



*Please reply to:*

Contact: Karen Wyeth  
Service: Committee Services  
Direct line: 01784 446240  
E-mail: [k.wyeth@spelthorne.gov.uk](mailto:k.wyeth@spelthorne.gov.uk)  
Date: 20 April 2021

## Notice of meeting

### Planning Committee

**Date:** Wednesday, 28 April 2021

**Time:** **Call Over Meeting** - 6.00 pm

The Call Over meeting will deal with administrative matters for the Planning Committee meeting. Please see guidance note on reverse

**Committee meeting** – Immediately upon the conclusion of the Call Over Meeting

**Place:** Microsoft Teams Meeting

### To the members of the Planning Committee

Councillors:

T. Lagden (Chairman)	A.C. Harman	R.W. Sider BEM
M. Gibson (Vice-Chairman)	H. Harvey	R.A. Smith-Ainsley
C. Bateson	N. Islam	B.B. Spoor
J.T.F. Doran	J. McIlroy	J. Vinson
S.A. Dunn	R.J. Noble	

*Councillors are reminded to notify Committee Services of any Gifts and Hospitality offered to you since the last Council meeting so that these may be entered in the Gifts and Hospitality Declaration book.*

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

[www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) [customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk) Telephone 01784 451499

## **Call Over Meeting**

### **Guidance Note**

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

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

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

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

## **Planning Committee meeting**

### **Start times of agenda items**

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

### **Background Papers**

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

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

## AGENDA

Page nos.

- 1. Apologies**  
To receive any apologies for non-attendance.
- 2. Minutes - 31 March 2021** **5 - 8**  
To confirm the minutes of the meeting held on 31 March 2021 as a correct record.
- 3. Disclosures of Interest**  
To receive any disclosures of interest from councillors under the Councillors' Code of Conduct, or contact with applicants/objectors under the Planning Code.

Planning Applications and other Development Control matters  
To consider and determine the planning applications and other development control matters detailed in the reports listed below.
- 4. Planning application 20/01506/FUL - Sunbury Cross Ex-Services Association Club, Crossways, Sunbury, TW16 7BG** **9 - 34**

**Ward**  
Sunbury Common

**Proposal**  
The demolition of the existing Sunbury Ex-Serviceman's Association Club and re-development of the site including the erection of three residential buildings of 4-storey, 6-storey and 9-storey comprising 69 flats with associated car-parking, cycle storage, landscaping and other associated works.

**Officer Recommendation**  
The application is recommended for refusal.
- 5. Planning application 21/00134/FUL - 115 Feltham Hill Road, & Land at Rear of 113-127 Feltham Hill Road, Ashford** **35 - 66**

**Ward**  
Ashford Common

**Proposal**  
Proposed redevelopment of site for the erection of 5 no residential units, following demolition of existing buildings.

**Officer Recommendation**  
The application is recommended for approval subject to conditions.

<b>6.</b>	<b>Planning application 20/00990/FUL - 59 Staines Road West, Sunbury-on-Thames, TW16 7AG</b>	<b>67 - 86</b>
	<b>Ward</b> Sunbury Common	
	<b>Proposal</b> Proposed change of use of the upper floors to 8 No. residential flats including conversion of the existing first and second floors together with roof extension and rear extension, new bin store, bicycle store and parking.	
	<b>Officer Recommendation</b> The application is recommended for approval, subject to conditions.	
<b>7.</b>	<b>Planning Appeals Report</b>	<b>87 - 90</b>
	To note details of the Planning appeals submitted and decisions received between 20 March 2021 and 17 April 2021.	
<b>8.</b>	<b>Future Major Planning Applications</b>	<b>91 - 96</b>
	To note details of future major Planning applications.	
<b>9.</b>	<b>Glossary of Terms and Abbreviations</b>	<b>97 - 102</b>

**Minutes of the Planning Committee  
31 March 2021**

**Present:**

Councillor T. Lagden (Chairman)  
Councillor M. Gibson (Vice-Chairman)

**Councillors:**

C. Bateson	H. Harvey	R.A. Smith-Ainsley
J.T.F. Doran	N. Islam	B.B. Spoor
S.A. Dunn	R.J. Noble	J. Vinson
A.C. Harman	R.W. Sider BEM	

**Apologies:** Apologies were received from Councillor J. McIlroy

**In Attendance:**

Councillors who are not members of the Committee, but attended the meeting and spoke on an application in or affecting their ward, are set out below in relation to the relevant application:

Councillor O. Rybinski ( Ashford Town Ward) - Planning Application No. 20/01573/FUL, 6-8 Wolsey Road, Ashford , TW15 2RA

**93/21 Minutes**

The minutes of the meeting held on 03 March 2021 were approved as a correct record subject to S Doran on the Declaration of Interests being amended to J Doran.

**94/21 Disclosures of Interest**

**a) Disclosures of interest under the Members' Code of Conduct**

There were none.

**b) Declarations of interest under the Council's Planning Code**

Councillor R. Sider BEM stated that he had visited the site in relation to application No. 20/01573/FUL – Old Watch Tower, 6-8 Wolsey Road, Ashford, TW15 2RB.

**95/21 Planning application No. 20/01573/FUL - Old Watch House, 6-8**

**Wolsey Road, Ashford TW15 2RB**

**Description:**

Erection of a second floor extension to create an additional flat, and alterations to an existing approved 1 bed flat together with external alterations and provisions of cycle parking and refuse storage.

**Additional Information:**

Amended plans have been provided to show the proposed eastern side elevation to have obscure glazing below 1.7m to ensure no loss of privacy to neighbouring sites.

Imposition of obscure glazing condition: -

Condition: - Prior to the occupation of the development hereby permitted the second floor windows on the eastern flank 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. These windows 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.

Amendment to Condition 2 below (plan numbers)

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

Site location Plan 086-L01  
Front elevations 086-E01  
West elevation 086-E03  
Southern elevation 086-E04  
Ground floor plan 086-P00  
First floor plan 086-P01  
Second floor plan 086-P02  
Roof plan 086-L02 all received on 22 December 2020.

Proposed Section AA and BB both numbered 086-S 01 received on 15 February 2021.

Block plan number 086-L 03 received on 17/03/2021.

**Amended East elevation 086-E02 Rev A received on 31/03/2021.**

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

### **Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Councillor O. Rybinski spoke as Ward Councillor against the proposed development raising the following key points:

- i) the site is already developed and expansion would impact on the look of the building,
- ii) parking within Wolsey Road is already an issue so another flat may increase the problem,
- iii) residents were concerned about emergency vehicles being able to gain access and egress this part of the road due to an increase in cars parking on the road
- iv) residents were concerned that other properties in the street maybe converted into flats as they want the street to remain full of nice family homes.

### **Debate:**

During the debate the following key issues were raised:

- i) this application had previously been refused and had gone to appeal with the Planning Inspector upholding the decision based solely on the design of the building and had no issues with parking or overdevelopment,
- ii) the design of the building has been changed in an attempt to better fit in with the street scene,
- iii) the new design complies with planning requirements in relation to surrounding properties,
- iv) as the local population grows, buildings need to be changed to accommodate this growth,
- v) the clock face feature is retained, reflecting the history of the building,
- vi) the patio area for the proposed site may overlook surrounding gardens, causing loss of privacy, and
- vii) there are parking issues on the surrounding roads.

### **Decision:**

The application was **APPROVED**

### **96/21 Future Major Planning Applications**

The Planning Development Manager presented a report outlining the major applications that may be brought before the Planning Committee for determination.

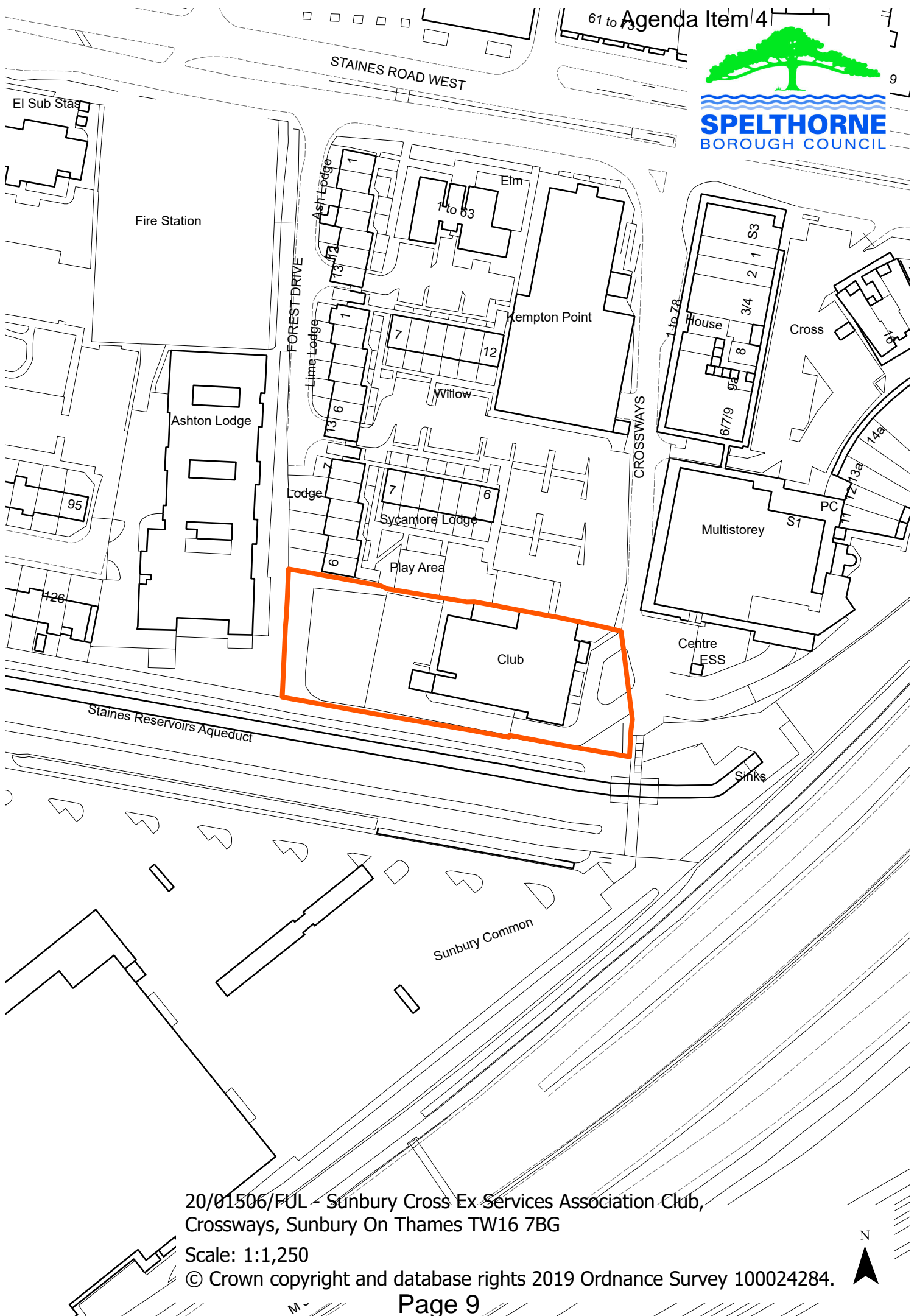
**Resolved** that the report of the Planning Development Manager be received and noted.

**97/21     Planning Appeals Report**

The Chairman informed the Committee that if any Member had any detailed queries regarding the report on Appeals lodged and decisions received since the last meeting, they should contact the Planning Development Manager.

**Resolved** that the report of the Planning Development Manager be received and noted.





20/01506/FUL - Sunbury Cross Ex Services Association Club,  
Crossways, Sunbury On Thames TW16 7BG

Scale: 1:1,250

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# Planning Committee

28 April 2021



<b>Application No.</b>	20/01506/FUL		
<b>Site Address</b>	Sunbury Cross Ex-Services Association Club, Crossways, Sunbury		
<b>Applicant</b>	SUN EX-21 Ltd		
<b>Proposal</b>	The demolition of the existing Sunbury Ex-Servicemen's Association Club and re-development of the site including the erection of three residential buildings of 4-storey, 6-storey and 9-storey comprising 69 flats with associated car-parking, cycle storage, landscaping and other associated works.		
<b>Officers</b>	Paul Tomson/Vanya Popova		
<b>Ward</b>	Sunbury Common		
<b>Call in details</b>	N/A		
<b>Application Dates</b>	Valid: 04/01/2021	Expiry: 05/04/2021	Target: Extension of time agreed
<b>Executive Summary</b>	<p>This planning application proposes for the demolition of the existing clubhouse and the redevelopment of the site comprising three residential buildings of 4-storey, 6-storey and 9-storey containing a total of 69 flats with associated car-parking, cycle storage, landscaping and other associated works.</p> <p>The proposal is considered to constitute an overdevelopment of the site by virtue of: excessive housing density; cramped layout; poor outlook for the ground floor flats; domination of car parking and hardstanding; inadequate space for landscaping; and insufficient open space to provide a children's play area. Furthermore, the applicant has failed to provide sufficient evidence to demonstrate that there is adequate car parking provided on the site. The development will fail to make a positive contribution to the character of the area, will not create a strong sense of place, and will provide a poor standard of amenity for future occupiers. The proposal is therefore contrary to Policies EN1, HO5, CO3 and CC3 of the Core Strategy and Policies DPD 2009 and Section 12 (Achieving Well Designed Places) of the National Planning Policy Framework 2019.</p>		
<b>Recommended Decision</b>	The application is recommended for refusal.		

**Note: In accordance with the Planning Committee's Terms of Reference as set out in the Constitution, the Planning Development Manager has decided that,**

**after consultation with the Chairman of the Planning Committee, this application should be submitted to the Planning Committee for determination.**

## **MAIN REPORT**

### **1. Development Plan**

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

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO3 (Affordable Housing)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- CO1 (Providing Community Facilities)
- CO3 (Provision of Open Space for New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (Development and Noise)
- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

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

- SPG on Parking Standards Updated 2011
- SPD on Housing Size and Type 2012

1.3 The advice contained within the National Planning Policy Framework (NPPF) 2019 is also relevant.

## **2. Relevant Planning History**

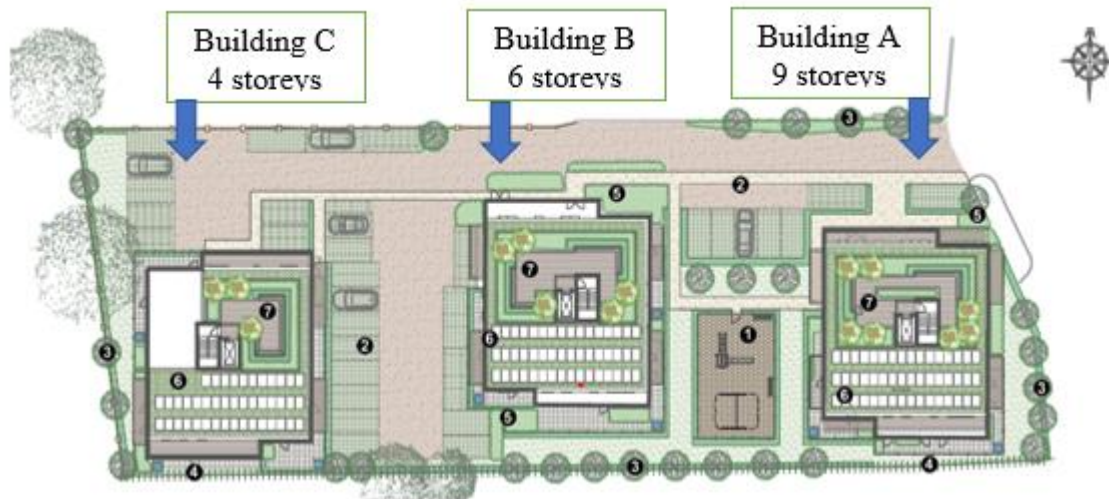
- 2.1 The club was originally built in the 1970s as part of a comprehensive development which also comprised the construction of existing flats and maisonettes located to the north of site. Since the original planning permission, the club has been subject to number of minor planning permissions to extend or alter the existing facility.

## **3. Description of Current Proposal**

- 3.1 The application site comprises an area of 0.316 hectares and is occupied by a two storey building with associated car-parking and is formally known as the Sunbury Cross Ex-Services Association Club. According to the submitted information, the existing development is no longer in use. The site is situated on the southern end side of Crossways in Sunbury On Thames, a cul-de-sac road which main access is via Staines Road West. Immediately to the south of the site is the Staines Reservoirs Aqueduct, whilst further to the south is the Tesco superstore and its associated car-park which can be assessed at the end of Crossways (adjacent to the application site) via a pedestrian footbridge across the Aqueduct. The M3 motorway runs further south-east of the site. Opposite the Crossways road (east) is the entrance to the Sunbury Cross Multi-storey car park. The western boundary adjoins an existing two storey building (Lodge Nursing Home) which comprises a residential care home. To the north of site is a 4 storey building comprising residential maisonettes including Oak Lodge and Sycamore Lodge. Further to the north are more flatted residential developments.
- 3.2 In terms of planning constraints, the whole site is within the 1 in 1000 year flood zone (Flood Zone 2). It is adjacent to the designated Shopping and Employment Areas of Sunbury Cross as defined in the Local Plan.

### Proposal

- 3.3 This application seeks permission for the demolition of existing clubhouse and the re-development of the site comprising the erection of three residential buildings of 4-storeys (Building C), 6-storeys (Building B) and 9-storeys (Building A) totalling 69 flats with associated car-parking, cycle storage, landscaping and other associated works. Each of the units would be served with its own external balcony. The submitted plans also show that each of the three buildings will be providing communal roof terraces with fitted planters and integrated seating as well as composite decking. At ground floor level, there will be no shared communal garden area but the layout plan shows the incorporation of 95 sq. metres of a children's play area located between Building A and Building B. The tallest building would have a height of 27 metres (30.65 metres maximum height), whereas the remaining buildings B and C would have heights of 18 metres and 12 metres (maximum heights of 21.65 metres and 15.40 metres) respectively.
- 3.4 The illustration below outlines the layout of Buildings A, B and C.



3.5 This submission relates to fully residential character consisting of 33 x 1 bedroom flats, 25 x 2 bedroom flat and 11 x 3 bedroom flats (amended). The applicant has also amended the dwelling mixes which are proposed to be allocated to the Affordable Housing.

3.6 The proposed mix and tenure are as the follows:

Unit type	PRIVATE	AFFORDABLE Rented Shared		TOTAL
One bed	21	9	3	33
Two bed	11	7	7	25
Three bed	2	7	2	11
	<b>34</b>	<b>35</b>		<b>69</b>

3.7 A total of 32 car parking spaces are proposed for the residential units, 7 of which are allocated for disabled parking and 12 vehicle charging spaces (6 fast electric vehicle charge sockets and 6 with a power supply). In addition, it is proposed to provide 102 no secure cycle spaces which would be allocated within the three buildings (53 in Building A, 32 in Building B and 17 in Building C). The vehicle and pedestrian entrance to the site will be on the northern-east side leading into the Crossways.

## 4 Consultations

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

Consultee	Comment
County Highway Authority	No objection, requests conditions.
Environment Agency	No objections. Refers to the standard advice.
Group Head-Neighbourhood Services	No objections on the refuse arrangements.
Highways England	No objections.
Environmental Services (Renewable Energy)	Original comments raised concerns on the lack of details on energy demand savings. After re-consultation, the Sustainability Officer is satisfied that the renewable requirements will be met.
Local Lead Flood Authority (Surrey County Council)	After re-consultation, no objections. Conditions and informatives have been recommended.
Crime Prevention Officer	Should the application gain consent, a condition or informative has been recommended concerning the Secured by Design (SbD) Gold award.
BAA	No objections, recommends an informative regarding cranes.
Surrey Wildlife Trust	No comments have been received. Any updates will be reported verbally.
Natural England	No objections. Refers to standing advice.
Tree Officer	No objections.
Thames Water	No objections, recommends informatives.
National Grid	No comments have been received. Any updates will be reported verbally.
Environmental Health (Contaminated Land and Dust)	No objections on contamination grounds. Subjects to pre-commencement conditions and informatives.
Environmental Health (Air Quality)	After re-consultation, Principal Pollution Control Officer has raised no objections, recommends conditions and informatives.
Surrey Fire & Rescue Service	No comments have been received. Any updates will be reported verbally.
Environmental Health (Noise)	No objections, recommends conditions and informatives.
Council's Housing Strategy	Originally raised concerns on the proposed unit sizes not being in line with the Council's current requirements (2b4p). ( <i>Officer's note:-</i>

	<i>The applicant has amended the Affordable Housing unit sizes as per Housing Strategy and Policy Officer).</i>
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## 5. Public Consultation

- 5.1 132 properties were notified of the planning application. Furthermore, a statutory site notice was displayed and the application was advertised in the local press.
- 5.2 A total of 29 letters of representation has been received commenting on the proposal including objections raised by the Spelthorne Committee for Access Now (SCAN) and on the behalf of the Lower Sunbury Residents Association (LOSRA). In addition, a letter of presentation has been made by Spelthorne Borough Council's Community Safety Officer encouraging that the developer considers a new CCTV system to help reduce fear of crime and AID crime and disorder matters.

Reasons for objecting include:-

- Too many flatted developments
- Need more green spaces
- Further pressure on local schools and doctor clinics
- Air Pollution
- Highways implications
- Traffic congestion
- The crime rate is high
- The site was sold without the Sunbury Cross Ex-Services Association members' agreement
- There was a higher {financial} offer submitted which the Club committee ignored (Officer note: not a planning matter)
- There will be a great deal of profit for the developers (Officer note: not a planning matter)
- Originally Club members were promised for the construction of a new Club within the site
- Over-shadowed
- Loss of view
- Loss of sunlight and daylight
- Noise
- Lack of green spaces in Sunbury
- Access issues (in and out)
- Increased noise and disturbance levels by lorries coming in and going/manoeuvring during construction
- The area of Crossways is already busy
- Sunbury Ex Serviceman's Club was a much used local amenity for residents' groups and other social activities
- The club members are entitled to be recompensed for the sale of the land (Officer note: not a planning matter)
- Over-developed
- Health and Safety issues



- Insufficient parking on site
- Impact on on-street parking within the area
- Very limited consideration to disabled people (The layouts of flats, in particular entrance door arrangements, are not suitable for some disabled people, particularly wheelchair users)
- The limited disabled parking.
- a mixture of flats at different levels and to a greater number should be provided to at least Category 2 (M4(2)) standard potential interfere with the current wireless connectivity safety operating system in the area, most specifically to the cameras at Spelthorne Grove
- loss of amenities within the local area
- No consideration for the local community
- Impact on health and well-being
- Cramped development
- Dominating Car-parking /Hardstanding
- Poor infrastructure
- Over-looking
- The loss of important and well-used community hub
- No local engagement with some of the neighbouring properties
- Over-bearing

## **6. Planning Issues**

- Principle/loss of club
- Housing need
- Housing Density
- Design and Appearance
- Amenity Space
- Open space
- Impact on Existing Residential amenities
- Parking/Highway issues
- Affordable housing
- Renewable energy
- Dwelling mix
- Air quality
- Noise
- Flooding
- Impact on trees/landscape
- Waste and Recycling
- Contaminated Land
- Biodiversity

## **7. Planning Considerations**

### Principle/Loss of Existing Club

- 7.1 The site is located within the urban area and is occupied by the Ex-Servicemen's Club and its associated car park. The site adjoins existing residential development to the north, and a residential care home to the west. Consequently, the principle of creating a new residential development on the site is considered acceptable subject to other planning issues being acceptable, including the loss of the clubhouse. This is addressed below.

- 7.2 The proposal involves the loss of the existing Ex-Servicemen's Club. Policy CO1 of the Core Strategy and Policies DPD 2009 (CS & P DPD) states that the Council will seek to ensure community facilities are provided to meet local needs by resisting the loss of existing facilities except: (i) where it is demonstrated that the facility is no longer needed, or (ii) where it is established that the services provided by the facility can be provided in an alternative location or manner that is equally accessible to the community served. The supporting text to the policy refers to community facilities to include schools and other educational facilities, health and social care facilities, emergency services, advice centres, clubs, societies, places of worship, sport and leisure activities, youth facilities and community centres.
- 7.3 It is relevant to note that the site has been identified as a proposed site allocation for housing in the Council's Preferred Options Consultation Site Allocations document dated November 2019 (Regulation 18) and it states that "*redevelopment could provide the opportunity for a mixed use scheme with a new club on the ground floor and residential development above*". However, it is important to stress that the new Local Plan is in its very early stages of preparation. It is yet to be subject to examination and consequently the weight given to the Preferred Options Consultation document is negligible.
- 7.4 It is considered that the Ex-Servicemen's Club constitutes a community facility and that the requirements of Policy CO1 are applicable in this particular case. It is relevant to note that the Council has received several letters of representation from third parties raising the loss of the club as a reason for objection. For example, the letters state that the club was sold without consultation with its members and that there is an ongoing legal dispute.
- 7.5 The applicant was asked about the issues raised in the third party letters and was requested to provide information to demonstrate that the club is no longer needed. He states that the club closed on the 20 March 2020 having been placed in administration by its members following a democratic vote. The applicant has responded by stating:

*"The reality is member's club membership is falling ..... When the Club was thriving, it had a membership of 3000 and over the last twenty odd years it has fallen to around 300 in 2014 and 260 by 2020. (loss rate of 10% per year). This is because the size of the UK armed services has fallen from 350000 in 1970 to 145000 last year.*

*(source: [British armed forces size 1900-2020 | Statista](#))*

*Clearly a club relying on membership based on armed services personnel and families will over time decline in line with size of the armed forces. In addition, membership from family members or next generation has also declined due to a declining birth rate, work and other factors which result in generations no longer living in the same area.*

*The constitution of the Club has voting members (more than five years membership). These voting members decided to close the club - 240 voted to close the club and only one member has not cashed his/her cheque from the distributed funds. None of the members who were not happy with the*

*decision to close have followed up the procedure set out or taken matters any further. The closure of the club was supervised by a firm of lawyers appointed by the Club.*

*Some of the members have indicated joining Bagster House Club in Shepperton or Sunbury Royal British legion, opposite Crossways. This additional membership will help make these two clubs more viable for the future.”*

- 7.6 In addition to the above comments, the applicant has submitted details of the club’s accounts since 2013, which show that the club has been struggling financially for a number of years. In view of the above comments and the information submitted, it is considered that the applicant has demonstrated that the club is no longer needed, and that the requirements of Policy CO1 have been met.

### Housing Need

- 7.7 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 full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF) 2019.
- 7.8 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five year housing land supply should be measured against the area’s local housing need calculated using the Government’s standard method<sup>1</sup>. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 611 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.
- 7.9 The NPPF requires a local authority to demonstrate a full five year supply of deliverable sites at all times. For this reason, the base date for this assessment is the start of the current year 1 April 2021, but the full five year time period runs from the end of the current year, that is, 1 April 2022 to 31 March 2027. The 20% buffer will therefore be applied to this full period. National guidance sets out that the buffer should comprise sites moved forward from later in the plan period. A 20% buffer applied to 611 results in a figure of 733 dwellings per annum, or 3666 over five years.
- 7.10 In using the objectively assessed need figure of 733 as the starting point for the calculation of a five year supply it must be borne in mind that this 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. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period.

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<sup>1</sup> Planning Practice Guidance Reference ID: 68-005-20190722

- 7.11 The sites identified in the SLAA as being deliverable within the first five years and subsequent updates from landowners have been used as the basis for a revised five year housing land supply figure. Spelthorne has identified sites to deliver approximately 3513 dwellings in the five year period.
- 7.12 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.79 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.
- 7.13 Government guidance (NPPF para 73) requires the application of a 20% buffer “where there has been significant under delivery of housing over the previous three years”. In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority’s five year land supply and a presumption in favour of sustainable development if the figure is below 75%. The Housing Delivery Test result for Spelthorne Borough Council was published by the Secretary of State in January 2021, with a score of 50%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of sustainable development because the test score of 50% is less than the 75% specified in the regulations. The figure of 50% compares with 60% last year and 63% in 2019. The Council’s Housing Delivery Test Action Plan will be updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.
- 7.14 Usually as a result of the above position in Spelthorne relating to the 5 year housing land supply and the recent Housing Delivery Test, current decisions on planning applications for housing development need to be based on the ‘tilted balance’ approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless ‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole’. However, the NPPF at para 11d) i) makes clear that the presumption in favour of development does not apply where, ‘...: *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed...*’
- 7.15 As a result, current decisions on planning applications for housing development need to be based on the ‘tilted balance’ approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless ‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole’. This will be assessed below.

#### Housing Density

- 7.16 Policy HO5 of the CS & P DPD states that within higher density residential area, including those characterised by a significant proportion of flats and those containing significant Employment Areas, new development should generally be in the range of 40 – 75 dwellings per hectare. Higher density development may be acceptable where it is demonstrated that the

development complies with Policy EN1 on design, particularly in terms of its compatibility with the character of the area and is in a location that is accessible by non car-based modes of travel.

- 7.17 The site area is 0.316 hectares and the proposed development of 69 units will have a housing density of 218 dwellings per hectare (dph). The proposed housing density is much higher than the recommended density range of 40 – 75 dph specified in Policy HO5. Furthermore, the development is not considered to comply with the requirements of Policy EN1 on design, which is explained in detail in the following paragraphs.

#### Design and appearance

- 7.18 Section 12 of the National Planning Policy Framework 2009 (The Framework) seeks to achieve well-designed places. Paragraph 127 states that planning decisions should ensure that developments:
- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
  - (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.19 Policy EN1(a) of the CS & P DPD states that the Council will require a high standard of design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land.
- 7.20 The site has an edge of centre location within the urban area. The Sunbury Cross Shopping Centre and designated Employment Area is located on the eastern side of Crossways. To the north of the site is the relatively high density development of Forest Drive (the blocks known as Oak Lodge and Sycamore Lodge are nearest to the site), which comprises 4-storey blocks of maisonettes. The 4-storey flank elevation of 6 & 12 Oak Lodge immediately

adjoins the northern boundary of the site. To the west is the 2-storey residential care home of Ashton Lodge. To the north-east, on the other site of Crossways is the multi-storey car park of the Sunbury Cross Centre. To the south of the site is the Thames Water aqueduct, with the Tesco supermarket car park beyond. There is a footbridge over the aqueduct linking Crossways with the supermarket.

- 7.21 It is considered that the proposed development in terms of its design and cramped layout, constitutes an unacceptable overdevelopment of the site and fails to make a positive contribution to the area. It will fail to create a strong sense of place and will provide a poor standard of amenity to the future occupiers. The proposed blocks are substantial in size and height varying between 4 and 9 storeys. However, little space is being provided around the buildings for landscaping to help soften their appearance and create a sense of place. The only significant area of space for landscaping at ground level is located between Block A and B and this is largely taken up by the proposed small children's play area. The landscape strip adjacent to the northern boundary (near the access) is only approximately 1 metre in width. When viewed in context with the relatively high density development of Forest Drive (which in itself has a built up appearance), the proposed development will appear substantially more cramped in layout and scale.
- 7.22 With regard to Block C (the most western block), this is sited very close to the southern and western boundaries, whilst the northern and eastern elevations will face onto the communal parking areas. The ground floor flats will suffer from poor outlook onto either the rather hostile metal palisade fencing along the southern boundary, the wooden fencing along the western boundary, or the new parking area. This will provide a poor standard of amenity for future occupiers. It is not considered that the proposed ground floor private terraces will serve as an acceptable buffer as they are narrow in depth. The poor environment is exacerbated by the existence of the overbearing 4-storey flank elevation of 6 & 12 Oak Lodge to the north.
- 7.23 With regard to Block A (the most eastern block), this is 9-storeys in height but has little space around its southern and eastern elevations (and the same palisade fencing to the south), whilst there will be very little space for landscaping adjacent its northern entrance elevation. The north-eastern corner of the building and the private terrace/balconies will be sited very close to the highway.
- 7.24 Although Block B (the middle block) is sited slightly further away from the southern boundary, there is still little space provided in proportion to the size of this 6-storey building (the set-back is approximately 6 metres). Its western elevation will face onto the communal parking area with little space for landscaping and only the narrow private terraces located in between.
- 7.25 Whilst the existing block of flats at Elm Court located further to the north on Staines Road West has relatively little space around it, this has a different context and should not be used as a steer for the unacceptably cramped scheme on the application site. Likewise, the blocks of flats at Isobel House and Priscilla House within the Sunbury Cross Shopping Centre have a different context.

- 7.26 Consequently, the proposal fails to comply with the requirements of Policy EN1 of the CS & P DPD, and Section 12 of the NPPF, and is unacceptable.

#### Amenity Space

- 7.27 The Council's SPD, Design of Residential Extension and New Residential Development (2011) provides general guidance on minimum garden sizes (Paragraph 4.20). In the case of flats, it requires 35 square metres per unit for the first 5 units, 10 square metres for the next 5 units, and 5 square metres per unit thereafter.
- 7.28 In the case of higher density town centre residential development and mixed use schemes paragraphs 4.46 – 4.47 of the SPD states:
- “Such schemes will usually involve high density flatted development... The opportunities for on-site open space provision will be limited, particularly where ground floor non-residential uses and access/delivery areas occupy most of the site area. Family accommodation is therefore unlikely to be appropriate. Some amenity space can be provided in the form of large balconies as well as at roof level, subject to design and safety considerations.”*
- 7.29 On the basis of the above minimum guidance, there would be a requirement for the 69 apartments to be served by a minimum of 520m<sup>2</sup> of private amenity space. The plans indicate that all the apartments would be served by external balconies. The provided space between Building A and Building B of 209 m<sup>2</sup> with 95 m<sup>2</sup> of which would be a children playground. The Local Planning Authority has calculated that 751.4 m<sup>2</sup> of private amenity space would be provided across the balconies and 276 m<sup>2</sup> in a form of communal roof terraces on each of the three buildings. When considered cumulatively with the balconies, the apartments would be provided with amenity space itself and communal roof terraces in an edge of town location that significantly exceeds the Council's minimum requirements.

#### Open space

- 7.30 Policy CO3 of the CS & P DPD requires the provision of public open space for residential developments. The policy states that where any new housing is proposed in areas of the Borough with inadequate public open space, or where provision would become inadequate because of the development, the Council will require either the provision of new on-site open space or a financial contribution towards the cost of new off-site provision. It also states that in new housing development of 30 or more family dwellings (i.e., 2-bed or greater units) the Council will require a minimum of 0.1ha of open space to provide for a children's play area. Such provision is to be increased proportionally according to the size of the scheme.
- 7.31 There is a shortage of public open space in this part of the Borough (Sunbury Common Ward). This is confirmed by the Council's Draft Open Space Assessment November 2019, which is one of the evidence-based documents for the new Local Plan. Indeed, the only park/recreation ground within an easy walk of the application site (i.e., within 400m) is the 'pocket park' located adjacent to Escot Road. The proposal includes some 25 no. 2-bedroom units and 11 no. 3-bedroom units. Consequently, there will be a total of 36 no.

family sized units and Policy CO3 would therefore require 0.12 hectares of open space to provide a children's play area on the site.

- 7.32 It is noted that the proposed site layout plan shows the provision of a small children's play area to be sited between Blocks A and B on the site. However, the play area (which the plan indicates will provide a pair of junior swings and a 'hut slide') is only 95 sq. m in size and well short of the 0.12 hectares (or 1200 sq. m) required by Policy CO3. The inadequate provision of open space is therefore contrary to the policy and unacceptable. It is a further indication that the site is being overdeveloped to an unacceptable level.
- 7.33 The applicant was asked by the Local Planning Authority regarding the possibility of making a financial contribution in the form of Section 106 agreement of approximately £140,000 to cover the cost of improving/upgrading the existing children's play area at the 'pocket park' adjoining Escot Road. This potentially could have been a way of addressing the substantial shortfall on the site. However, the applicant has responded by stating that they consider there is only a shortfall of 240 sq. m of open space on the site, and that any financial contribution should only be proportionate to mitigate that particular shortfall. They have also raised concern that such a financial contribution to upgrade the Escot Road play area would be lawful under the CIL Regulations.
- 7.34 Officers disagree with the applicant's statement that there is only a shortfall of 240 sq. m of open space on the site. Indeed, most of the ground level space around the buildings (excluding the private terraces) is taken up by hardstanding, parking spaces and narrow landscape strips adjacent to the boundaries. The only usable space on the site is centred around the small play area. The combined size of the play area and the landscaped space around it is approximately 200 sq. m. In any case, Policy CO3 requires the provision of open space, in addition to any private or communal amenity space designated to the residents.
- 7.35 With regard to the CIL Regulations, it is not unlawful to request a Section 106 financial contribution (in addition to CIL payments) where it is necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. It is also referred to in Policy CO3 which states that "if on or off-site provision is not feasible the council will require a contribution in the form of a commuted payment to improve existing sites to enhance their recreational value and capacity". The proposal is, therefore, unacceptable in this regard.

#### Residential Amenity

- 7.36 Policy EN1b of the CS & P DPD states that:
- "New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook."*
- 7.37 Notwithstanding the fact that in an urban area such as this case, it would be expected that some level of over-looking could occur especially at the edge of



town centre locations. The scale of the development and proximity to the boundaries with existing properties needs to be given consideration to ensure that there is an acceptable relationship and that existing residential properties will not be significantly adversely affected by the proposal. The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policies requirements in order to ensure this is the case.

- 7.38 The SPD in para 3.6 acknowledges that *'most developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.'* It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. The LPA's SPD on the Design of Residential Extensions and New Residential Development (April 2011), contains a 'back-to-back' guide, which states that there should be a minimum distance of 21 metres between the rear elevations of two storey dwellings where the rear elevations are situated 'back-to-back'. The SPD further states that there should be a minimum distance of 30 metres between the rear elevations of three storey dwellings. The SPD also contains a 'back-to-side' guide, which states that there should be a minimum distance of 13.5 metres between the side elevations and the rear elevations of two storey properties. This minimum distance increases to 21 metres between the side and rear elevations of three storey buildings. There are no minimum separation distances for more than 3 storeys. It should be noted that this guide is aimed primarily towards 'traditional suburban dwellings' rather than high density flatted development.
- 7.39 As already mentioned, the proposal relates to three buildings comprising 9 storey (located near the eastern boundary), 6 storey (middle building) and 4 storey (situated close to the western boundary). The 9 storey building would be directly facing the car-parking area of the 4 storey flatted development to the north situated approximately 41.51 metres from the rear of Sycamore Lodge (angled view). The proposed middle building would be set back from the northern boundary by 7 metres. However, it will have a separation distance from the front to the back elevation of the Sycamore Lodge flats of 30 metres. The proposed three buildings will have lower elements on the northern and southern side in order to break up the bulk. The 2 storey care home situated on the western side of the scheme would be approximately 14 metres away from the flank elevation of the proposed 4 storey building. The proposed Building C (4 storey) will set back from the northern boundary by 12 metres. The southern elevation of the neighbouring flatted development Oak Lodge does not contain any windows.
- 7.40 The proposal is considered to have an acceptable relationship and therefore an acceptable impact on the amenity of existing neighbouring residential properties, in accordance with Policy EN1.

#### Parking/Highway Issues

- 7.41 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.

- 7.42 On 20 September 2011 the Council's Cabinet agreed a 'Position Statement' on how Policy CC3 should now be interpreted in the light of the Government's recent parking policy changes. The effect of this is that the Council will give little weight to the word 'maximum' in relation to residential development when applying Policy CC3 and its residential parking standards will generally be applied as minimum (maximum parking standards continue to be applicable in relation to commercial development). The supporting text to the Parking Standards stipulates a number of important exceptional situations where a reduction in parking will only be allowed. One of these situations includes town centre locations where the reduction in parking will be assessed against the distance from a "public transport node", frequency of public transport, availability of pedestrian and cycle routes, and the range and quality of facilities supportive of residential development within reasonable walking distance.
- 7.43 Whilst the site is not technically within a town centre, it is recognised it is situated close to the Sunbury Cross Shopping Centre on the other side of Crossways, and it is considered reasonable to allow some reduction in the parking standards in this particular case.
- 7.44 The proposed parking provision is 32 spaces. This represents a parking ratio of 0.46 spaces per unit (i.e., significantly below 1 space per flat). This is well below the Council's Residential Parking Standards of 92 spaces for a scheme of this size.
- 7.45 The applicant has attempted to justify the proposed level of parking provision on the site by stating that the development will be located in an area where there is a good level of public transport, pedestrian links and a wide range of local amenities and facilities. The limited on-site parking to be provided, the lack of long-stay off-site car parking opportunities, together with the provision of the proposed on-site car club facility (2 years free membership and £50 of free credit for new residents), will limit the potential for residents of the new scheme from owning a car.
- 7.46 The County Highway Authority (CHA) was consulted on the planning application and has assessed the proposal on highway safety, capacity and policy grounds. On the issue of car parking, the CHA has raised no objection. They have made the following comments on this issue:

*"The CHA is aware of resident's concerns that the proposed car parking provision is insufficient, and that this represents a notable reduction of the maximum standards recommended by Spelthorne Borough Council. However, the parking standards state that a reduction would be allowed for development located within one of the Borough's 4 town centres defined in the Core Strategy and Policies DPD where public transport accessibility is generally high. As the site meets this location criteria, a reduced parking provision can be considered to accord with the adopted local policy.*

*The CHA acknowledges that where there is some excess parking demand, or where visitors arrive at the site by car, that parking could take place outside the site, however this is likely to take place within the adjacent multi-*

storey car park which has ample capacity. Furthermore, double yellow line parking restrictions are currently in place throughout the length of Crossways, as well as along both carriageways of A308 Staines Road West, thereby preventing any on-street parking from occurring here and protecting users from any highway safety hazards.

The table below shows car ownership data for flats, maisonettes, apartments, caravans or mobile temporary structures within the Spelthorne 008E Lower Layer of the 2011 Census Data, which the site is situated within. It is considered unlikely that 1 or 2-bed flats will have more than two vehicles associated with them, even where they do have more than one.

2011 Census Car Ownership by Accommodation Type - Super output areas - Lower Layer - Spelthorne 008E				
Accommodation Type	All categories: Car or van availability	No cars or vans in household	1 car or van in household	2 or more cars or vans in household
Flat, maisonette, apartment, caravan or other mobile or temporary structure	368	121	187	60
% of flats, maisonettes etc.	100.0	32.9	50.8	16.3

This data indicates that the development is unlikely to generate a parking demand much greater than one vehicle per flat. It is also noted that a third of households, similar to those of the proposed flats, within the local area did not own a vehicle in 2011. Based on the percentages, the proposed development could give rise to a total of 58 vehicles. However, it is expected that the 32 car parking spaces would be allocated to certain flats and so prospective residents would need to be made aware by the developer if they are able to have a parking space before moving in. The CHA therefore considers that any future occupiers of the flats not allocated a parking space will have purposely chosen the development in acknowledgement of this and would not typically own a car, nor would place a high reliance on car ownership.

Finally, the proposal includes the provision of a parking space to accommodate 1 car club vehicle. Car club vehicles provide an alternative to vehicle ownership for occupiers of the site who would infrequently need to travel in a private vehicle. Therefore, the proposed car club vehicle could therefore reduce parking demand generated by the site by allowing occupiers of the development, and residents from the wider community, to share a vehicle and optimise its usage.

Given the above, it is the CHA's position that subject to the inclusion of the above conditions within any permission granted, no objections on highway safety or capacity grounds would be raised."

- 7.47 Whilst the applicant's and CHA's comments on parking provision are noted, it is considered that the level of proposed parking is disproportionately low for this type of development, in this particular location. Insufficient evidence has

been provided by the applicant to demonstrate that the proposal will not cause parking overspill and stress in the wider area. Based on the Census data above, the CHA has stated that the development could give rise to a total of 58 vehicles, which is slightly below 1 space per unit but substantially higher than the 32 parking spaces proposed. It is relevant to note that the proposed development comprises a significant number of family sized units (2-bedroom and 3-bedroom units), which are likely to generate a greater demand for parking compared to smaller units. Whilst the opportunity to park off-site in the vicinity (especially on a long-term basis) is limited, there are some neighbouring road within a short walking distance where parking overspill could potentially occur and add to the parking stress in the local area. It is therefore considered that the disproportionately low level of parking spaces on site, and in particular the insufficient evidence to demonstrate that this will not add to the existing parking stress in the area, is a further indication that the site is being overdeveloped to an unacceptable degree.

#### Affordable Housing

- 7.48 Policy HO3 of the CS & P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. The Council's policy is to seek to maximise the contribution to affordable housing provision from each site having regard to the individual circumstances and viability, including the availability of any housing grant or other subsidy, of development on the site. Negotiation is conducted on an 'open book' basis.
- 7.49 The applicant is proposing to provide 35 affordable housing units, (23 for affordable rent and 12 no. for intermediate). The 35 units represent an affordable housing provision of 50.7%. This complies with the 50% affordable requirement in Policy HO3 and is therefore acceptable.
- 7.50 Policy HO3 states that the provision within any one scheme may include affordable rented and intermediate units, subject to the proportion of affordable rented of at least 65% of the total affordable housing component. The proposal is to provide 65.7% (23 out of the 35 units) as affordable rent and therefore the tenure mix is considered acceptable.

#### Flooding

- 7.51 The site is located within Flood Zone 2, which has between 1 in 100 year and 1 in 1000 year chance of flooding. The applicant has submitted a Flood Risk Assessment as is required by Policy LO1 of the CS & P DPD. The principle of locating new residential development ('defined as 'a more vulnerable use') in the relatively low risk Flood Zone 2 is acceptable. The Environment Agency was consulted but has declined to comment on the proposal due to the low flood risk nature of the development.
- 7.52 With regard to the sustainable drainage scheme (SuDS), the applicant is proposing to install underground geo-cellular storage crates to create an attenuation space. The intention is also to provide permeable paving and rainwater harvesting butts. The Lead Local Flood Authority (SCC) was consulted and has raised no objection subject to the imposition of conditions.

- 7.53 With regard to the Sequential Test, the NPPF states that the aim is to steer new development to areas with the lowest risk of flood. Development should not be allowed or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment [carried out by the local planning authority for strategic planning purposes] will provide the basis for applying the test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 7.54 A strategic flood risk assessment was carried out prior to the adoption of the current Local Plan in 2009. Studies of land availability for housing and employment showed that in Spelthorne land in Flood Zones 1 and 2 would be needed to meet housing and other needs over the Local Plan period (2009 – 2026) and therefore sites in either zone would be acceptable. There was, however, no housing case to use land in Flood Zone 3 for housing where risks couldn't be overcome. At the time of the adoption of the current Local Plan, the housing need target was 3,745 over the plan period, or 166 dwellings per year. However, that figure is now out of date and Spelthorne now has a housing need annual figure of 727 units. Consequently, the need to building new residential development in Flood Zones 1 and 2 is even greater than before and continues to be acceptable.
- 7.55 On a site specific basis, the application site is located entirely within Flood Zone 2. There are no areas of the site within the even lower risk Flood Zone 1. Consequently, there is no opportunity in this particular case to locate the new dwellings to areas of lower flood risk within the site.
- 7.56 Accordingly, the application is considered acceptable on flooding grounds.

#### Other Matters

- 7.57 The Council's Environmental Health Officer has raised no objection on air quality grounds subject to conditions. The applicant has submitted an Air Quality Assessment which recommends the installation of mechanical ventilation to the new units to address the air quality issues on the site (which can be controlled by condition).
- 7.58 The Council's Sustainability Officer has raised no objection to the proposed renewable energy facilities (air source heat pumps).
- 7.59 The proposal complies with the requirements of Policy HO4 (Housing Size and Type) as at least 80% of the new units will be smaller dwellings (1 or 2 bedroom in size).
- 7.60 The Council's Environmental Health Officer has raised no objection to the proposal on noise grounds.
- 7.61 All of the proposed units comply with the minimum size standards stipulated in the Government's Technical Housing Standards – national described space standards 2015.

- 7.62 The applicant has submitted an ecological appraisal which confirms that there is no evidence of bat roosts present on the site. Consequently, there are no ecological issues regarding the demolition of the existing building.
- 7.63 The Council's Head of Neighbourhood Services has raised no objection to the proposed bin stores and collection arrangements.
- 7.64 The Council's tree officer has raised no objection to the proposal.

#### Equalities Act 2010

- 7.65 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The question in every case is whether the decision maker has in substance had due regard to the relevant statutory need, to see whether the duty has been performed.

- 7.66 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.
- 7.67 The applicant states that 10% of the new housing is designed to be wheelchair accessible and meet Building Regulations requirement M4(3) 'wheelchair user dwellings'. The remainder will be 'accessible and adaptable dwellings' meeting Building Regulations requirement M4(2). The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long term adverse effects on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs. It is considered that it would be possible for individuals with disabilities to access the development.

#### Human Rights Act 1998

- 7.68 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.69 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

- 7.70 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e., peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.71 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

#### Financial Considerations

- 7.72 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate a CIL Payment of approximately £100,000. 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

- 7.73 With most complex planning applications such as this there are a range of issues which have to be weighed up in the overall consideration of the proposal. There will be some which add weight in favour of the scheme and some weigh to some degree against it and some may be neutral. It is unusual in schemes of this nature for every aspect of the Council's standards/policies to be fully complied with.
- 7.74 It is recognised that the proposal will create 69 new dwellings, of which 35 units will be affordable. This is a consideration that weighs in favour of the development, particularly as it will help contribute towards the Borough's housing need. However, even after taking into account the 'tilted balance' approach set out in paragraph 11 of the NPPF, it is considered that the proposal is unacceptable. As explained above, the scheme is considered to have a cramped layout with the site dominated by hardstanding and parking, insufficient space for landscaping, inadequate open space to provide a children's play area, and poor outlook for the ground floor flats. Moreover, the

applicant has provided insufficient evidence to demonstrate that adequate car parking provision is being provided on the site. The development will fail to create an acceptable sense of place and a positive contribution to the area. Accordingly, the application is recommended for refusal.

## **8. Recommendation**

### **8.1 REFUSE the planning application for the following reason:**

1. The proposal is considered to constitute an overdevelopment of the site by virtue of: excessive housing density; cramped layout; poor outlook for the ground floor flats; domination of car parking and hardstanding; inadequate space for landscaping; and insufficient open space to provide a children's play area. Furthermore, the applicant has failed to provide sufficient evidence to demonstrate that adequate car parking provision is provided on the site. The development will fail to make a positive contribution to the character of the area, will not create a strong sense of place, and will provide a poor standard of amenity for future occupiers. The proposal is therefore contrary to Policies EN1, HO5, CO3 and CC3 of the Core Strategy and Policies DPD 2009 and Section 12 (Achieving Well Designed Places) of the National Planning Policy Framework 2019.



## Proposed Site Layout Plan



## Building A

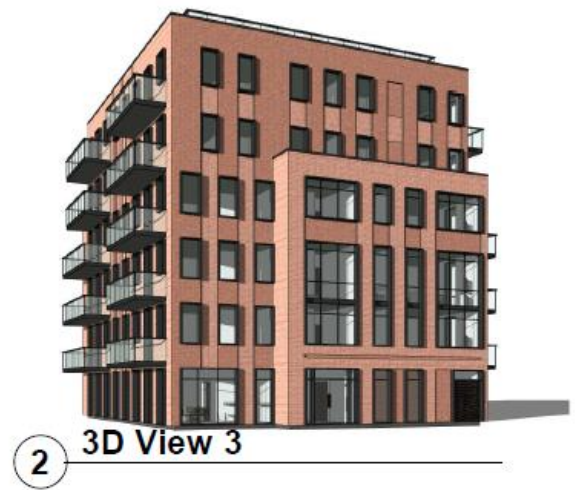
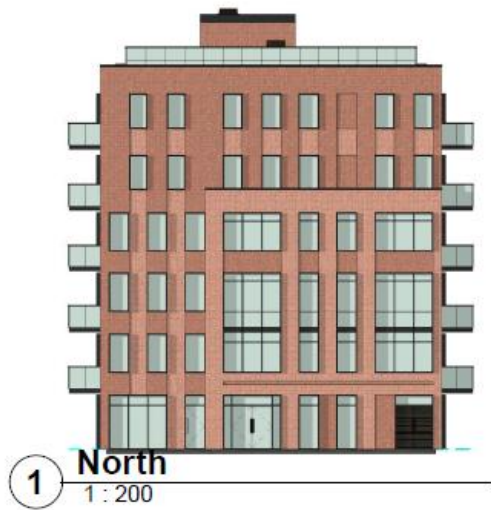


1 North  
1 : 200



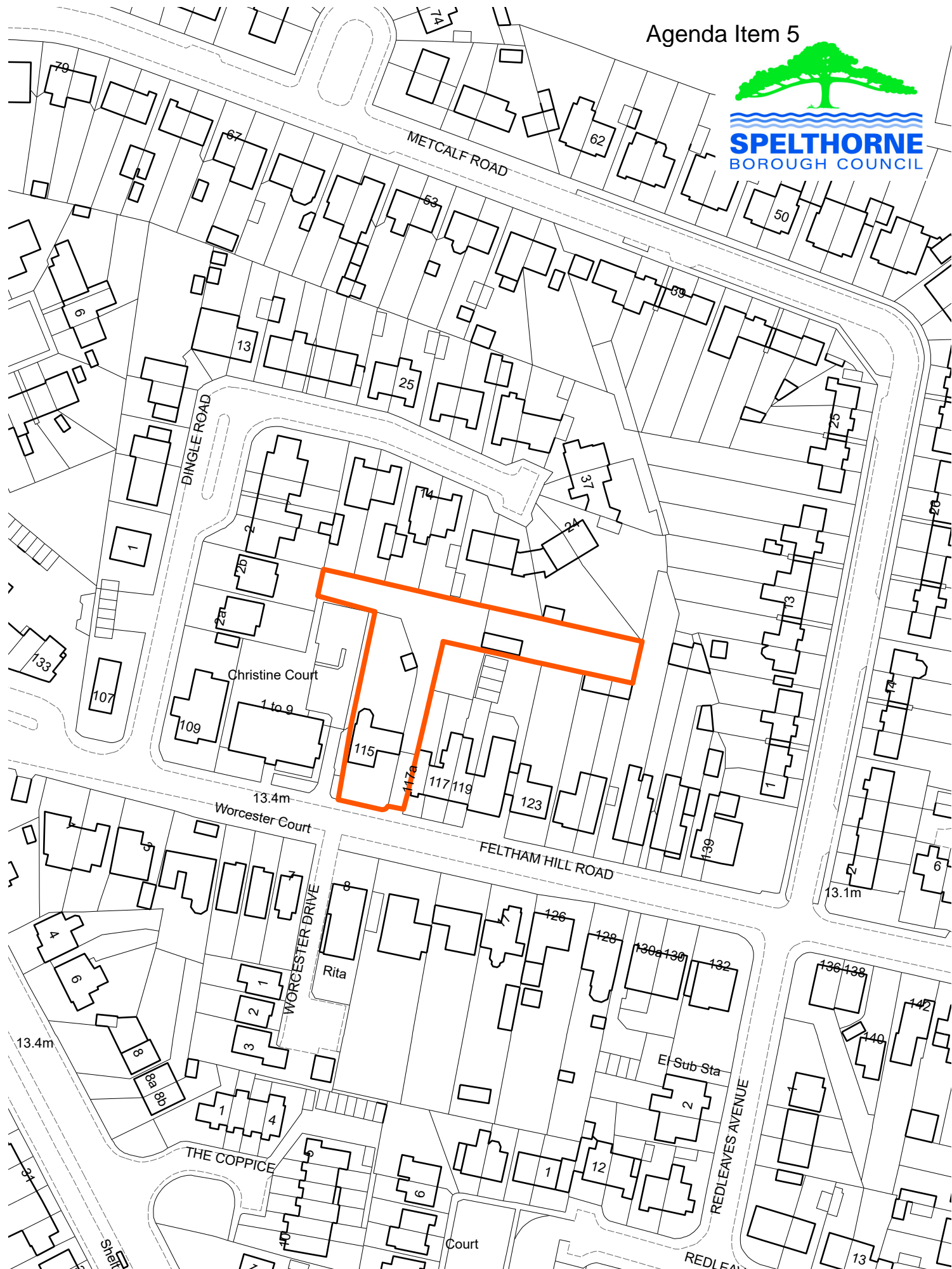
2 3D View 1

## Building B



## Building C





21/00134/FUL - 115 Feltham Hill Road & land r/o 113-127 Feltham Hill Road Ashford  
Scale: 1:1,250

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# Planning Committee

28 April 2021



<b>Application No.</b>	21/00134/FUL		
<b>Site Address</b>	115 Feltham Hill Road, & Land at the rear of 113-127 Feltham Hill Road, Ashford		
<b>Applicant</b>	Kamac Group		
<b>Proposal</b>	Proposed redevelopment of site for the erection of 5 no residential units, following demolition of existing buildings.		
<b>Officers</b>	Kelly Walker		
<b>Ward</b>	Ashford Common		
<b>Call in details</b>	This application has been called in by Cllr Noble due to loss of amenity to existing properties including overlooking and overdevelopment of the site with development at the rear being out of character and detriment to the locality, contrary to Policy EN1a) and b).		
<b>Application Dates</b>	Valid: 25/01/2021	Expiry: 22/03/2021	Target: Extension of Time agreed
<b>Executive Summary</b>	<p>This planning application seeks the demolition of the existing buildings on site, including the chalet style detached dwelling with garage and separate workshop building and the erection of 5 no. dwellings consisting of 2 x pairs of 2 bed semi-detached houses and a 3 bedroomed detached dwelling with garage, together with parking and landscaping.</p> <p>The proposal is considered to pay due regard to the design, scale and character of the area. It will be a sustainable form of development, meeting a need for housing on a brownfield site. The proposal provides 10 parking spaces. The proposal is considered to provide a good standard of amenity for future occupants and will have an acceptable impact on existing neighbouring residential properties. As such, there are no adverse impacts that would significantly and demonstrably outweigh the benefits when taking the 'tilted balance' into account. The application is considered to be acceptable and is recommended for approval.</p>		
<b>Recommended Decision</b>	The application is recommended for approval subject to conditions.		

## MAIN REPORT

### 1. Development Plan

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

- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO4 (Housing Size and Type)
- HO5 (Density of Housing Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

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

- SPD on Design of Residential Extensions and New Residential Development 2011
- SPG on Parking Standards Updated 2011
- SPD on Housing Size and Type 2012.

1.3 The advice contained within the National Planning Policy Framework (NPPF) 2019 is also relevant.

### 2. Relevant Planning History

07/00689/OUT	Demolition of existing dwelling and commercial building and erection of 1 no. 3 bedroom, 5 no. 2 bedroom and 1 no. 1 bedroom dwellings. Alteration to existing access and provision of associated parking.	Refused 04.10.2007
STAINES/FUL/P15946	Erection of toilet accommodation.	Granted

30.04.1973

STAINES/FUL/P12594	Use of land for storage of paint in connection with the painting and decorating contractor's business. Use of land for storage of paint in connection with the painting and decorating contractor's business.	Granted 15.12.1970
STAINES/FUL/P6064/7	Parking and use of caravan.	Granted 15.01.1965
STAINES/OUT/P6064/5	Erecting a Chalet Type Bungalow.	Granted 16.07.1964
STAINES/OUT/P6064/4	Demolishing house and outbuildings and erecting two detached chalet bungalows and three large garages.	Refused 24.06.1964
STAINES/OUT/P6064/3	Demolishing house and outbuildings and erecting two Bungalows.	Refused 26.05.1964
STAINES/FUL/P6064/8	Erecting one chalet type dwelling.	Granted 19.11.1964
STAINES/FUL/P6064/6	Erecting one chalet bungalow with garage.	Granted 26.10.1964

### 3. Background

- 3.1 Planning application 07/00689/OUT was for the demolition of existing dwelling and commercial building and erection of 1 no. 3 bedroom, 5 no. 2 bedroom and 1 no. 1 bedroom dwellings, alterations to the existing access and provision of associated parking. This application for 7 dwellings, was on the same application site as the current application and was refused due to the cramped form of development and its impact on the amenity of adjoining properties. The reason for refusal was as follows:-

*'The proposal represents an unacceptable cramped form of development with a poor relationship with neighbouring properties. The proposed buildings will result in significant loss of privacy to neighbouring properties and have an overbearing effect on them. There is an inadequate provision of amenity space, and insufficient space provided for landscaping around the rear parking and turning area. Furthermore, Plot 6 would unacceptably encroach into the Root Protection Areas of the Sycamore and Silver Birch trees in the rear gardens of 123 and 125 Feltham Hill Road. The development will therefore be out of character with the surrounding area, adversely affect the amenities of adjoining occupiers and cause unacceptable harm to the*

*adjacent trees, contrary to Policies BE1, BE5, BE6 and BE11 of the Spelthorne Borough Local Plan 2001.'*

- 3.2 This refused scheme was for 7 dwellings and the current proposal is for 5 units which has had regard to the existing trees and surrounding dwellings. The Local Plan 2001 has now been superseded by the 2009 local plan which is the development plan for decision making and there is also now the Council's Design SPD 2012. In addition, as we do not have a 5 year housing supply and the 2021 Housing Delivery Test was 50% for Spelthorne, current decisions on planning applications for housing development need to be based on the 'tilted balance' approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole'.

### **Description of Current Proposal**

- 3.3 The application site is located on the northern side of Feltham Hill Road and is a large irregular shaped plot. The site is occupied by a chalet style bungalow fronting the highway, with an access road to the eastern side leading to a T junction and a single storey outbuilding located in the eastern arm at the rear of the site. There is also a garage in the rear garden of the dwelling, accessed via the access road to the side. The site is surrounded by residential properties.
- 3.4 To the north of the site are the rear gardens of properties located along Dingle Road, these are semi-detached properties, many have single storey side and rear additions and outbuildings/garages in the gardens. To the west are also dwellings located along Dingle Road, although these face in a westerly direction, and consist of detached and terraced dwellings, with the rear garden of no. 2b adjoining the side of the application site. Feltham Hill Road consists of 2 storey residential development, with properties fronting the highway and rear gardens behind. However, Dingle Road wraps around the side and rear of Feltham Hill Road. Immediately to the west of the application site fronting Feltham Hill Road is a 2 storey block of flats at Christine Court (formerly 113 Feltham Hill Road). Its car park area and access road to it, adjoin the western side of the application site. To the east are more 2 storey terraced, detached and semi-detached houses and flats. This includes no. 121, which has a small garage block at the rear of the property, which adjoins with the application site (which were not previously there when the 2007 application was assessed). Rear gardens of other properties along Feltham Hill Road also adjoin the application site and some have outbuildings at the rear. On the opposite side of the road are other 2 storey residential properties. Dwellings are of a traditional design, mostly with pitched tiled roofs, although mixed in design styles and materials used.
- 3.5 The site has a large leylandii hedge around it in part where it adjoins neighbouring residential properties and consequently it is currently very much screened from view. These are not, however, protected by a tree preservation order or planning condition. The site is previously developed land and located within the urban area.



- 3.6 The proposal is for the demolition of the existing buildings on site and the erection of 5 no. 2 storey dwellings (4 x 2 bed and 1 x 3 bed). A pair of 2 bed semi-detached houses will front Feltham Hill Road, in a similar position to the existing chalet style dwelling. The existing access road will be utilised in order to access the rear section of the plot, with another pair of semi-detached houses located in the eastern projecting piece of land and a detached 3 bed dwelling, with a garage, in the piece of land to the west. The houses will be of a traditional design with pitched roofs and materials including bricks and tiles. Each dwelling will have its own private garden to the rear of the dwelling. Parking will be provided for 10 vehicles, with areas of landscaping and buffer strips along the access road and parking spaces.
- 3.7 The proposed indicative site layout and previously refused scheme is provided as an Appendix.

## 4 Consultations

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

Consultee	Comment
County Highway Authority	No objection, recommends conditions
Head of Street Scene (Refuse)	No objection
Tree Officer	No objection
Crime Prevention Officer	No objection. Makes a number of detailed security related comments concerning the Secure by Design award.
Sustainability Officer	No objection, recommends condition
Environmental Health Officer (Air Quality)	No objection, recommends condition
Environmental Health Officer (Contamination)	No objection, recommends condition

## 5. Public Consultation

- 5.1 A total of 37 properties were notified of the planning application. Letters of representation have been received from 19 separate properties. Amended plans were provided and neighbours were re-notified and a further 4 letters were received from previous writers. One letter was also received from the SCAN Advisor. The following issues were raised:-
- overdevelopment
  - out of character/cramped
  - lack of parking/traffic generation/highway safety – poor parking layout
  - loss of trees/screening

- loss of privacy/overlooking to properties at rear.
- overbearing/overshadowing /loss of light/loss of outlook
- overlooking of existing properties (some with loft conversions) to the application site.
- noise and disturbance during construction
- noise and disturbance due to development
- impact on wildlife – bats/birds etc
- security impacts
- access by emergency vehicles
- boundary issues/type of boundary fence
- pressure on infrastructure
- no more houses needed in Ashford
- previous refusal at the site
- health and well-being of neighbour
- property prices (Officer note, this is not a planning matter)
- refuse storage

- 5.2 In addition, the SCAN Officer has noted the 'Accessibility Statement' submitted with the application indicates that the proposals have considered the needs of the disabled at present and the ability to be adapted in the future. The layouts shown with the planning application appear to have limited scope for such adaption. However, in order to ensure the dwellings will be built to an 'accessible and adaptable' standard a condition must be imposed on any planning permission granted to ensure that they will comply with Building Regulation M4(2) Category 2: Accessible and adaptable dwellings.

## **6. Planning Issues**

- Principle of the development
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Renewable energy
- Dwelling mix
- Trees/Ecology

## **7. Planning Considerations**

### Housing Land supply

- 7.1 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 policies set out in the National Planning Policy Framework (NPPF) 2019.

- 7.2 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five year housing land supply should be measured against the area's local housing need calculated using the Government's standard method<sup>1</sup>. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 611 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.
- 7.3 The NPPF requires a local authority to demonstrate a full five year supply of deliverable sites at all times. For this reason, the base date for this assessment is the start of the current year 1 April 2021, but the full five year time period runs from the end of the current year, that is, 1 April 2022 to 31 March 2027. The 20% buffer will therefore be applied to this full period. National guidance sets out that the buffer should comprise sites moved forward from later in the plan period. A 20% buffer applied to 611 results in a figure of 733 dwellings per annum, or 3666 over five years.
- 7.4 In using the objectively assessed need figure of 733 as the starting point for the calculation of a five year supply it must be borne in mind that this 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. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period.
- 7.5 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised five year housing land supply figure. Spelthorne has identified sites to deliver approximately 3513 dwellings in the five year period.
- 7.6 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.79 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.
- 7.7 Government guidance (NPPF para 73) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years". In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority's five year land supply and a presumption in favour of sustainable development if the figure is below 75%. The Housing Delivery Test result for Spelthorne Borough Council was published by the Secretary of State in January 2021, with a score of 50%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of sustainable development because the test score of 50% is less than the 75% specified in

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<sup>1</sup> Planning Practice Guidance Reference ID: 68-005-20190722

the regulations. The figure of 50% compares with 60% last year and 63% in 2019. The Council's Housing Delivery Test Action Plan will be updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.

- 7.8 As a result, current decisions on planning applications for housing development need to be based on the 'tilted balance' approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole'.

Principle of the development

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

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

- 7.10 This is also reflected in the NPPF paragraph 117 which emphasises the need for the effective use of land in meeting the need for homes, whilst safeguarding the environment and provides further relevant context at paragraph 122 in respect of achieving appropriate densities.
- 7.11 The site is located within the urban area, on a previously developed site. It is close to the parade of shops at the junction with School road/Convent Road and Feltham Hill Road which have a variety of shops and services on both Convent Road and Feltham Hill Road, and is also within walking distance of Ashford Town centre. As such, the site is within an accessible location close to facilities and public transport links. It is not located within a high flood risk area or in the Green Belt. The site currently has a dwelling and a workshop building located on it. The site is surrounded by residential uses, with gardens of dwellings on Dingle Road to the north and west, and dwellings and flats along Feltham Hill Road. Therefore, the principle of creating new residential dwellings is considered acceptable. Furthermore, the proposal is considered to comply with the aims of National Planning Policy Framework (NPPF) and makes efficient use of urban land. The principle of the development is, therefore, acceptable, provided other policies requirements are met as discussed further below.

Housing density

- 7.12 As referred to above, when considering the principle of housing, the NPPF and Policy HO1 requires new housing development to be sustainable and in the urban area and this scheme meets both of these requirements. Notwithstanding this, Policy HO5 in the Core Strategy Policies DPD 2009 (CS & P DPD) sets out density ranges for particular contexts but prefaces this at paragraph 6:25 by stating:

*“Making efficient use of potential housing land is an important aspect in ensuring housing delivery. Higher densities mean more units can be provided on housing land but a balance needs to be struck to ensure the character of areas is not damaged by over-development.”*

7.13 Policy HO5 specifies densities for sites within existing residential areas that are characteristic of predominantly family housing rather than flats, new development should generally be in the range of 35 to 55 dwellings per hectare. It is important to emphasise that the density ranges are intended to represent broad guidelines and development will also be considered against the requirements of Policy EN1 on design.

7.14 The principle of a high density development on urban land is the focus of the NPPF and Policy HO1 in order to make efficient use of land of previously developed and brownfield land, in sustainable locations.

7.15 The proposal is for 5 houses, in place of an existing one, a net increase of 4 houses. The site area is some 0.17 hectares and will therefore result in a density of less than 30 dwellings per hectare. Although below the recommended minimum density of 35 dwellings per hectare, in policy HO5, this is partly a reflection of the larger than normal road length due to the unusual nature of the plot shape. Consequently, it is not considered that an objection per se could be made on the low density in this particular case providing other policy requirements are met.

7.16 The density is considered to be acceptable provided it complies with Policy HO1 and Policy EN1 on design which is explained in the following paragraphs.

#### Dwelling mix

7.17 Policy HO4 of the CS & P DPD (Housing Size and Type) states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments that propose four or more dwellings to include at least 80% of their total as one or two bedroom units. The Supplementary Planning Document “Housing Size and Type” 2012, notes that, *‘...where there is a predominance of larger dwellings a mix with less than 80% one and two bedroom dwellings may be appropriate with a greater proportion of 3 bedroom dwellings. However, the majority should still have one and two bedrooms.’*

7.18 The application provides 4 of the 5 houses as 2 bed unit and the remaining one as a 3 bed. This equates to 80% of the units as small units and as such the proposal complies with the requirements of Policy HO4 and is acceptable.

#### Design and appearance

7.19 Policy EN1a of the CS & P DPD states that *“the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions,*

*building lines, layout, materials and other characteristics of adjoining buildings and land.”*

- 7.20 The existing dwelling is chalet style with some accommodation within the roof. The properties within the road are of varying styles including a mix of design features and materials. The existing dwelling has a detached garage/shed to the rear at an angle to the access road. The access road extends to the land at the rear which has a single storey detached workshop to the north east of the site, with some hardstanding.
- 7.21 The proposed development comprises a pair of semi-detached 2 storey houses (Plots 1 and 2), fronting the road with rear gardens behind, which are 12.6m in length. Beyond this is a parking area. The three other proposed dwellings are positioned at the rear of the site, perpendicular to the main pattern of development fronting Feltham Hill Road. Plots 1 and 2 are located in the same position as the existing chalet style property but are set further forward, although still further back from the highway than the adjacent buildings. In addition, the proposed pair of dwellings are set in from the western boundary with Christine Court by at least 1m. There is an access road to the west between the proposed pair of semis and Christine Court and in addition, an access road on the application site, on the eastern boundary with 117a Feltham Hill Road. As such, the gaps between the dwellings/plots are retained. The proposed pair of semi-detached dwellings, although taller than the building they replace, will be of a traditional design with roofs sloping back from the road and gable sided. It is considered they will contribute positively to the street scene of Feltham Hill Road. The access road will be retained and improved for the increased vehicular movements with landscaping proposed either side to help soften it and act as a buffer strip.
- 7.22 A car parking area for six cars is proposed to be located behind the rear gardens of plots 1 and 2. Beyond this will be plot 3, a detached dwelling and opposite this, the other pair of semi-detached houses at plots 4 and 5, both facing into the site towards one another with rear gardens behind. The character of Feltham Hill Road does consist of 2 storey development fronting the highway, with rear gardens behind. However, small access roads, with parking to the rear of the site are evident on Feltham Hill Road, including at the adjacent site at Christine Court and at 121 Feltham Hill Road, which has garages located to the rear of the site. Both of these adjoin the application site. In addition, it should also be noted that the application site already has an access road which leads to the rear of the site.
- 7.23 Dingle Road adjoins Feltham Hill Road to the west of the application site and wraps around the side and rear of Feltham Hill Road. Consequently, there are properties adjoining the application site on the western side and to the rear (north). No. 2b Dingle Road will back onto Plot 3 in a traditional layout and plots 4 and 5 will side on to dwellings in Dingle Road and Feltham Hill Road. As such it is considered that the proposal which includes houses behind the main built form fronting the highway, will not look out of place, be out of character with the locality, or of detriment to it, in this instance.
- 7.24 Plot 3 is located in the north western corner of the site and plots 4 and 5 in the north eastern corner facing into the site and towards one another. They are

set some distance back from Feltham Hill Road and will not be particularly visible from the street. However, glimpses of the houses between the existing buildings will be possible on Feltham Hill Road and Dingle Road. As noted above, the development would not be out of character with the layout of the locality which includes dwellings positioned at various angles, surrounding the application site. The proposed dwellings each have long rear gardens, which will provide large gaps between the built form and result in an acceptable layout.

7.37 Although the proposed dwellings will be visible from neighbouring plots and gardens they are of a traditional design and materials and are considered to be acceptable in regard to design and appearance. The design, scale and layout will pay due regard to that of the neighbouring sites and is considered to be in keeping with the character of the area. The proposal is considered to make a positive contribution to the street scene and accords with policy EN1 of the local plan.

7.25 Parking has been provided within the site and will not be particularly visible from Feltham Hill Road, and includes landscaping to soften its appearance. Landscape buffers are provided within the parking area and adjacent to the access road and properties. Landscaping will be provided to the street frontage, which will improve its appearance. The landscaping will help to soften the built form and provide a pleasant street frontage. As such the proposed development is considered to be acceptable in design terms and conforms to policy EN1.

Impact on neighbouring residential properties

7.26 Policy EN1b of the CS & P DPD states that:

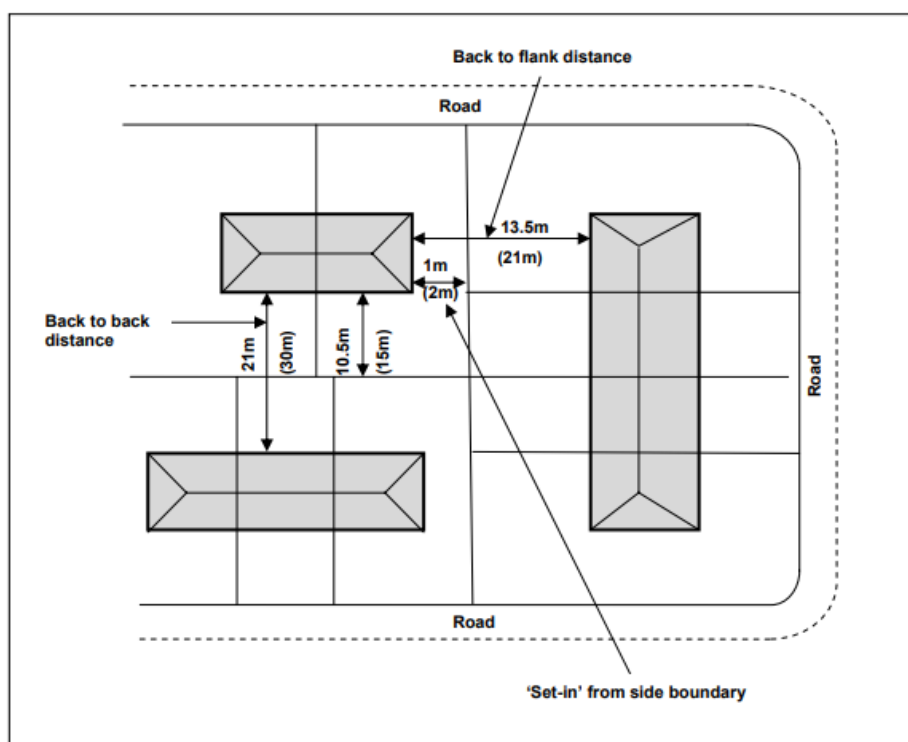
*“New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.”*

7.27 The scale of the development and proximity to the boundaries with existing properties needs to be given consideration to ensure that there is an acceptable relationship and that existing residential properties will not be significantly adversely affected by the proposal. The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policies requirements in order to ensure this is the case.

7.28 Para 3.6 of the Council's SPD acknowledges that *‘most developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.’*

7.29 It states further in para 3.9 that, *‘...An appropriate degree of separation must exist between properties to avoid overlooking, preserve privacy and outlook and avoid an overbearing impact. Diagram 1 shows a typical street layout with three rows of properties facing the respective roads. It shows the minimum distances that must exist between dwellings when new residential development is proposed. The figures in brackets relate to three storey*

development. It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook.'



**Diagram 1: Area to the rear of a property to be clear of development to preserve privacy and outlook. (N.B. the figures in brackets relate to three storey development).**

The minimum separation distance for 2 storey development is 10.5m for back to boundary distance, and 21m for back to back development. There is also a minimum distance for back to flank elevations of 13.5m.

- 7.30 However, as the document explains, it is not always easy to apply these distances, when the relationship is not as set out in the diagram above. Para 3.15 also notes that, '*...application of these measures will need to take account of circumstances where properties are skewed and not directly facing each other or are not at 90° and therefore a lesser degree of overlooking or impact on outlook might arise*'.
- 7.31 The proposed consists of a pair of semi-detached 2 storey houses (Plot 1 and 2), fronting the road. These dwellings have rear gardens behind, with a depth of 12.6m. Beyond this is a parking area and then the other proposed dwellings perpendicular to the main form of development fronting Feltham Hill Road. Plots 1 and 2 are located in the same position as the existing chalet style property, and in line with neighbouring properties fronting Feltham Hill Road. In addition, they are set in from the side boundaries, by at least 1m from the western boundary with Christine Court. There is an access road to the west between the proposed pair of semis and Christine Court and in addition an access road on the application site to the side of the proposed dwellings and the eastern boundary with 117a Feltham Hill Road. As a consequence, the built form is set away from the adjacent dwellings on Feltham Hill Road and will not have a detrimental impact on their amenity in terms of being



overbearing or causing loss of light. Windows in the front will look towards Feltham Hill Road and the ones at the rear will look towards their own rear gardens. Side facing windows will be obscurely glazed to ensure no overlooking issues arise.

- 7.32 In addition, the access road, which is already in existence but will have additional vehicular movements, has been modified and provides a 2m landscape strip to the side boundary with no. 117a to provide an additional buffer. Other areas of hardstanding for manoeuvring and car parking have been amended to provide further landscaping and buffer strips adjacent to neighbouring properties, as well as ensuring proposed car parking is positioned adjacent to existing car parking and garages, where possible. The refuse storage area has also been removed, as it is not required to be provided given the proposal is for houses rather than flats, so can be stored within the individual plots. As such, it is considered that the access road and car parking layout will have an acceptable impact on existing neighbouring properties.
- 7.33 Plot 3 is located in the north western corner of the site. The proposed dwelling is a detached 2 storey, 3 bedroomed house, with detached garage to the southern side. It will face into the application site. It will have a long rear garden behind, of some 17.1m in depth, greatly exceeding the back to boundary 10.5m minimum separation distance as set out in the SPD. There will be a distance of some 28m between the back of the proposed dwelling and the existing dwelling at 2b Dingle Road, which also exceeds the minimum back to back separation distance. The proposed side elevation will be set in from the northern boundary with the rear gardens of properties located along Dingle Road by 1.5m. The side of the proposed dwelling is located to the rear of nos. 14 and 16 Dingle Road and will be located approx. 18m from the rear of the original 2 storey houses and some 13.5m from the deepest part of the rear extension at no. 14. Therefore, the proposal will meet the minimum separation distance required for back to flank development and will ensure an acceptable relationship with the properties located to the rear (west) and side (north) along Dingle Road, and will not cause any unacceptable loss of light/outlook and neither will it be overbearing. The southern side boundary adjoins the car park of Christine Court and will have an acceptable impact.
- 7.34 Plots 4 and 5 are located in the north eastern part of the site and face towards plot 3, with their rear gardens behind. These consist of a pair of semi-detached 2 storey, 2 bedroomed dwellings, with hipped roofs that slope in from the sides, as well as the front and rear. The design of the roof which slopes in from the side boundary, was an amendment to the originally submitted scheme, and helps to reduce the bulk and scale of the roof, so that it slopes away from the gardens of Dingle Road. The pair of dwellings will have long rear gardens of some 21.1m in depth, (twice the length of the minimum 10.5m back to boundary distance) and in fact is the back to back distance. As such it will have an acceptable impact on the dwellings to the east.
- 7.35 The proposed side elevation of plots 4 and 5, will be set in from the southern boundary by approx. 1.1m with the rear of the gardens at 121 and 123 Feltham Hill Road. No. 121 has a block of garages and hardstanding at the

rear of the site, with the dwellings on Feltham Hill Road, located a long distance, (over 20m) to the south, as such the proposal will have an acceptable relationship with these properties. The proposed side elevation is set in from the northern boundary, with the rear gardens of properties located along Dingle Road, by 1.1m, and will partly be adjacent to the existing outbuilding located in the rear garden of no. 22 Dingle Road. The side of the proposed dwelling is located to the rear of nos. 20 and 22 Dingle Road. Although the proposed dwelling is positioned perpendicular to the main dwelling at no. 20 Dingle Road, it is not located directly behind it. No. 20 has an irregular shaped garden, which is wide, but not particularly long. No. 22 is located at the end of Dingle Road which is a cul du sac and is positioned at a different angle to no. 20. It too has an irregular shaped garden, which is wide but much longer than that at no. 20. Both of these dwellings have a side extension which link together, also at a different angle to the main dwelling on each plot.

- 7.36 As noted above, the SPD does point out that when applying the minimum separation distances, it is important to take account of the angle between the existing and proposed buildings, such as this relationship, stating that, ‘*application of these measures will need to take account of circumstances where properties are skewed and not directly facing each other or are not at 90° and therefore a lesser degree of overlooking or impact on outlook might arise.*’
- 7.37 Indeed the relationship of nos. 20 and 22 to the proposed dwellings on plot 4 and 5 are not 90 degrees and is skewed, as the dwellings do not directly face each other or are located directly behind one another. The northern side of plot 4 will be located approx. 14m from the rear of the original 2 storey house at no. 20, at its closest point, and some 11m from the deepest part of the side extension, again at its shortest point. However, as noted above, the properties are located at an angle to one another, with the proposed dwelling located adjacent to the south eastern corner of the rear garden, overlapping less than 4m of the wide garden to no. 20, which has an overall width of some 17m. The main dwelling at No. 22 is set further away (approx. 14.5m) from the side of the proposed plot 4 and in addition there is an outbuilding located in its rear garden adjacent to the application site, which will help to soften the impact. As noted previously, the side of the roof of the proposed plot 4 will slope in, away from the boundary, which will also help to reduce the impact.
- 7.38 As stated above, plots 4 and 5 will not meet the specific positions/relationship to correctly apply the minimum separation distances set out in the SPD. However, when applied, it does exceed the minimum requirement for back to flank development from the main 2 storey dwellings at nos. 20 and 22 Dingle Road. The position, distances and design/scale of the proposed semi-detached houses will ensure an acceptable relationship with the neighbouring properties and their gardens and will not cause any unacceptable loss of light/overshadowing and outlook or be overbearing. It is acknowledged that some overshadowing will occur to garden areas, due to the arc of the sun. However, the proposal is considered to have an acceptable relationship with and impact on the amenity of the occupants of the neighbouring properties along Dingle Road, which will not lead to a significant impact in terms of loss

of light/overshadowing, loss of outlook or being overbearing that would justify a reason for refusal.

- 7.39 Front facing windows of plots 3, 4 and 5 face into the application site. The rear facing windows face along their own, long rear gardens. In addition, the dwellings are set in from the northern side boundary with neighbouring gardens, plot 3 by 1.5m and plot 4 and 5 by 1.1m, and the windows are set in from the side elevations. As such, it is not considered that these windows would lead to a significant overlooking or loss of privacy issue to the adjacent dwellings, that would justify refusal. Although this was raised as a concern with the previously refused scheme, this was in conjunction with other issues in terms of the scheme not meeting the minimum separation distances and proximity of the front and rear elevations to boundaries with adjacent dwellings. The single dwelling at plot 3 is set further in than the previous scheme, now 1.5m. The proposed first floor side facing windows will be obscure glazed by condition to ensure there is no overlooking or loss of privacy to neighbouring properties. Ground floor windows in the side will face boundary treatment to be agreed by condition, but will ensure that ground floor windows do not cause loss of privacy.
- 7.40 In addition, the proposals will not cross the 25 degree line as set out in the Council's SPD when drawn from a point at 2m above ground level from the properties to the rear and side along Dingle Road, or indeed those on the opposite side of Feltham Hill Road. This will ensure an appropriate level of daylight and a significant view of the sky is maintained, as set out in the SPD. In addition, plots 2 and 3 will not cross the 45 degree line when taken from neighbouring properties on Feltham Hill Road as set out in the SPD. As such the proposed development will have an acceptable relationship with, and impact on the amenity of existing neighbouring residential properties, and will not cause a significant loss of light, be overbearing or cause loss of outlook.
- 7.41 Therefore, the proposal is considered to have an acceptable impact on the amenity of existing neighbouring residential properties, conforming to the Design SPD and Policy EN1.

#### Amenity Space

- 7.42 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of dwellings, it requires 60 sq. m for a 2 bed dwelling and 70 sq. m for a 3 bed dwelling. The proposal provides a private rear garden for each dwelling, with the smallest one being plot 2 with an area of 63 sq. m, it also has a front landscape area.. This is above the minimum requirement, with those for plots 3, 4 and 5 being much longer and therefore larger. Therefore, the provision of amenity space is considered acceptable and in keeping with the character of the area.

#### Proposed dwelling sizes

- 7.43 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats, as well as to 2 and 3 storey houses. For example, the minimum standard for a 2 bedroom, 2 storey house for 4 people is 79.sq. m.

- 7.44 The Government has since published national minimum dwelling size standards in their “*Technical Housing Standards – nationally described space standard*” document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD and includes minimum sizes for studio flats. This national document must be given substantial weight in consideration of the current application in that it adds this additional category of small dwellings not included in the Council’s Standards.
- 7.45 All of the proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards and the SPD. The requirement is 79 sq. m for the 2 bed and 93 sq. m for a 3 bed 5 person, 2 storey dwelling are meet. Therefore, it is considered their standard of amenity overall to be acceptable.

Highway and parking provision

- 7.46 Strategic Policy SP7 of the CS & P DPD states that:

*“The Council will reduce the impact of development in contributing to climate change by ensuring development is located in a way that reduced the need to travel and encourages alternatives to car use. It will also support initiatives, including travel plans, to encourage non car-based travel.”*

- 7.47 Policy CC2 of the CS & P DPD states that:

*“The Council will seek to secure more sustainable travel patterns by: ... (d) only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative impact including other proposed development; (iv) access and egress to the public highway; and (v) highway safety.*

- 7.48 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. The Council’s parking standards have a minimum requirement of 1.5 spaces per 2 bed dwelling and 2 spaces per 3 bed dwelling (2.25 spaces if over 80 sq. m).
- 7.49 The proposed parking provision for the residential properties is 10 spaces. The proposal includes 4 no. 2 bed houses and 1 no 3 bed house. The Council’s residential Parking Standards would require a minimum of 8.25 spaces, which is rounded up to 9. Therefore, the proposal meets this requirement and provides sufficient parking provision. The County Highway Authority (CHA) was consulted on the planning application and has assessed the application on safety, capacity and policy grounds. The CHA has raised no objection, subject to the imposition of conditions.
- 7.50 Therefore the CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision. The site is located in a sustainable location close to some shops and services as well bus routes. As

such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

#### Electric Vehicle Charing Points (EV points)

- 7.51 The County Highway Authority, through its document entitled '*Surrey Vehicular and Cycle Parking*' (January 2018), recommends that in new developments, 1 fast EV charging socket should be provided per house, and that 20% of all spaces available to flats are fitted with a fast charge socket, with a further 20% being provided with a power supply to provide additional fast charging points.
- 7.52 The County Highway Authority and the Council's Environmental Health Department (Air Quality) have both recommended that parking spaces are provided with electric vehicle charging points.
- 7.53 The applicant has agreed to provide parking spaces with EV charging points upon occupation. This is considered to be in accordance with the objectives of the County guidance. and this can be dealt with by a planning condition.

#### Renewable Energy

- 7.54 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sq. m to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.55 The applicant has noted that they would have possible options for meeting the requirement by either Ground or Air Sourced heat pumps or roof mounted Solar Photovoltaic Panels. The Council's Sustainability Officer has been consulted and raises no objection. The renewable energy condition will be imposed and at this point they will need to confirm the final technology chosen and present the figures that demonstrate this will meet the minimum requirement. Accordingly, the renewable energy proposals are acceptable and accords with Policy CC1, subject to a condition.

#### Loss of Trees/Landscaping

- 7.56 The applicant has submitted a Tree Survey which includes details about hedges to be removed from the site and how the proposal will impact on the retained tree at the adjacent site. The Council's Tree Officer has been consulted and raises no objection to these proposals noting there are no trees of any merit on or near the site. The leylandii hedging located along some of the boundaries of the site, is not covered by a Tree Preservation Order and the site is not located within a Conservation Area and therefore could be removed without consent. Although the hedge does add some screening of the site, it is not considered reasonable to require it to be retained.
- 7.57 Landscaping will be provided to the front of the proposed semi-detached dwellings, which will help to improve the streetscape. Landscaping will also be provided along the access road and within parking areas to break up the hardstanding and act as a buffer to neighbouring sites, also adding visual

interest. The gardens will be to the rear of each of the dwellings. A landscaping condition will be imposed to agree these details.

#### Biodiversity/Ecology

- 7.58 The applicant has submitted an Ecological Appraisal, with mitigation measures and sets out recommendations to achieve biodiversity net gains at the site. The site was surveyed in October 2020 based on standard extended Phase 1 methodology. In addition, a general appraisal of faunal species was undertaken to record the potential presence of any protected, rare or notable species. A specific survey was conducted in respect of bats, in the form of detailed visual internal and external inspections of the two on-site buildings. The site itself is not subject to any statutory or non-statutory ecological designations and largely comprises buildings and hardstanding, with areas of amenity grassland, scattered scrub and ornamental planting, bound by brick walls and fence lines, with hedgerows at the northern, eastern and southern boundaries. The habitats within the site are not considered to form important ecological features and their loss to the proposals is of negligible significance. The site offers limited opportunities for protected species and no evidence of any such species was recorded during the survey work.
- 7.59 However mitigation measures will be implemented to safeguard bats and nesting birds and roosting and nesting opportunities will be enhanced through the provision of bat and bird boxes and also the opportunity to secure a number of biodiversity net gains, including additional native tree planting. In summary, the proposals have sought to minimise impacts on biodiversity and subject to the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm. Consequently, no objections are raised subject to a condition recommending that the mitigations measures set out in the ecological report are adhered to.

#### Contaminated Land

- 7.60 The development site is located within 5m of a decorating/paint storage business and is also in the vicinity of several infilled gravel pits. The Council's Pollution Control Officer has raised no objection but requested standard conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures. Subject to these conditions, the proposal is considered acceptable in accordance with Policy EN15.

#### Refuse Storage and Collection

- 7.61 A communal refuse storage area was provided in the initial submission in order for refuse vehicles to access the site and collect the bins. However, following consultation with the Council's Group Head Neighbourhood Services, it became apparent that refuse vehicles would collect from Feltham Hill Road and not within the site. As the proposal is for dwellings, there is no need for a dedicated refuse storage area as required for flatted developments as it is up to the individual occupants of the houses to decide where to put the bins on their own site. The refuse will need to be taken to the end of the access road for collection on Feltham Hill Road on collection days. The Council's Group Head Neighbourhood Services has been consulted and has raised no objection to the provision.

### Equality Act 2010

- 7.62 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

The applicant has advised that the proposed have been designed to be adaptable to be accessible. As such the application has been considered in light of the Equality Act and the scheme is considered to have due regard to this.

### Human Rights Act 1998

- 7.63 This planning application has been considered against the provisions of the Human Rights Act 1998. and the following articles were found to be particularly relevant:-

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e., peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the refusal of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

### Other matters

- 7.64 Security has been raised in a number of letters of objection. This relates to the fact that the site is currently gated and has no access to the rear, but the proposal includes the removal of the tall hedges and the access road into the rear of the site would be used by the new dwellings. Although this would change the current situation, it is not considered to give rise to a significant security issue. The boundary would have a suitable treatment which would be

appropriate for a residential area and agreed by condition. The Crime Prevention Officer has been consulted and raises no objection to the proposal subject to a number of recommendations which will be attached as an informative to any permission given. The Community Infrastructure Levy (CIL) as referred to below, includes payment for local infrastructure to support the application. In regard to accessible and adaptable dwellings, it is not considered necessary or reasonable for a planning condition to be imposed to require the imposition of legislation covered by a different entity i.e., Building Control, as requested by the SCAN Officer.

#### Financial Considerations

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

#### Conclusion

- 7.66 The proposal is considered to pay due regard to the design, scale and character of the area, making a positive contribution to the street scene. It will be a sustainable form of development, meeting a need for housing on an existing previously developed site, providing a good standard of accommodation for future residents with sufficient parking and amenity space provision. It will have an acceptable impact on the amenity of neighbouring properties and is considered to be acceptable.
- 7.67 As such, there are no adverse impacts that would significantly and demonstrably outweigh the benefits when taking the tilted balance into account and therefore the application is considered to be acceptable. The application is recommended for approval.

### **8. Recommendation**

- 8.1 GRANT subject to the following conditions:

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

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



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

2020/P0091 LP B, 105 A, 110 B and 111 B received on 26 January 2021 and amended plan numbered C100 B, 100 F and 112 C received on 16 March 2021

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

3. No development above damp-proof course level shall take place until details of the materials and detailing to be used for the external surfaces of the buildings and surface material for parking areas are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials.

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

- 4 No development shall take place until:-
- (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.

#### 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](http://www.spelthorne.gov.uk).

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

5. Prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

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

6. Following construction of any groundwork and foundations, no construction of the development above damp-proof course level shall take place until a report is submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of the building and thereafter retained.

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

7. Details of a scheme of both soft and hard landscaping works shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The approved scheme of tree and shrub planting and other associated works shall be carried out prior to first occupation of the buildings and/or site. The planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

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

8. Prior to occupation of the units the proposed first floor windows in the flank elevations of all dwellings, shall be obscure glazed and non-

opening to a minimum of 1.7m above internal floor level. Details of glazing to be installed shall be submitted to and approved in writing by the Local Planning Authority. These windows will thereafter be permanently retained as installed.

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. Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s)/use is/are occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

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

10. 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: - This condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy Framework 2018 and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

11. No new development shall be occupied until 5 parking spaces, (one per dwelling) are fitted with a fast charge socket (7kw Mode 3 with Type 2 connector), and a further 2 spaces are provided with power supply (through feeder pillar or equivalent) to provide additional fast charge sockets.

Reason: For the improvement of sustainable transport in order to improve local air quality and public health, in accordance with paragraphs 103, 170e, and Section 9 (Promoting Sustainable Transport) of the NPPF.

12. The precautionary measures to safeguard wildlife at the site including bats, shall be carried out strictly in accordance with the recommended

mitigation measures in the submitted Aspect Ecological Appraisal January 2021.

Reason:- In the interest of safeguarding bats and other wildlife on the site

- 13 Prior to the construction of the buildings, a biodiversity enhancement scheme to be implemented on the site including the installation of bird and bat boxes, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented before the occupation of the building in accordance with the approved scheme and thereafter maintained.

Reason:- To encourage wildlife on the site.

#### Informatives to be attached to the planning permission

1 The permission hereby granted shall not be construed as authority to carry out any works on the highway. 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 to install dropped kerbs. [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs) In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.

2 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).

3 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.

4 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

5.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](http://www.securedbydesign.com).

6.With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

7.A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

8.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](http://www.spelthorne.go.uk/CIL).

9.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 bowsters 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](http://www.ccscheme.org.uk/index.php/site-registration) 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](http://www.ccscheme.org.uk/index.php/site-registration) 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](http://www.ccscheme.org.uk/index.php/site-registration)

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

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

11. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.



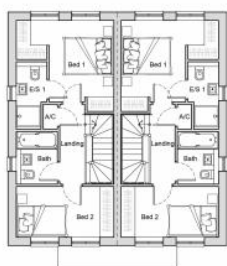
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# 115 Feltham Hill Road - proposed layout plan



## Proposed elevations Plots 4 and 5



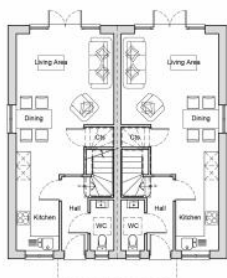
First Floor Plan



Front Elevation



Side Elevation



Ground Floor Plan

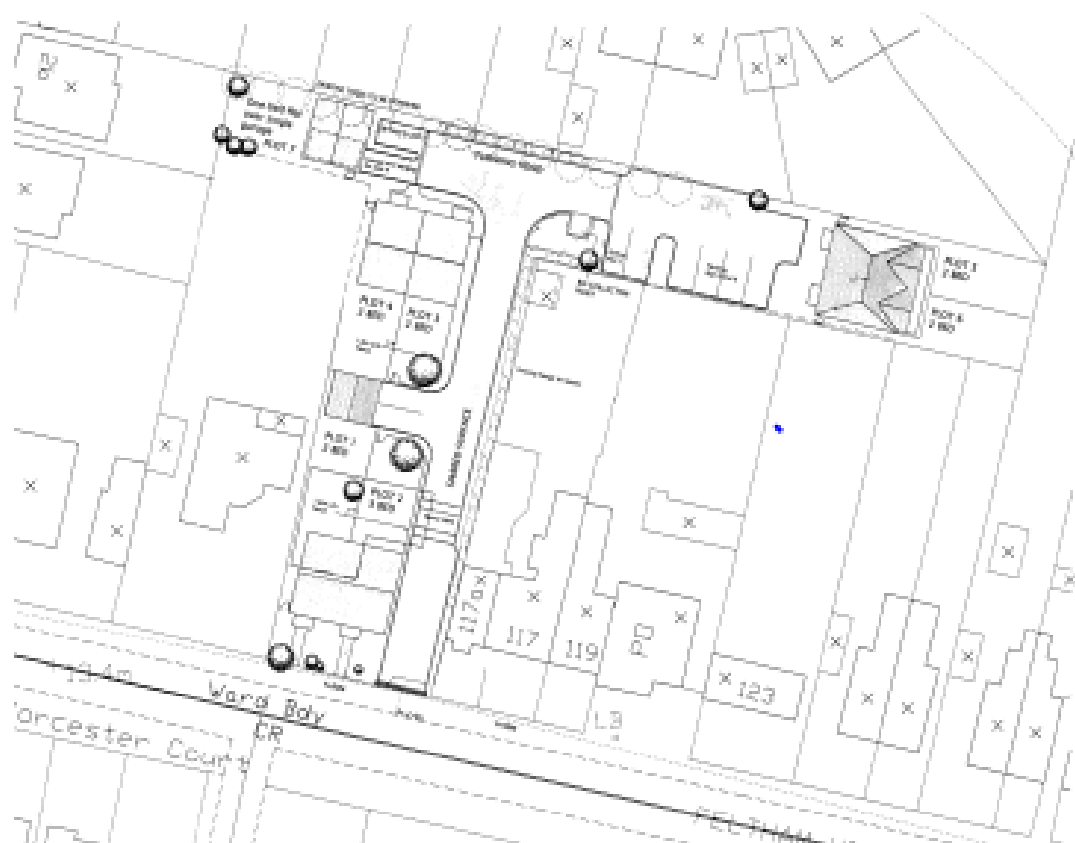
Plot 4 - 2000' Semi-Detached Dwelling - 78.3m<sup>2</sup> (841m<sup>2</sup>)  
Plot 5 - 2000' Semi-Detached Dwelling - 78.3m<sup>2</sup> (841m<sup>2</sup>)

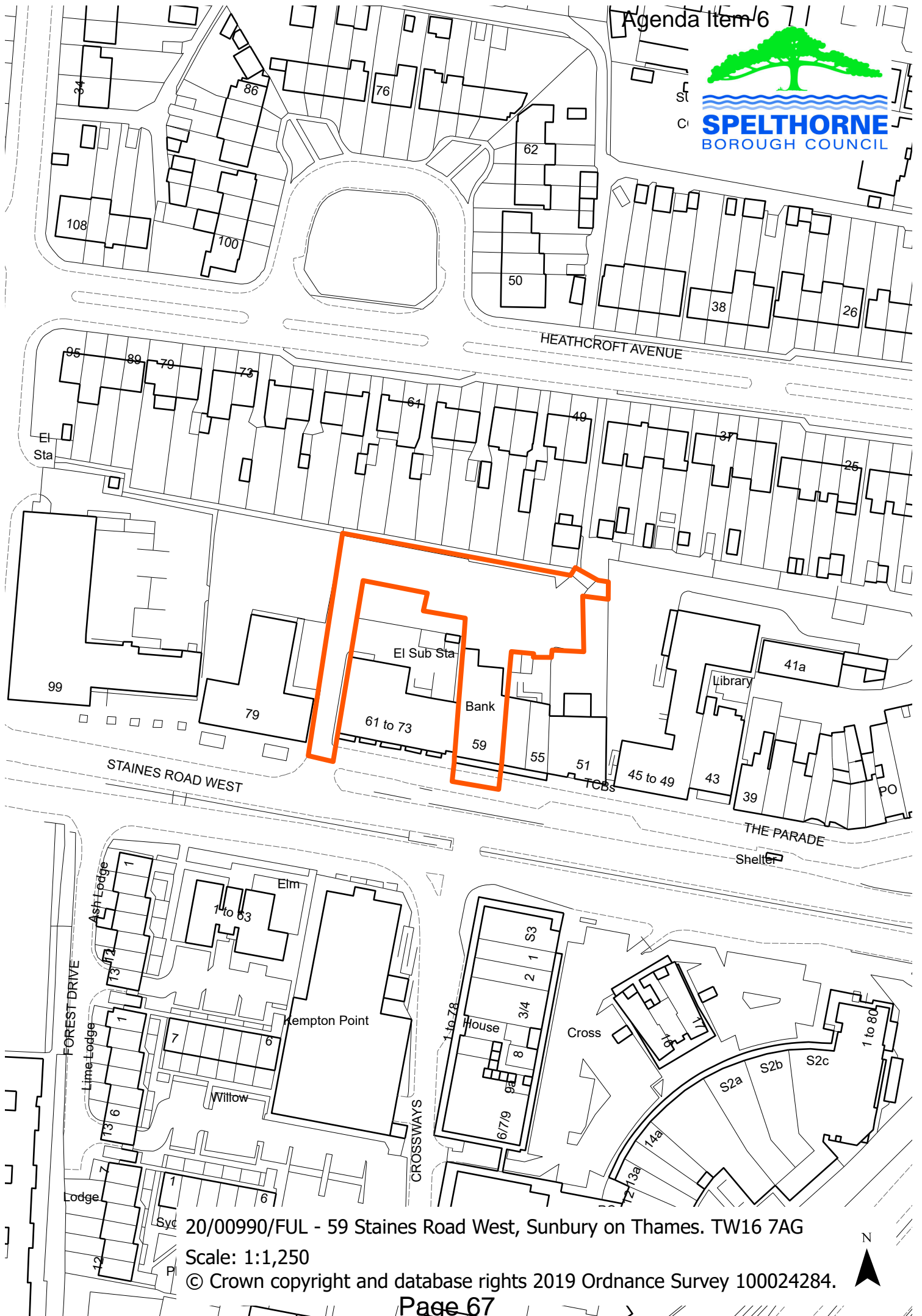


Rear Elevation



Side Elevation





20/00990/FUL - 59 Staines Road West, Sunbury on Thames. TW16 7AG

Scale: 1:1,250

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# Planning Committee

28 April 2021



<b>Application Nos.</b>	20/00990/FUL		
<b>Site Address</b>	59 Staines Road West, Sunbury On Thames, TW16 7AG		
<b>Proposal</b>	Proposed change of use of the upper floors to 8 No. residential flats including conversion of the existing first and second floors together with roof extension and rear extension, new bin store, bicycle store and parking.		
<b>Applicant</b>	Eastway Estates Ltd c/o Prideview		
<b>Ward</b>	Sunbury Common		
<b>Call in details</b>	N/A		
<b>Case Officer</b>	Drishti Patel		
<b>Application Dates</b>	Valid: 28.09.2020	Expiry: 23.11.2020	Target: Extension of time agreed
<b>Executive Summary</b>	<p>This application is seeking the extension and conversion of the existing first and second floors to create 8 additional residential units at the site (comprising 4 x 1 bedroom units &amp; 4 x 2 bedroom units).</p> <p>The site is occupied by a now vacant bank on the ground floor with ancillary offices on the upper floors. The site is located within a designated shopping area and a designated Employment Area and is opposite the Sunbury Cross Shopping Centre.</p> <p>The application proposes to retain the ground floor as a commercial unit with rear extensions on the first and second floors to accommodate the residential units. The first and second floors would accommodate 2 x 1 bedroom units and a 2 bedroom unit each. A further third floor is proposed to be erected for 2 x 2 bedroom units with a flat roof to mirror the existing roof.</p> <p>The proposal is considered to have an acceptable impact upon the character of the area, the amenity of surrounding properties, and parking provision. It is considered that no objection could be raised to the loss of the existing commercial floorspace on the upper floors. The proposal is therefore considered to comply with local and national planning policies and guidance.</p>		
<b>Recommended Decision</b>	This application is recommended for approval, subject to conditions.		

## MAIN REPORT

### 1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies Development Plan Document (CS&P DPD) 2009 are considered relevant to this proposal:

- SP1 - Location of Development
- LO1 - Flooding
- SP6 - Maintaining and Improving the Environment
- EN1 - Design of New Development
- EM1 – Employment Development
- CC2 - Sustainable Travel
- CC3 - Parking Provision

1.2 Also relevant is the National Planning Policy Framework (NPPF), 2019

### 2. Relevant Planning History

2.1 The Council holds records of two previous planning applications being determined at the site as outlined below:

13/00716/ADV	Erection of one internally illuminated fascia sign, two blank fascia signs and one internally illuminated projecting sign at front of premises and erection of one internally illuminated fascia sign at rear of premises (amended plans & amended description).	Grant Conditional 12.07.2013
20/00380/FUL	Replacement of integrated ATM with infill brickwork.	Grant Conditional 21.05.2020

### 3. Description of Current Proposal

3.1 The site is located on Staines Road West with a smaller service road running parallel to the main road and sitting in front of the site's front elevation known as The Parade. The site occupies a large plot which includes the frontage building as well as a large car park to the rear. The rear car park can be accessed via Staines Road West between Grandera House and No.79 Staines Road West with an alternative access to the north east via Vicarage Road. The site is mid-terraced on the northern side of Staines Road West.

The building is located between No.55-57 Staines Road West to the east and Grandera House to the west.

- 3.2 Nos.55-57 is of the same age and appearance as that of the application site with three storeys and a flat roof, albeit with a less wide frontage. On the ground floor, commercial space is retained for similar activities to the application site. However, the upper parts have two maisonettes occupied by No 55A and No 57A with access from the rear.
- 3.3 Grandera House to the west of the site is a larger three storey building with residential accommodation in the tall steeply pitched roof. The building had previously been commercial. To the north of the site are the domestic scale properties in Heathcroft Avenue whose rear gardens back onto the site's car park with a passageway separating the site's boundary and the end of these gardens. These parts of Heathcroft Avenue are characterised by semi-detached or terraced dwellings with long gardens and mature trees and relate to the residential character of area to the north.
- 3.4 The proposal involves the creation of extensions at ground, first and second level and a further third floor. The ground floor would include an extension serving bin store and bicycle rack. The first floor will measure 15.6 metres in depth and a height of 2.56 metres. The width would extend 7.6 metres due to being set in from the sides to accommodate private terraces. The second-floor rear extension would measure 13.3 in depth, 7.6 metres in width, again due to the set in from side boundaries and 2.50 metres in height. The third floor would measure a maximum of 19.2 metres in depth projecting to the front elevation. It would have a varying width with the maximum 12.6 metres and a minimum of 7.6 metres. It is proposed that the height would be increased from 9.3 metres to approximately 12.6 metres. However, this third storey would have a staggered front elevation with it being partially set back 1.8 metres to form an outdoor terrace. This terrace would have a glazed balustrade. On the section of front elevation which is flush, the design and materials would be matched to the existing lower floors.
- 3.5 The application proposes additional windows in the side elevation adjacent to Nos.55 – 57 Staines Road West of the second (2 windows) and third floors (1 window) which are to be obscurely glazed. The first floor would have one window and 1 set of double doors on this side elevation leading to a terrace with a privacy screen 1.7 metres in height.
- 3.6 The existing commercial unit currently has 5 designated car parking spaces to the rear. The proposal retains 2 of these spaces for the ground floor commercial unit one of which serves a disabled space. The remaining 3 spaces are to be replaced by a ground floor rear extension serving a bike rack and waste storage area. For the residential units, an amended car parking layout shows 8 additional parking spaces would be created at the rear of the site.

#### **4. Consultations**



Consultee	Comment
County Highway Authority	No objections.
Environmental Health (Contamination)	Requests a condition relating to contaminated land. In addition, requests an informative to be added relating to air quality.
Environmental Health (Noise)	No objection
Neighbourhood Services	No further comments, however, recommends a condition to be attached relating to removal of a fence and post.
Sustainability Officer	No objection

## 5. Public Consultation

The Council has consulted the occupiers of 41 neighbouring sites. The Local Planning Authority has received three letters of representation. Reasons for objection include:

- Loss of privacy and overlooking

## 6. Planning Issues

- Principle
- Character and Appearance
- Amenity
- Highways

## 7. Planning Considerations

### Principle of Development

- 7.1 Policy EM1 relates to designated Employment Areas which the application site is included in the Sunbury Cross Centre area. The policy states that the Council will maintain employment by refusing proposals that involve a net loss of employment land or floorspace in Employment Areas, unless the loss of floorspace forms part of a development that is of overall benefit to an existing business operating from the site.
- 7.2 Whilst the proposal will result in a loss of existing employment floorspace on the upper floors, it is not considered that a refusal can be justified on this particular issue. Since the policy was first adopted in 2009, the Government has relaxed planning regulations for commercial buildings. It is now possible to convert various commercial buildings to residential as Permitted Development and not therefore require planning permission, subject to prior approval details. Indeed, the neighbouring property of Grandera House has been converted from commercial space into residential units as permitted development. Moreover, it is relevant to note the ground floor is being retained as commercial, and it is common in the area to have a commercial space at ground floor level with residential units above. Also, the upper floors which are proposed to be converted to residential are currently being used as



ancillary commercial space to the ground floor. Furthermore, the proposal will create new residential units, and as a consequence, more people will have access to the Town Centre which can help businesses in the area.

- 7.3 Policy HO1 encourages the development of appropriate land for housing purposes and seeks to ensure the effective use of urban land through the application of policy HO5 on density.
- 7.4 This is also reflected in the NPPF paragraph 117, which emphasises the need for effective use of land in meeting the need for homes, whilst safeguarding the environment, and provides further relevant context at paragraph 122 in respect of achieving appropriate densities.
- 7.5 The application is proposing the construction of 8 residential units to a ground floor commercial use development in an urban area, which would make a contribution to the Council's 5 year housing supply. All of the units would contain 1 or 2 bedrooms, and the development would meet the requirements of policy HO4. The proposal is therefore considered to be acceptable in principle subject to assessment against the relevant planning policies and guidance.

#### Housing Land supply

- 7.6 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 full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF) 2019.
- 7.7 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five year housing land supply should be measured against the area's local housing need calculated using the Government's standard method. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 611 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.
- 7.8 The NPPF requires a local authority to demonstrate a full five year supply of deliverable sites at all times. For this reason, the base date for this assessment is the start of the current year 1 April 2021, but the full five year time period runs from the end of the current year, that is, 1 April 2022 to 31 March 2027. The 20% buffer will therefore be applied to this full period. National guidance sets out that the buffer should comprise sites moved forward from later in the plan period. A 20% buffer applied to 611 results in a figure of 733 dwellings per annum, or 3666 over five years.
- 7.9 In using the objectively assessed need figure of 733 as the starting point for the calculation of a five year supply it must be borne in mind that this 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. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period.

- 7.10 The sites identified in the SLAA as being deliverable within the first five years and subsequent updates from landowners have been used as the basis for a revised five year housing land supply figure. Spelthorne has identified sites to deliver approximately 3513 dwellings in the five year period.
- 7.11 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.79 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.
- 7.12 Government guidance (NPPF para 73) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years". In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority's five year land supply and a presumption in favour of sustainable development if the figure is below 75%. The Housing Delivery Test result for Spelthorne Borough Council was published by the Secretary of State in January 2021, with a score of 50%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of sustainable development because the test score of 50% is less than the 75% specified in the regulations. The figure of 50% compares with 60% last year and 63% in 2019. The Council's Housing Delivery Test Action Plan will be updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.
- 7.13 As a result, current decisions on planning applications for housing development need to be based on the 'tilted balance' approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole'.

#### Design, Height and Appearance

- 7.14 Policy EN1 of the CS&P DPD states that the Council will require a high standard in the design and layout of new development. The policy further states that development proposals should demonstrate that they will create buildings and places that are attractive with their own distinct identity and should make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, layout, materials and other characteristics of adjoining buildings and land.
- 7.15 The NPPF states that planning decisions should ensure that developments add to the overall quality of the area, are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping, and are

sympathetic to the local character and history and surrounding built environment, whilst not preventing or discouraging appropriate innovation or change.

- 7.16 The street scene of Staines Road West is a mix of residential and commercial in character and the surrounding properties are typically more traditional in scale, being set over 3 or 4 storeys.
- 7.17 The application is proposing the construction of an additional storey over the existing property to create a four-storey flatted development. The building is also to be increased by rear extensions to the existing first and second floors. The additional storey would increase the height from 9.3 metres to 12.6 metres.
- 7.18 Whilst the proposal would increase the height of the existing building by a maximum of 3.3 metres, the proposed design of the additional storey is considered to be compatible with the character, identity, and appearance of the existing buildings. The new roof would be flat and would mirror the design of the existing flat roof. The rear elevation would contain two new fourth storey windows, which are considered to be satisfactory in the context of the existing fenestration. The front elevation would be partially set back 1.8 metres creating a staggered elevation. This is considered to reduce the impact of the new third floor upon the street scene and would not appear bulky or over-dominant. Although No 59 would be taller than No 55-57 Staines Road West to the east which continues the same design and height of the existing site with three storeys, due to the setback, the impact of the height difference would be reduced and softened. Furthermore, the proposal would appear in keeping with the character of Grandera House to the west which has four storeys with the third floor also set back from the front elevation and therefore would not look out character. The additional storey would be constructed in the same materials as the existing building.
- 7.19 Therefore, the proposal is considered to be compatible with the character and appearance of the surrounding street scene and would make a positive contribution to the street scene and character of the area. The proposal is therefore considered to meet the design objectives of policy EN1 and the NPPF.

#### Future Occupiers

- 7.20 Policy EN1 of the CS&P DPD states that the Council will require a high standard in the design and layout of new development. The NPPF also states that planning decisions should ensure that developments create places with high standards of amenity for existing and future users.
- 7.21 The minimum floor space requirements are applicable to the development, which are set out in the nationally described Technical Housing Standards (THS) (March 2015). All of the units are considered to be in adherence to the minimum requirements, and as such the level of floor space is considered to provide an acceptable level of amenity to future occupiers.

- 7.22 The Council's SPD on design states that for flats, 35m<sup>2</sup> of amenity (garden) space should be provided for the first 5 units, 10m<sup>2</sup> should be provided per unit for the next five units, and 5m<sup>2</sup> should be provided for each unit thereafter. On the basis of the Council's amenity space requirements, 205m<sup>2</sup> of garden space would normally be required for 8 units. There would be approximately 82m<sup>2</sup> of amenity space for the units including the private terraces. The external roof terraces range in size from 8m<sup>2</sup> to 23m<sup>2</sup>. Two of the units have no outdoor terrace space. Whilst the proposed amenity space is below the standard in the SPD, bearing in mind the fact that part of the development is an existing building which is being converted and given its location in the town centre, it is considered that there are not sufficient grounds to justify refusing it on this basis.

#### Amenity of Neighbouring Occupiers

- 7.23 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk proximity or outlook.
- 7.24 It is considered that the proposal would achieve a satisfactory impact with all neighbouring and adjoining dwellings. To the rear, a single storey extension projects from the rear addition to form a bin and bicycle store along the western boundary with a height of 2.98 metres which is considered acceptable with regards to the adjacent Grandera House due to the low height.
- 7.25 The proposal also includes the extension of the first and second floors to the rear. The first floor would be extended to mirror the depth and shape of the ground floor. The first-floor extension would be built upon most of the existing ground however would be set in from the sides. The rear elevation of the first floor would also be setback from the rear of the existing rear ground floor. The second floor is similarly setback at rear elevation to appear staggered. However, it would incorporate a terrace at the rear with a depth of 2.3 metres and therefore the rear elevation is staggered in comparison to the ground floor. This is copied on the second with the rear elevation being extended however setback 2.8 metres from the first floor to accommodate the terrace. The proposed third floor would again be following this design with a setback of 3.0 metres from the second floor for the terrace area. Therefore, the whole rear elevation would appear stepped ascending away from the rear boundary.
- 7.26 The staggered rear elevation would reduce the impact of the extension on the amenities of neighbouring properties. The ground floor would extend past the rear elevation of Grandera House by 4.0 metres and the first floor, 1.7 metres which is considered acceptable. The second and third floor rear elevations would not extend past their rear elevation and therefore the relationship with Grandera House is acceptable.
- 7.27 The ground floor extension accommodating the bin and bicycle storage would be set a significant distance from No 57 and therefore the impact is acceptable. The first floor would extend past the rear elevation of No. 57 by 13.5 metres, the second floor extends past by 10 metres and the third floor by

6.9 metres. With regards to No 57A on the first floor, which is a maisonette, the proposed first and second floor extension and new third floor break the 45-degree horizontal line and vertical line. The Council's guidelines on amenity are designed to mainly be applied to typical suburban residential locations. However, this site is within the town centre with the surrounding area characterised by large scale tall buildings. Also, the main part of the extensions would be set-in from the side boundary adjacent to No 57A. It is also relevant to note that the maisonettes at No 57A and No 55A are elevated up at first floor and therefore have good outlook as they have dual aspect windows with front and rear windows and their front (south facing) windows receive the most sunlight and outlook. Furthermore, the area of flat roof in front of No 57A is their front entrance area and therefore not used as a garden area nor a sitting out area. The applicant submitted a Building Research Establishment (BRE) report which concluded there would not be an adverse impact on these properties. It is noted the Council consulted an external lighting advisor to review the submitted BRE report which concluded that the analysis was correct. It also relevant to note these maisonettes have not objected to the proposal. Taking all these considerations into account, the impact on the amenity of No 57A and No 55 is considered acceptable. It is noted as the external lighting advisor concluded the applicant's BRE report was accurate, the impact on light regarding Grandera House is also acceptable.

- 7.28 The rear terraces, front terrace on the third floor and two side terraces situated on the first floor have 1.7-metre-high glazed privacy screens which partly mitigate the impact on the neighbouring properties. Furthermore, there are no windows in the western elevation although in the eastern elevation of the first floor there would be a window and door which serves one of the side terraces. Also, there are two windows on the second floor and one window on the third floor. These windows are to be obscure glazed.
- 7.29 It is noted that the Council has received three letters of representation which object to the proposal on the grounds of privacy and overlooking properties on Heathcroft Avenue to the rear. The first floor would be set 33.0 metres to their rear boundaries and 60.0 metres to their rear elevations, with the second floor set 36.0 metres to their rear boundaries and the third setback 39.0 metres to their rear boundaries which are considered acceptable and exceeds the SPD on separation distances. Furthermore, the privacy screens on the balconies are considered reduced the impact further. It is therefore considered that the proposal would have an acceptable impact upon the privacy of all properties.

#### Parking Provision & Highway Impacts

- 7.30 Policy CC2 of the CS&P DPD states that the Council will seek to secure more sustainable travel by only permitting traffic generating development where it can be made compatible with transport infrastructure in the area taking into account access and egress to the public highway and highway safety.
- 7.31 Additionally, policy CC3 states that the Council will require that sufficient provision is made for off-street parking in accordance with its Parking Standards.

- 7.32 The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highway safety or if the residual cumulative impacts on the road network would be severe.
- 7.33 The site contains 8 off-street parking spaces at the rear of the site. The application also proposes the creation of two additional parking spaces at the rear of the site for the use by the commercial ground floor which would include one space for disabled use.
- 7.34 The Council's Parking Standards SPD states that one bedroom units should be provided with a minimum of 1.25 car parking spaces per dwelling and that two bedroom units should be provided with a minimum of 1.5 parking spaces per dwelling. On this basis the development would be required to provide 11 spaces for the residential units. The development falls short of this standard. However, as the site is located in close proximity to public transport links including bus stops and Sunbury Train Station, the 8 spaces are considered acceptable.
- 7.35 The Council also consulted the County Highway Authority, which having assessed the proposal on safety, capacity and policy grounds, requested that 3 conditions were imposed upon the decision notice. This includes a condition that a minimum of 2 of the spaces are fitted with electrical charging points, which would be in line with the requirement for a minimum of 20% of parking spaces available to flats to be fitted with such points as outline in the Surrey Vehicular and Parking Guidance (January 2018).

#### Other Matters

- 7.36 With regard to waste and recycling, the proposed site plans show a refuse storage area at the rear of the site being contained in the ground floor extension along the western boundary. There would be 4 x 1100 litre bins in the storage area which would comply with Spelthorne guidance which is based on 2 x 240 litres bins per property. The access would be from Staines Road West which is the same as Grandera House and 55/57 Staines Road West. The Council's Neighbourhood Services required amendments to an area within the car parking area to enable a refuse lorry to be able to access and egress the site in a forward motion. Without these changes a refuse lorry will not be able to move around the corner safely. A revised site layout plan submitted showed a fence and post to be removed and the council's Neighbourhood Services had no further comments. It is recommended this removal be secured by condition.
- 7.37 The applicant has submitted a Renewable Energy Statement, which confirms that in excess of 10% of the energy for the development will come from renewable sources in the form of Photovoltaics (PV). The Council's Sustainability Officer has confirmed that he is satisfied that the 10% requirement would be met.
- 7.38 With regard to contamination, it is not considered necessary to impose Environmental Health conditions relating to ground works as the ground floor extension relates to a bike rack and a waste storage area.

### Flooding

- 7.39 The application site is located within the 1 in 1000 year flood event area and it is considered that the proposal will not have an adverse impact upon the flood area provided that it adheres to the conditions recommended by the Environment Agency in their standing advice which are recommended to be attached to this proposal the application will then be in accordance with policy LO1.

### Equalities Act 2010

- 7.40 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The question in every case is whether the decision maker has in substance had due regard to the relevant statutory need, to see whether the duty has been performed. The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. The have added one disabled car parking space for the commercial unit.

### Human Rights Act 1998

- 7.41 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.42 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.43 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e., peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.44 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the

wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

### Finance Considerations

- 7.45 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.
- 7.46 In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate a CIL payment in relation to the net additional Gross Floor Space. This amounts to a CIL payment of approximately £65,160.00, which is a material consideration in determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not a material planning consideration.

## **8. Conclusions**

- 8.1 The proposal seeks to introduce 8 residential units into an urban location, and as all of the units would contain 1 or 2 bedrooms the proposal would be in adherence to the objectives of policy HO4. The loss of commercial space for the first, second and third floor is considered acceptable and the proposed housing will assist in meeting the housing shortfall. Moreover, the proposal is considered to have an acceptable impact on character of the area and amenities of future occupiers. Furthermore, an objection could not be raised to the impact on neighbouring units. Parking provision is considered acceptable in this town centre.
- 8.2 In accordance with para. 11 of the NPPF, planning permission should be granted because there are no adverse impacts of doing so which would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole. In this instance the 8 dwellings are considered to be in adherence to the Council's policies and guidelines and the NPPF. Therefore, the application is recommended for approval.

## **9. Recommendation**

To GRANT planning permission subject to following conditions:

- 1 The development hereby permitted shall be begun before the expiration of two 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: PL02 rev A; 03 rev A; 04 rev A; 05 rev A; 06 rev A; 07; 08; Surv01 rev A; 02 rev A; 03 rev A; 04 rev A; 05 rev A; 06 and 08 received 02.03.2021 and PL01 rev B received 07.04.2021 and Loc01 rev D received 16.04.2021

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

- 3 The extensions hereby permitted shall be carried out in facing materials to match those of the existing building in colour and texture.

**Reason:** To ensure a satisfactory external appearance in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 4 The development shall not be occupied until a minimum of two (2) parking spaces have been fitted with a fast charge socket (7kw Mode 3 with Type 2 connector), and a further two (2) spaces are provided with power supply (through feeder pillar or equivalent) to provide additional fast charge sockets.

**Reason:** For the improvement of sustainable transport in order to improve local air quality and public health, in accordance with paragraphs 103, 170e, and Section 9 (Promoting Sustainable Transport) of the NPPF.

- 5 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:** In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

- 6 The development hereby approved shall not be first occupied unless and until facilities for the secure covered parking of bicycles within the development site 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:** Required in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019.

- 7 Facilities within the curtilage of the site for the storage of refuse and recycling materials shall be submitted to and approved by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development hereby approved and retained thereafter.

**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 Prior to the occupation of the development hereby permitted the first second and third floor windows on the eastern and western elevations shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. These windows 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.

- 9 There shall be no raising of existing ground levels on the site within the area liable to flood, other than in accordance with the approved details.

**Reason:** To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 10 All spoil and building materials stored on site before and during construction shall be removed from the area of land liable to flood upon completion.

**Reason:** To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 11 Prior to the occupation of the residential units hereby approved, details of the design, location and height of the privacy screens to be installed on the outdoor terraces shall be submitted to and approved in writing by the Local Planning Authority. The agreed privacy screens shall be installed prior to the occupation of the new units and thereafter retained.

**Reason:** To safeguard the amity of neighbouring properties.

- 12 Prior to the occupation of the new units the existing fence and post shown on to be removed on drawing no PL01 rev B shall be removed from the site.

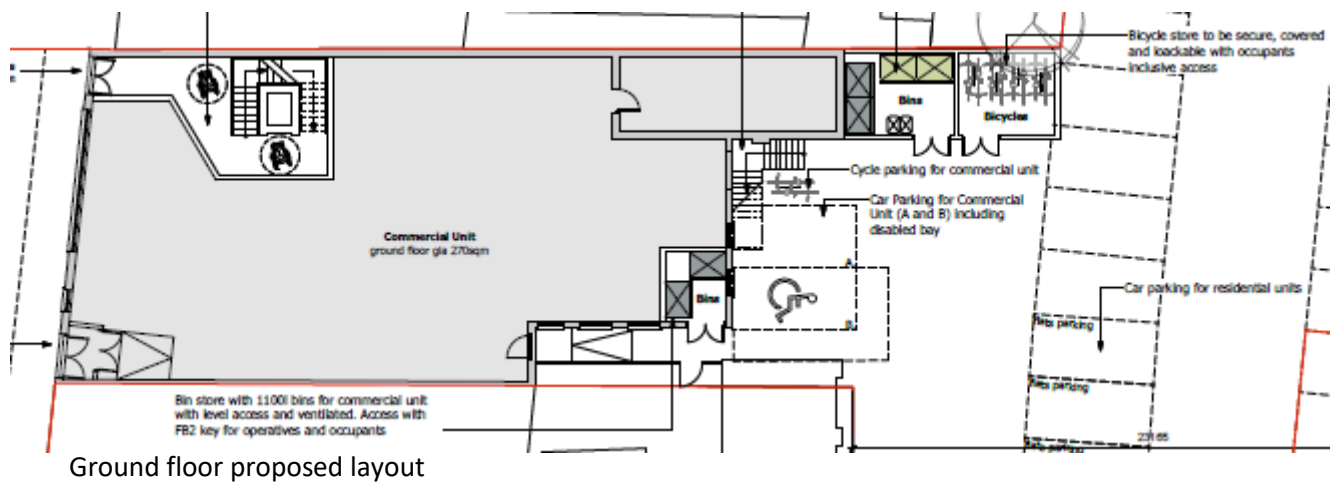
**Reason:** – In the interest of highway safety.

## **INFORMATIVES TO APPLICANT**

- 1 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 the NPPF. This included the following:-

- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure
  - c) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.
- 2      Access by the Fire Brigade
- Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings. There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).
- 3      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.
- 4      The applicant is advised that the development site is in an area of poor air quality due to its proximity to the Sunbury Cross junction where pollution levels have exceeded the National Air Quality Objective for Nitrogen Dioxide for several years. For the health of residents it is advised that an air quality assessment is carried out to determine whether the building requires mechanical ventilation to be installed to address this particular issue.
- For further information, please visit <https://www.spelthorne.gov.uk/article/17831/Air-quality>. For advice, please contact the Pollution Control team at [pollution.control@spelthorne.gov.uk](mailto:pollution.control@spelthorne.gov.uk)
- 5      It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

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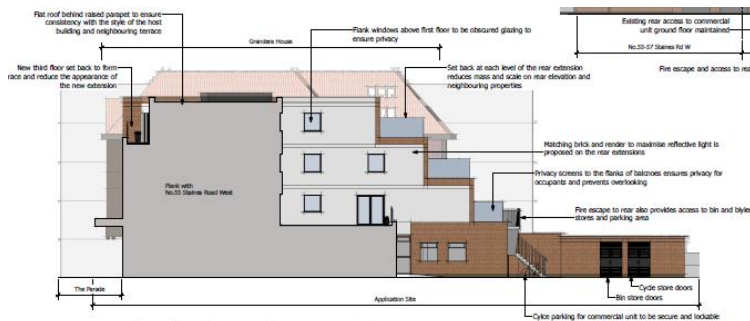
Ground floor proposed layout



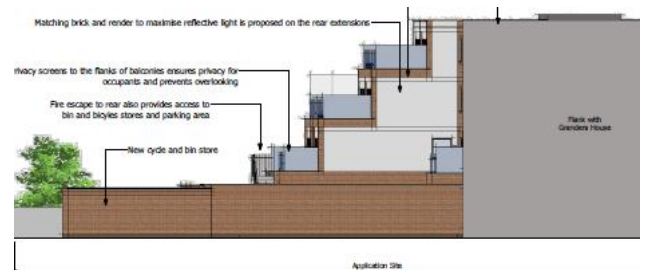
Front Elevation 1:100



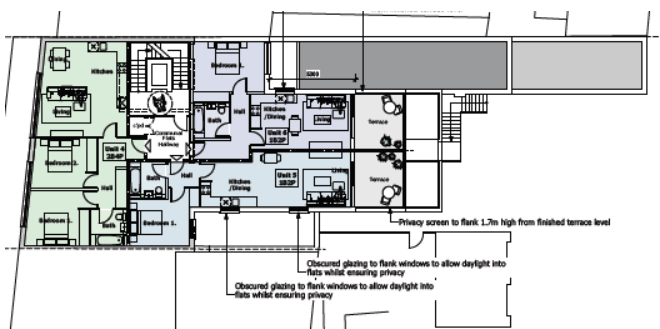
Rear Elevation



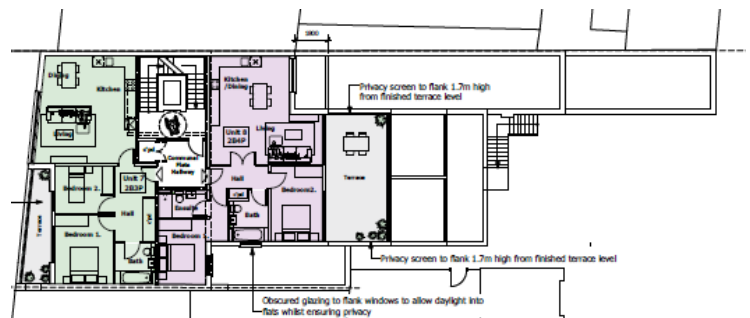
East Flank Elevation 1:100



West Flank Elevation 1:100



Second floor proposed layout



Third floor proposed layout

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**Planning Appeals Report – V1.0 ISSUED**

**List of Appeals Started between 20 March 2021 – 17 April 2021**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
20/00565/FUL  <b>Ruxbury Court Cumberland Road Ashford</b>	06.04.2021	Written Representation	APP/Z3635/W/20/3265106  Alterations and extensions to Blocks B and C of Ruxbury Court, including alterations and extensions to the roof, to enable the creation of 3 x 1 bedroom units and 1 x 2 bedroom unit with associated parking and amenity space.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
20/01251/FUL  <b>31 Denman Drive</b> <b>Ashford TW15</b> <b>2AN</b>	12.04.2021	Written Representation	APP/Z3635/W/21/3268257  The erection of a part single storey, part two storey side and rear extension and the subdivision of the plot to create a 1 x bedroom 2 storey terraced dwelling with associated amenity space.



**Appeal Decisions Received 20 March 2021 – 17 April 2021**

No new appeal decisions received since 19 March 2021.

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments

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## Major Applications

This report is for information only

The list below comprises current major applications which may be brought before Planning Committee for determination. These applications have either been submitted some time ago but are still not yet ready for consideration or are recently received applications that are not ready to be considered by the Planning Committee. The background papers for all the applications are contained on the Council's website (Part 1 Planning Register).

All planning applications by Spelthorne Borough Council and Knowle Green Estates will be brought before the Planning Committee for determination, regardless of the Planning Officer's recommendation. Other planning applications may be determined under officers' delegated powers.

If you wish to discuss any of these applications, please contact the case officer(s) in the first instance.

App no	Site	Proposal	Applicant	Case Officer(s)
20/00802/FUL	Victory Place	Redevelopment of surplus hospital car park for 127 residential units comprising 122 flats and 5 terraced houses, in buildings ranging from 2 to 5 storeys in height, with associated access, parking, services, facilities and amenity space.	Spelthorne Borough Council	Matthew Churchill/Fiona Tebbutt

App no	Site	Proposal	Applicant	Case Officer(s)
20/01112/FUL	The Old Telephone Exchange, Masonic Hall and adjoining Land Elmsleigh Road Staines-upon-Thames	Demolition of the former Masonic Hall and redevelopment of site to provide 206 dwellings together with car and cycle parking, hard and soft landscaping and other associated works.	Inland Homes Ltd	Paul Tomson / Kelly Walker
20/00975/FUL	280-284 Staines Road East, Sunbury On Thames, TW16 5AX	Erection of a 50 bed care home, alongside associated facilities, parking and landscaping, following the demolition of 3 existing dwellings and outbuildings.	Deansgate M3 Ltd	Kelly Walker
19/01211/FUL	Benwell House 1 Green Street Sunbury On Thames TW16 6QS	Erection of 5 storey residential block to provide 39 units, with a mix of 12 x 1-bed, 24 x 2-bed and 3 x 3-bed units together with associated parking, landscaping and access.	Knowle Green Estates	Russ Mounty
20/00344/FUL	Thameside House South Street Staines-upon-Thames	Demolition of existing office block and erection of 140 residential units in two buildings, with flexible commercial and retail space, associated landscaping, parking and ancillary facilities.	Spelthorne Borough Council	Russ Mounty/Vanya Popova

App no	Site	Proposal	Applicant	Case Officer(s)
	TW18 4PR			
19/01731/FUL	Littleton Industrial Estate Littleton lane Shepperton	Demolition of the existing buildings, retention of existing buildings 1, 15 and 17 and part retention of building 10 (as defined in CLUED 18/01054/CLD), creation of new buildings ranging between 1 and 2 storeys providing up to approximately 4,358.7sqm of floorspace for use classes A3, B1, B2 and B8, creation of outside storage areas for use class B2, creation of hardstanding and access routes, car parking, cycle storage, servicing, plant areas, creation of green areas and landscaping and other associated works.	Brett Aggregates Limited	Russ Mounty
20/01112/FUL	Charter Square Phase 1C London Road Staines	Redevelopment of the site to provide 66 new residential units (Use Class C3) with flexible commercial, business and service floorspace (Use Class E) and drinking establishment floorspace (Sui Generis) at ground floor, rooftop amenity space; landscaping and enhancements to the central public square, associated highway works, and other ancillary and enabling works.	London Square Developments Ltd.	Matthew Churchill
20/00780/FUL	Hitchcock and King	Sub-division of existing retail warehouse and change of use to create an A1 food store and an A1 / D2 Use Class Unit, with reconfiguration of the site car park, elevational changes,	Lidl Great Britain	Matthew Clapham

App no	Site	Proposal	Applicant	Case Officer(s)
		installation of plant equipment, and other ancillary works.		
20/01486/FUL	Spelthorne Leisure Centre and Open Space to the east Knowle Green Staines-upon-Thames TW18 1AJ	Construction of a new leisure centre with associated parking, pedestrian access, landscaping and public realm, and the demolition of the existing leisure centre	Spelthorne Borough Council	Paul Tomson/Kelly Walker
20/01506/FUL  On 28.04.21 Planning Committee Agenda	Sunbury Cross Ex Services Association Club Crossways Sunbury On Thames TW16 7BG	The demolition of existing Sunbury Ex-Servicemen's Association Club and re-development of the site including the erection of three residential buildings of 4-storey, 6-storey and 9-storey comprising 69 flats with associated car-parking, cycle storage, landscaping and other associated works.	SUN EX-21 Ltd	Paul Tomson/Vanya Popova
20/01555/FUL	Land to the North of Hanworth Road	Demolition of existing buildings and structures and redevelopment of the site to include the erection of two new warehouse buildings for flexible use within Classes B2, B8 and/or light industrial (Class E), revised junction layout	Diageo Pension Trust Ltd	Paul Tomson/Drishti Patel

App no	Site	Proposal	Applicant	Case Officer(s)
	(Lok N Store and Johnson and Johnson) Sunbury On Thames TW16 5LN	(A316 slip lane) and associated parking, servicing, landscaping and access and infrastructure works.		
21/00010/FUL	Renshaw Industrial Estate Mill Mead Staines-upon-Thames TW18 4UQ	Demolition of existing industrial buildings and redevelopment to provide 2 new buildings (5-13 storeys) comprising 397 build-to-rent residential apartments (Use Class C3) including affordable housing, ancillary residential areas (flexible gym, activity space, concierge and residents lounge), landscaping, children's play area and car and cycle parking.	Mill Mead Nom 1 and Mill Mead Nom 2	Russ Mounty
20/01483/FUL	487 - 491 Staines Road West Ashford TW15 2AB	<del>Erection of 14 no. apartments comprising 7 no. one bed units and 7 no. two bed units with associated car parking, landscaping and amenity space. following demolition of existing bungalows and outbuildings.</del>  Erection of 11 no. apartments comprising 8 no. 2 bed units, 1 no. one bed units and 2 no. studio apartments, with associated car parking, landscaping and amenity space. following	Herons Rest Developments Limited	Kelly Walker

App no	Site	Proposal	Applicant	Case Officer(s)
		demolition of existing bungalows and outbuildings .		
20/01393/FUL	The Lammas Park, Staines-upon-Thames	Creation of replacement permanent 9 hole mini golf course	The Little Green Boat Company	Kelly Walker
20/01197/FUL	Ferris Meadow	Retention of decked area and dry storage unit for use in association with open water swimming	Shepperton Open Water Swim	Kelly Walker
20/01533/FUL	Laleham Farm Shepperton Road Laleham	Stationing of caravans	W. B Chambers Farms Ltd	Kelly Walker
21/00388/FUL	Laleham Farm Shepperton Road Laleham	Part retrospective application for the erection of polytunnels, temporary screens, drainage works and landscaping	W. B Chambers Farms Ltd	Kelly Walker

Esmé Spinks  
Planning Development Manager  
15/04/2021



**PLANNING GLOSSARY OF TERMS AND ABBREVIATIONS**

<b>TERM</b>	<b>EXPLANATION</b>
ADC	Advert application
AMD	Amend (Non Material Amendment) – minor change to an application after planning permission has been given
AOD	Above Ordinance Datum. Height, in metres, above a fixed point. Used to assess matters of comparative heights in long distance views and flooding modelling
AQMA	Air Quality Management Area
BCN	Breach of Condition Notice. Formal enforcement action to secure compliance with a valid condition
CHA	County Highways Authority. Responsible for offering advice on highways issues relating to planning applications as well as highways maintenance and improvements
CIL	Community Infrastructure Levy – A levy on housing development to fund infrastructure in the borough
CLEUD/CLD	Certificate of Lawful Existing Use or Development. Formal procedure to ascertain whether a development which does not have planning permission is immune from enforcement action
CS&P DPD	Core Strategy and Policies Development Plan Document
COU	Change of use planning application
CPD	Certificate of Lawful Proposed Use or Development. Formal procedure to ascertain whether a development is permitted development and does not require planning permission
Conservation Area	An area of special architectural or historic interest designated due to factors such as the layout of buildings, boundaries, characteristic materials, vistas and open spaces
DAS	Design and Access Statement. This is submitted with a planning application and sets out the design principles that the applicant has adopted to make the proposal fit into its wider context
Development Plan	The combined policy documents of the Local Plan, Minerals and Waste Plans. The Minerals and Waste Plans are prepared by Surrey County Council who has responsibility for these functions

DM	Development Management – the area of planning service that processes planning applications, planning appeals and enforcement work
DMPO	Development Management Procedure Order - This Order provides for procedures connected with planning applications, consultations in relation to planning applications, the determination of planning applications and appeals
DPH	Dwellings per Hectare (density)
EA	Environment Agency. Lead government agency advising on flooding and pollution control
EIA	Environmental Impact Assessment – formal environmental assessment of specific categories of development proposals
EHO	Environmental Health Officer
ES	Environmental Statement prepared under the Environmental Impact Assessment Regulations
FRA	Flood Risk Assessment
FUL	Full planning application
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see 'PD' below)
HOU	Householder planning application
LBC	Listed Building Consent – consent to alter a listed building
LLFA	Lead Local Flood Authority
Local Plan	The current development policy document
LPA	Local Planning Authority
Material Considerations	Matters which are relevant in the determination of planning applications
MISC	Miscellaneous applications (usually a consultation by adjoining boroughs)
NPPF	National Planning Policy Framework, 2019. This is Policy issued by the Secretary of State detailing national planning policy within existing legislation
OUT	Outline planning application – obtaining the principle of development

PAP	Prior Approval application
PCN	Planning Contravention Notice. Formal notice, which requires information to be provided in connection with an enforcement investigation. It does not in itself constitute enforcement action
PD	Permitted development – works which can be undertaken without the need to submit a planning application
PDDC	Permitted Development New Dwelling in commercial or mixed use
PDDD	Permitted Development prior approval new dwelling on detached buildings
PDDN	Permitted Development prior approval demolish and construct new dwellings
PDDS	Permitted Development prior approval enlarge dwelling by additional storeys
PDDT	Permitted Development prior approval new dwelling on terraced buildings
PDH	Permitted Development Householder prior approval
PDNF	Permitted Development prior approval new dwellings on flats
PDO	Permitted Development prior approval conversion of office to residential.
PINS	Planning Inspectorate responsible for determining planning appeals on behalf of the Secretary of State
PIP	Permission in Principle application
POCA	Proceeds of Crime Act. Used by LPAs to obtain confiscation orders against those committing offences under the Town and County Planning Act 1990 following successful conviction
PPG	National Planning Practice Guidance. This is guidance issued by the Secretary of State detailing national planning practice and guidance within existing legislation. It is also known as NPPG <i>National Planning Practice Guidance</i>
Ramsar Site	A wetland of international importance
RIPA	Regulation of Investigatory Powers Act. Provides limitation on covert surveillance relating to enforcement investigation
RMA	Reserved Matters application – this follows on from an outline planning permission and deals with some or all of the outstanding details of the outline application including: appearance, means of access, landscaping, layout and scale

RVC	Removal or Variation of Condition on a planning permission
SAC	Special Area of Conservation – an SSSI additionally designated as a Special Area of Conservation under the European Community’s Habitats Directive 1992 in order to maintain or restore priority natural habitats and wild species
SCAMD	Surrey County Council amended application (minor changes following planning permission)
SCC	Surrey County Council planning application
SCI	Statement of Community Involvement. The document and policies that indicate how the community will be engaged in the preparation of the new Local Plan and in the determination of planning applications
Section 106 Agreement	A legal agreement for the provision of facilities and/or infrastructure either directly by a developer or through a financial contribution, to meet the needs arising out of a development. Can also prevent certain matters
SLAA	Strategic Land Availability Assessment
SNCI	Site of Nature Conservation Importance. A non-statutory designated area of county or regional wildlife value
SPA	Special Protection Area. An SSSI additionally designated a Special Protection Area under the European Community’s Directive on the Conservation of Wild Birds 1979. The largest influence on the Borough is the Thames Basin Heath SPA (often referred to as the TBH SPA)
SPD	Supplementary Planning Document – provides additional advice on policies in Local Development Framework (replaces SPG)
SSSI	Site of Special Scientific Interest is a formal conservation designation, usually due to the rare species of flora or fauna it contains
SuDS	Sustainable Urban Drainage Systems. Providing urban drainage systems in a more environmentally sensitive way by systems designed to reduce the quantity of run-off, slow its velocity or provide for filtering, sedimentation and biological degradation of the water
Sustainable Development	Sustainable development is the core principle underpinning planning. It is defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”
T56	Telecom application 56 days to determine

TA	Transport Assessment – assessment of the traffic and transportation implications of a development proposal
TCA	Trees in a conservation area – six weeks' notice to the LPA is required for works to trees in a conservation area. This gives an opportunity for the LPA to consider whether a tree preservation order should be made to protect the trees
TPO	Tree Preservation Order – where a tree or trees are formally protected, and prior consent is needed for pruning or felling
TRICS	Computerised database and trip rate analysis used to estimate traffic flows to and from a variety of land uses, to assess transportation implications of new development in southern England
Further definitions can be found in Annex 2 of the NPPF	

Esmé Spinks 13/01/2021

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