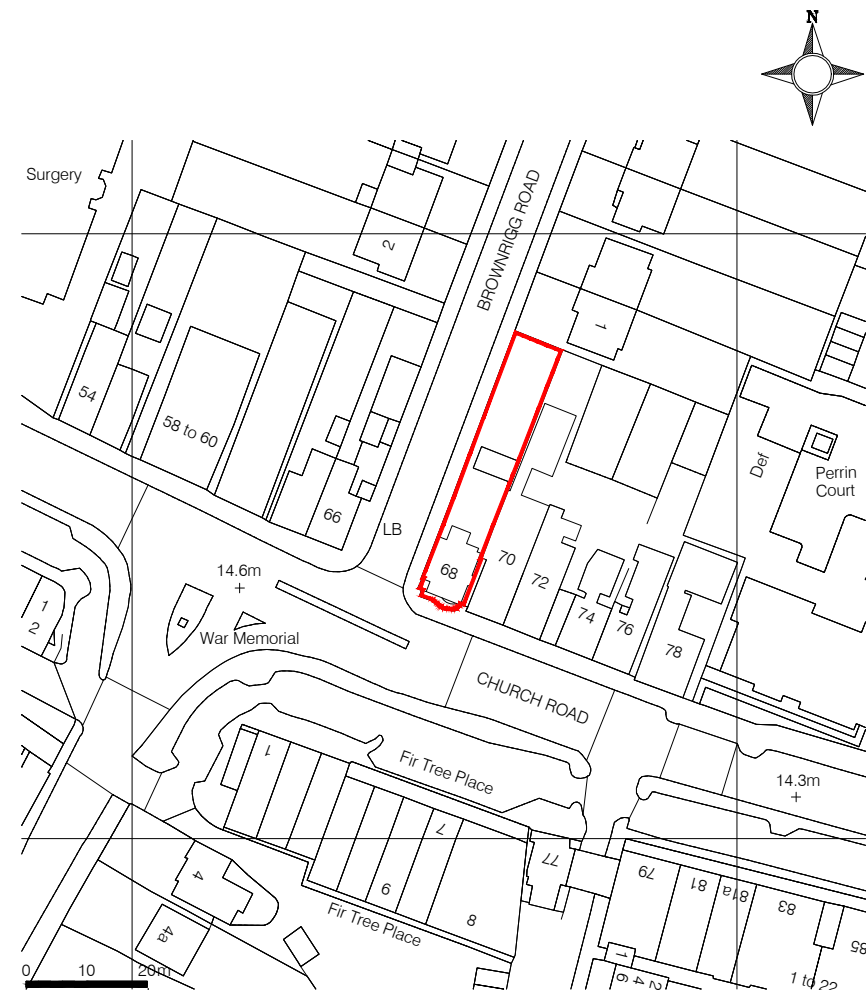
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Scale Bar - 1:100



0 1 2 3 4 5 6 7 8 9 10 Metres

Scale Bar - 1:100



Existing Front Elevation / Section

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Rev	Date	Details	
A	03.04.18	Planning officers comments added.	JPS

Dr Mayuran Nathan

Client:

Wardle Dental Surgery
68 Church Road, Ashford
TW15 2TW

Address:

Existing Elevations,
Floor Plans & Location Plan

Date: December 2017

Scale: 1:100 @ | Paper Size: A1

Checked by: JPS Drawn by: JEP

Revision: A

Stage of Project: PLANNING

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