



Please reply to:

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Date: 25 April 2016

Notice of meeting

Planning Committee

Date: Wednesday, 4 May 2016

Time: **Call Over Meeting** - 6.45 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: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

To the member of the Planning Committee

Councillors:

R.A. Smith-Ainsley (Chairman)
R.O. Barratt
I.J. Beardsmore
S.J. Burkmar
Q.R. Edgington

N.J. Gething
A.L. Griffiths
N. Islam
A.T. Jones
V.J. Leighton

O. Rybinski
R.W. Sider BEM
H.A. Thomson

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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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. Election of Vice-Chairman**
To elect a Vice-Chairman for the Planning Committee for the remainder of the Municipal Year 2015-2016.
- 2. Apologies**
To receive any apologies for non-attendance.
- 3. Minutes** **1 - 8**
To confirm the minutes of the meeting held on 6 April 2016 (copy attached).
- 4. 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.
- 5. Planning Applications and other Development Control matters**
To consider and determine the planning applications and other development control matters in the report of the Head of Planning and Housing Strategy (copy attached).
- a) 14/02213/FUL - Land To The East Of Churchill Way, Sunbury On Thames **9 - 28**
- 6. Urgent Items**
To consider any items which the Chairman considers as urgent.

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**Minutes of the Planning Committee
6 April 2016**

Present:

Councillor R.A. Smith-Ainsley (Chairman)
Councillor C.M. Frazer (Vice-Chairman)

Councillors:

R.O. Barratt	N. Islam	R.W. Sider BEM
Q.R. Edgington	A.T. Jones	H.A. Thomson
N.J. Gething	V.J. Leighton	
A.L. Griffiths	O. Rybinski	

Apologies: Apologies were received from Councillor I.J. Beardsmore and Councillor S.J. Burkmar

75/16 Minutes

The minutes of the meeting held on 9 March 2016 were approved as a correct record.

76/16 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

Councillors R.A. Smith Ainsley, V.J. Leighton, and R.W. Sider BEM, reported that they had received correspondence in relation to application 16/00021/FUL –The Bradbury Centre Nursing Home, 68 Manygate Lane but had maintained an impartial role, had not expressed any views and had kept an open mind.

77/16 16/00021/FUL - The Bradbury Centre Nursing Home, 68 Manygate Lane, Shepperton

Description:

Erection of 2 storey 78 bedroom residential care home together with associated works including the provision of 23 car parking spaces, a refuse store and hard and soft landscaping. (Existing care home is to be demolished).

Additional Information:

The Principal Planning Officer notified the Committee that further to paragraph 7.13 in the committee report, another consultation response had been received from Environmental Health's Noise Team. This was in connection with the submission of additional information on plant and its operation and measures to protect any adverse impact on adjoining residential occupiers. The following 2 additional conditions were recommended to address relevant matters not covered in the other conditions:

- 1) The rated noise level from any plant, together with any associated ducting shall be 10 dB (A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive neighbouring premises. Prior to the commencement of the authorised use, a written acoustic report detailing the proposed scheme shall be submitted to and approved by the Local Planning Authority. The method of assessment is to be carried in accordance with BS4142:2014', Rating industrial noise affecting mixed residential and industrial areas'. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter. Prior to the plant being commissioned a validation test shall be carried out following completion of the development. The results shall be submitted to the Local Planning Authority for approval in writing.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance due to plant and machinery in accordance with the National Planning Policy Framework 2012, and Strategic Policy 6 Maintaining and Improving the Environment of the Core Strategy 2009

- 2) Before the first occupation of the development hereby permitted, a Service Management Plan detailing how and when all elements of the site are to be serviced shall be submitted to and approved by the Local Planning Authority. The servicing of the development shall be carried out in accordance with the approval given and the Service Management Plan shall remain extant for as long as the development is occupied.

Reason

To protect the amenities of the adjoining residential occupiers.

The Principal Planning Officer informed the Committee of the following recommended amendments to conditions:

Condition 6

An amendment to condition 6 was suggested by inserting the words 'and car parking' between 'Travel' and 'Plan' in the first sentence. Furthermore an amendment to the reason for the condition to add 'and encourage effective use of on-site parking spaces' in the third line after 'highway users'.

The Principal Planning Officer explained that after receiving a further detailed report on surface water drainage, the Local Lead Flood Authority (SCC) had suggested appropriate changes to the wording of the earlier recommended conditions numbered 10 to 15 which is explained in detail below:-

Condition 10

Delete condition 10

Condition 11

Replace the wording of condition 11 with the following:

Prior to construction of the development hereby approved calculations and details of the complete Drainage network for the 1 in 30 and 1 in 100 year rainfall events must be submitted to and approved by the local planning authority.

Condition 12

Replace the wording of condition 12 with the following: The detailed design and subsequent construction of surface water drainage and finished levels creating surface water exceedance flow routes, shall be undertaken in accordance with the approved plans and documents. Final details of all SuDS elements and other drainage features, including long and cross sections, soakaway design and pipe diameters and respective levels must be submitted to and approved in writing by the local planning authority.

Condition 13

Alter the wording of condition 13 to remove the words “both on and offsite” so it reads: Before the commencement of the construction of the development hereby approved details of how the Sustainable Drainage System will cater for system failure or exceedance events, ~~both on and offsite~~ must be submitted to and approved by the local planning authority.

Condition 14

Replace the wording of condition 14 with the following:

Prior to the commencement of construction, Details of how of the site will be adequately Drained (including any phasing of the works), how any surface water pollution risk is to be mitigated and how any existing drainage systems are to be protected during the construction of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason for Condition 14

Alter the wording of reason 14 as follows: To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System, and the site is adequately drained during construction.

Condition 15

Alter the wording of condition 15 to remove the word “construction” and replace with “the occupation”: Prior to ~~construction~~ the occupation of the development hereby approved, details of the proposed maintenance regimes for each of the SuDS elements must be submitted to and approved by the local planning authority.

Since the committee report has been drafted, 2 further letters of objection had been received, including one which has been made on the behalf of the Shepperton Residents Association. However, these representations do not raise any new grounds for objecting beyond those already highlighted in the committee report.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings Stephane Booroff spoke against the application raising the following key points:

- Represented the five properties opposite.
- Quality of life would be diminished for neighbours as a result of this proposal.
- Insufficient parking as Manygate Lane has a history of congestion.
- 23 parking spaces were not enough especially if residents of the care home had visitors.
- There are not enough on-street parking spaces currently to accommodate additional parking.
- The amount of rooms are excessive.
- Loss of light and privacy for neighbouring properties.
- The scheme is too large.
- Not in-keeping with the conservation area.

In accordance with the Council's procedure for speaking at meetings, John Montgomery spoke for the proposal raising the following key points:

- The proposal is reduced in scale compared to the originally proposed scheme.
- The applicant has ensured that necessary care and attention has been taken to the concerns of the community.
- Fully appreciative that the proposal is controversial however objections themselves must be relevant planning reasons.
- It is not overdevelopment as it is the same footprint as the previous scheme yet slightly smaller and slightly higher.
- The building is set back to create a transition from the bungalows to the main building in order to take into consideration neighbours' concerns of overlooking and loss of light.
- There is a demand for more care homes in the borough.
- There would be no loss of light to neighbours as the officer shows in his report.
- The parking spaces exceed the Council's parking standards therefore it is acceptable.
- This is a care home where residents are more likely to walk and use public transport than to drive and therefore would not require a car parking space.

Debate:

During the debate the following key issues were raised:

- The merit of the long standing established care home on the site and the argument for its replacement was acknowledged;
- The demand / need for the care home was queried given another nearby nursing home not at full capacity;
- The character and mix of buildings in the area including the adjacent conservation area;
- The set back of the new building's location and the stepped change in height of the proposed building and no windows on the northern elevation;
- Existing parking and congestion problems especially when cars parked on both sides of the road and the activity associated with Thamesmead School;
- The increase in the number of proposed bedrooms and associated activity including visitors to the site and their parking needs;
- A query was raised about the Council's policy on dormer windows;
- Need to provide a better designed replacement building;
- Overdevelopment and unacceptable parking provision and overlooking grounds;
- Policy grounds for refusal would need to be considered as the scheme provides in excess of the parking standards and complies with the SPD Guidelines;
- The footprint is marginally smaller than the existing building and would not be an example of overdevelopment;
- The conditions in the update letter recommended by Environmental Health were welcomed;
- Reference was made to the 25 degree lines to preserve good daylight and the distances between the proposed new building the accommodation in the Lyons Estate opposite the site;
- The proposal had been substantially reduced from the original pre-application scheme;
- Reference was made to the summary provided in the committee report.

Decision:

The application was **approved** as set out in the report of the Head of Planning and Housing Strategy subject to the following amendments to conditions and removal of condition 10:

Condition 6

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

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users and encourage effective use of on-site parking spaces, and to accord with the National Planning Policy Framework 2012 and policy CC2 (highway Safety) and CC3 (Parking) of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

Condition 11

Prior to construction of the development hereby approved calculations and details of the complete Drainage network for the 1 in 30 and 1 in 100 year rainfall events must be submitted to and approved by the local planning authority.

Reason: To ensure that the design fully meets the requirements of the national SuDS technical standards.

Condition 12

The detailed design and subsequent construction of surface water drainage and finished levels creating surface water exceedance flow routes, shall be undertaken in accordance with the approved plans and documents. Final details of all SuDS elements and other drainage features, including long and cross sections, soakaway design and pipe diameters and respective levels must be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the design fully meets the requirements of the national SuDS technical standards.

Condition 13

Before the commencement of the construction of the development hereby approved details of how the Sustainable Drainage System will cater for system failure or exceedance events, must be submitted to and approved by the local planning authority.

Reason: To ensure that the proposal has fully considered system failure.

Condition 14

Prior to the commencement of construction, Details of how of the site will be adequately Drained (including any phasing of the works), how any surface water pollution risk is to be mitigated and how any existing drainage systems are to be protected during the construction of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System, and the site is adequately drained during construction.

Condition 15

Prior to the occupation of the development hereby approved, details of the proposed maintenance regimes for each of the SuDS elements must be submitted to and approved by the local planning authority.

Reason: To ensure the drainage system is maintained throughout its life time to an acceptable standard.

78/16 14/00214/ENF - Land to the north of 7 Maxwell Road, Ashford, TW15 1RL

Description:

Unauthorised siting and residential use of a caravan.

Additional Information:

There was none.

Public Speaking:

There was no public speaking.

Debate:

During the debate the following key issues were raised:

- The busy parked up nature of Maxwell Road;
- Recent improved appearance of the area generally and the danger of the character of the area returning to its former condition.

Decision:

That an enforcement notice be issued requiring the following steps:

- Cease the unauthorized siting of the residential use of the caravan;
- Removal of the caravan from the land and any associated hardstanding.

Such Notice to be complied with within 3 months of it taking effect.

79/16 16/00078/UNDEV - The Paddocks, land to the rear of 237-245 Hithermoor Road, Stanwell Moor, Stanwell

Description:

Unauthorised siting and residential use of a caravan.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings Gavin Gates spoke against the enforcement action raising the following key points:

- Lives in the caravan as temporary accommodation with his wife and two children.
- Did not intend to be in this situation.
- Did not want his children to go homeless.

Debate:

During the debate the following key issues were raised:

- The particular circumstances of the applicant which he had explained;

- The balance between the circumstances and the Council's planning policies;
- It was proposed and agreed to extend the compliance period to 6 months.

Decision:

That an enforcement notice be issued requiring the following steps:

- Cease the unauthorised siting of the residential use of the caravan;
- Removal of the caravan from the land and any associated hardstanding.

Such Notice to be complied with within 6 months of it taking effect.

80/16 Standard 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 Head of Planning and Housing Strategy.

Resolved that the report of the Head of Planning and Housing Strategy be received and noted.

81/16 Committee's thanks

Councillor C.M. Frazer thanked former Councillor A. Neale on behalf of the Committee, who had recently departed from the Council, for her work as a Planning Committee member and Councillor since her election in May 2015.

Playing Fields



Kenyngton Manor Primary School



1:1,250

14/02213/FUL
Land to the east of Churchill Way, Sunbury-on-Thames

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Planning Committee

04 April 2016



Application No.	14/02213/FUL		
Site Address	Land to the east of Churchill Way, Sunbury		
Proposal	Erection of three no. two bedroom properties with associated gardens, parking and landscaping following demolition of existing garages on site (amended application following refusal of 14/00156/FUL)		
Applicant	A2 Dominion South Ltd		
Ward	Sunbury Common		
Call in details	Application referred to Committee by Cllr Spoor because of local opposition to the scheme.		
Case Officer	Peter Brooks		
Application Dates	Valid: 22/12/2014	Expiry: 16/02/2015	Target: Over 8 Weeks
Executive Summary	<p>This application seeks approval for the erection of a terrace of 3 no. two bed dwellings with associated parking and amenity space. The general layout and position of the dwellings has been amended since the previous refusal and the original submission of this revised scheme to address the original reasons for refusal.</p> <p>The existing 8 garages are no longer in use and their loss is considered acceptable.</p> <p>With the revised layout the proposal is considered to have a satisfactory relationship to adjoining properties and sufficient regard to the pattern of development in the area, and has overcome the reasons for refusal of the previous application.</p>		
Recommended Decision	This application is recommended for approval subject 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:
- EN1 (Design of New Development)
 - HO4 (Housing Size and Type)
 - HO5 (Density of Housing Development)
 - CC3 (Parking Provision)
 - HO3 (Affordable Housing)

2. Relevant Planning History

14/00156/FUL

Erection of three no. two bedroom properties with associated gardens, parking and landscaping following demolition of existing garages on site.
Refused 12.05.2014

Description of Current Proposal

- 2.1 The application site comprises a garage parking area, which has a total of 8 no. garages (all of which are now unoccupied), with open grass space on the northern and western edges. The site is surrounded by terrace dwellings, most of which are two storey, although due south of the application site is a terrace of bungalows. The proposal involves the erection of a terrace of 3 no. two bed two storey dwellings, and would include off street parking at the southern end of the site and amenity space for the occupiers of the proposed dwelling. The layout now also includes areas of grass verge between the back of the pavement in Churchill Way and the side fence of the garden of plot 1.
- 2.2 Copies of the proposed site plan, floor plans and elevations are attached as an Appendix.

3. Consultations

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

Consultee	Comment
County Highway Authority	The County Highway Authority have no objection to the proposal but have suggested the imposition of conditions and informatives.
Environmental Health - Contamination	Suggested add two standard conditions due to proposal being sensitive to contamination, and also site is located in

	vicinity of former landfill site
Tree Officer	No objection to the proposal and its impact upon trees on site.
Renewable Energy Officer	No objection providing standard renewable energy condition imposed

4. Public Consultation

4.1 23 neighbouring properties were notified of the application. To date 18 letters of representations and one petition (note the petition is a copy of the one submitted for the previous application) have been received objecting to the proposal on the following grounds:

- Parking
- Loss of garages
- Loss of green space
- Adequacy of sewers
- Loss of privacy
- Overbearing

5. Planning Issues

- Principle
- Design and appearance
- Affordable housing
- Housing size and density
- Impact on parking provision
- Impact on the amenity of neighbouring residents
- Impact on trees
- Other matters

6. Planning Considerations

Principle

6.1 The site is situated within a large residential estate in which the principle roads are Kenyngton Drive, Beechwood Avenue, Keywood Drive and Ashridge Way. It was built in the 1950s and 60s with some flats but mainly terraces of properties, including some bungalows. The estate included a few garage courts with individual garages 'let out'. Many have overtime either become unused or not used by local people. In the case of this site in 2014, only 4 of the 8 garages were used. The last remaining garage was vacated in June 2015.

6.2 Whilst the estate was originally built as social housing, many over the years have been sold and A2D (the applicant in this case) manage the social units that remain.

6.3 Given the use of the garage has ceased it is appropriate for the applicant to consider the best use of the site. Residential use is clearly in principle acceptable subject to the design and layout being appropriate. This would be

consistent with policy HO1 (g) which seeks to ensure the effective use of urban land for housing. In this case the provision of 3 new social housing units would make a useful addition to the social housing stock in the Borough and in light of the particular demands that currently exist.

Design and Appearance

- 6.4 Policy EN1 of the Core Strategy and Policies DPD requires both regard to the general character of the area and a satisfactory relationship with adjoining properties. The amended proposal will maintain a green strip around the edge of the site, and reduce the total amount of hardstanding on the plot. Proposed tree planting can mitigate the loss of existing trees.
- 6.5 The proposed terrace of three dwellings are separated by a gap of 2.8m from a long terrace comprising 82 – 96 Kenyngton Drive. The 3 new units are staggered to help address the sites corner situation by optimising the amenity space adjacent to the footpath. The front of the easternmost dwelling is built in line with no. 82 Kenyngton Drive, and the westernmost dwelling being set back. The dwellings are two storey (8.58m high) and its terrace design and general scale pays regard to the terrace dwellings within the immediate surroundings. The proposed dwellings have a pitched roof over with hipped ends. It is considered the proposed dwellings would pay regard to the streetscene by virtue of their scale and front garden areas with a similar separation to the footpath as the existing terrace properties, and so would make a positive reflect to the character of the area.
- 6.6 The layout of the three dwellings have been revised since the previous refusal, so that they now pay more regard to the layout of the existing estate. The staggered design now means the three properties have a similar separation from the footpath which mirrors the existing terrace dwellings, whereas the refused scheme resulted in the dwellings being set back further than adjoining properties. It is considered that moving the dwellings so that the easternmost one is in line with no. 82 Kenyngton Drive with the others being staggered would maintain a regular separation to the footpath. The westernmost dwelling would be separated from the pavement and would have greenspace to the side to maintain a sense of openness. It is characteristic of dwellings in this vicinity to have greenspace to the sides to separate dwellings from the street.
- 6.7 The proposal includes 5 no. parking spaces in an open area to the rear of the proposed dwellings. This has been set further back into the site from Churchill Way than previously with a greater area of grass strip/amenity space to the back of the highway. The parking spaces would be accessed using the existing vehicle access on the site. Each dwelling has a garden to the rear with cycle store and bin store.

Affordable Housing

- 6.8 Policy HO3 of the Core Strategy and Policies DPD states that the Council will encourage registered social landlords to bring forward smaller sites of one to fourteen dwellings consisting of affordable housing regardless of site size. The applicant has stated that the proposed units would be affordable rented tenure and so would comply with the aims of Policy HO3 by providing affordable housing, which is crucial to enable the Council to meet its affordable housing targets. Therefore the scheme presents an opportunity to gain three affordable housing units which would help to reduce the reliance on families being accommodated in bed and breakfast accommodation.

Housing Size and Density

- 6.9 The proposal is for three 2 bed units for which there is a particular need with the social stock. It complies with Policy HO4 of the CS&P DPD for the provision of an element of small units, the scheme provides 3 two bedroom units and this is considered acceptable.
- 6.10 Policy HO5(a) requires that new development within existing residential areas that are characterised by predominantly family housing rather than flats, should generally be in the range of 35 to 55 dwellings per hectare. The density of this proposal would be 42.9 DPH, which would comply with the policy and reflects the pattern of development in its immediate vicinity.

Impact on the parking provision

- 6.11 The proposal would provide five off street parking space, arranged at the southern part of the site. This meets the minimum requirements for two bed dwellings as set out in the Councils Parking Standards Supplementary Planning Guidance (1.5 spaces per unit, therefore rounded up to 5 in this case).
- 6.12 The applicant has provided information regarding the occupational status of the garages following submission of the application. All eight garages are vacant, and at the time of the previous application only four of the garages were occupied by people living within Kenyngton Drive. The tenants were offered alternative garages to rent in the locality, and three of the four occupiers took up this offer. The last of the eight garages was vacated on 7 June 2015 and the garages have been vacant since. The loss the eight garages therefore would not displace any vehicles onto the street.
- 6.13 The County Highway Authority were consulted on the proposal and raised no objections on either parking provision or highway safety grounds. They commented that the development complies with the Councils parking standards SPG.
- 6.14 The layout of the parking spaces to the rear of the site have been altered since the previous refusal. This has allowed the site to retain five off street spaces. It is considered this altered layout improves the parking area visually and

would not adversely impact adjoining properties.

Impact on the amenity of neighbouring residents

- 6.15 The Council's Design of Residential Extensions and New Residential Development Supplementary Planning Document (Design SPD) sets out recommended separation distances for new development. These distances are used as a guide to ensure that new development has an acceptable relationship with adjoining properties in regards to sunlight, daylight, overlooking and outlook.
- 6.16 The Design SPD recommends a minimum 'back to flank' distance of 13.5m to safeguard privacy. There would be a distance of 22m at the closet point between the rear of the proposed dwellings and the side of the bungalow to the south no. 8 Churchill Way. The Design SPD recommends a minimum distance of 10.5m between the back of the dwelling and the boundary of the site. The proposed garden areas are a slight irregular shape and only Plot 1 would fall slightly short of this 10.5m requirement. However to the rear of the private garden space is the residents communal parking area for the 3 dwellings. This slight shortfall does not lead to any outlook or privacy issues.
- 6.17 There is a recommended 'front to front' distance of 21m between two storey dwellings. The distance between plot 1 and the nearest dwelling opposite is 18.6m, which is a slight shortfall. It should be noted however that the proposed dwellings do not face the properties opposite directly but at an angle. The Design SPD explains that where dwellings do not directly face each other (as is the case here) that a lesser degree of overlooking or overbearing may occur. It is considered the proposal, despite the slight shortfall in 'front to front' separation, would not have an unacceptable impact on adjoining dwellings in terms of privacy and outlook. In addition the proposed dwellings would not break the vertical 25 degree line when measured from the properties on the opposite side of the street. It should be noted the existing street layout means properties are in some cases closer than the proposed distance. The proposed end of terrace dwellings (Plots 1 and 3) have a window at first floor level in the flank elevation which will serve a bathroom. It is considered reasonable to attach a condition to ensure these windows are obscure glazed.
- 6.18 In terms of sunlight, daylight and any potential overbearing impact, an assessment is made using measurements taken from adjoining windows. The proposed dwellings would not infringe either the vertical or horizontal 45 degree line when measured from the main windows serving habitable rooms of the closest adjoining properties. It is noted that there is a ground floor window on the flank elevation of no. 82 Kenyngton Drive, the two storey dwelling to the east of the proposed dwellings. This is a secondary window that serves a kitchen. The kitchen has another main window. There is nevertheless a gap of 2.8m.
- 6.19 The three dwellings have been moved west so that they are now further from the flank of no. 82 Kenyngton Drive. One of the reasons for refusal of the previous scheme was the overbearing impact and loss of light to no. 82. The

separation between the flank of the proposed dwelling and no. 82 was 2.2m and the current scheme would have a separation of 2.8m. It is considered this greater separation would mean the proposal would not have an unacceptable impact upon this dwelling. In addition the unit closest to no. 82 has been position further forward than the refused scheme so that it is more in line and as a result projects only 1.6 m further back than no. 82, whereas the refused scheme projected some 3.2m further back. No. 82 has a south facing garden and it is considered the proposal would not adversely impact the amount of sunlight and daylight this property receives.

Impact on the trees

- 6.14 The proposal would involve the removal of 3 no. trees on the site. The Councils Tree Officer has raised no objections to the removal of these trees as they are not of sufficient quality to insist on their retention or be worthy of a Tree Preservation Order. The tree officer would wish to see replacement planting provided in a landscaping scheme.

Other matters

- 6.15 One of the units (plot 2) would have a very minor shortfall in its private amenity space (minimum required 60m², plot 2 provides 58.84m²). It is considered this shortfall to be so small that the proposed amenity area would provide an acceptable garden area for use by the occupiers. With regard to other matters raised in the third party representations the garages are all unoccupied and so is considered their demolition would not result in a displacement of cars.
- 6.15 Regarding flooding issues raised, the site is not within a fluvial (river) flood risk area. As part of any approval soakaways to serve the proposed dwellings would need to be provided under Building Regulations to store rainwater. The proposal would see a reduction in hardstanding/built form on the site by approximately 24m² thereby reducing 'run off' from the site. The scale of development proposed is considered not to create any greater flood risk in the wider area.
- 6.16 The previous scheme was recommended for approval, and this decision was overturned by Planning Committee and refused for the following reasons:
1. The proposal represents a cramped form of development on a prominent corner which, combined with the loss of the existing open grass verge alongside the garage block, would detract from the visual amenities of the area and appear obtrusive in the street scene.
 2. The loss of the existing garage block would result in additional on street parking which would exacerbate the parking problems which already exist in the immediate area.
 3. The proposed development is considered to have a poor relationship to the adjoining property 82 Kenyngton Drive in terms of having an overbearing

effect and resulting in loss of light.

- 6.17 The proposed scheme now meets the Councils design criteria and would not appear as a cramped form of development on this corner plot. It has been separated from either flank boundary and has a large garden and communal parking area to the rear to clearly separate the proposed dwellings and the existing dwellings in the streetscene. The scheme would maintain greenspace to the front, side and rear of the dwellings which would mirror the other dwellings in the area maintaining the pattern of development in this part of the estate, by retaining some of the existing character of the plot which features a 'green' frontage onto the street.
- 6.18 It is considered the loss of the garage blocks will not now result in displaced parking as it has been unused for nearly a year. The garages on site are all unoccupied and so would not lead to a displacement of vehicles onto the public highway. The proposed five spaces would comply with the Councils parking standards set out in the Parking SPG.
- 6.19 The proposal has moved the proposed dwelling of plot 3 away from no. 82 Kenyngton Drive and would have a materially improved relationship with this dwelling, and it is considered that it would not have an overbearing impact nor result in an unacceptable loss of light to this dwelling.
- 6.20 The proposal has therefore overcome the reasons for refusal for the previous scheme.

7. Recommendation

- 7.1 The application is recommended for approval subject to the following conditions:

Conditions

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

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

2. The development shall not begin until a scheme for the provision of affordable housing for the three x 2 bedroom dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the agreed scheme and shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include:
 - 1) Three number 2 bedroom terraced dwellings;

- 2) The arrangement for the transfer of the affordable housing to an affordable housing provider and the management of the affordable housing by a registered social landlord;
- 3) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing;
- 4) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria can be enforced.

Reason:- To ensure that the proposed dwellings are maintained for affordable tenure in accordance with Policy HO3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

3. Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the buildings and surface material for parking areas be submitted to and approved by the Local Planning Authority.

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. (i) The site shall be remediated in accordance with the submitted Remediation Strategy and Verification Plan (ST Consult Ref. JN0538, dated 23 October 2013) with no deviation from the statement without the express written agreement of the Local Planning Authority;
- (ii) 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.

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.

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

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

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

6. Prior to the occupation of the development hereby permitted the first floor windows on the eastern and western flanks 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 property(ies), in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

7. That no further openings of any kind be formed in the eastern and western flank elevations of the development hereby permitted without the prior written consent of the Local Planning Authority.

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

8. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 215 (or any order revoking and re-enacting that Order), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior planning permission of the Local Planning Authority.

Reason:- To protect the amenities of the adjoining neighbouring properties and to safeguard the protected tree close by.

9. No development shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and

drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

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

10. The development hereby permitted shall be carried out in accordance with the following approved plans S101 and S102A received 22.12.2014. P201A, P202A and P210 received 29.03.2016

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

11. Before the development is occupied the existing vehicular access to Churchill Way shall be constructed in accordance with the approved site layout plan and the existing vehicle visibility splays of 25 metres to the north near side edge and 43 metres to the south to a point 1.6 metres onto the carriageway from the nearside kerb line shall be kept permanently clear of any obstruction between 0.6 metres and 2.0 metres high above the ground.

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

12. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans car to be parked. The parking area shall be used and retained exclusively for its designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

13. Notwithstanding the submitted drawings no new development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing with the Local

Planning Authority for the storage of bicycles in a secure covered location. The bicycle storage areas shall be used and retained exclusively for its designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

14. No development shall start until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) provision of boundary hoarding behind any visibility zones
 - (e) measures to prevent the deposit of materials on the highway
 - (h) measures to prevent the deposit of materials on the highway
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

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

15. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

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

16. Prior to commencement of any works on site a scheme detailing a dust management plan shall be submitted to, and approved in writing by, the Local Planning Authority. Such details to include:-

(i) Means of enclosure of the site and measures to minimise the disturbance of dust to neighbouring properties;

The works shall be carried out in accordance with the agreed details.

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

17. The proposed hardstanding area shown on the submitted plan shall be constructed to be permeable, or be designed to run off to a permeable surface within the curtilage of the site, in accordance with details to be submitted to, and approved in writing by the Local Planning Authority before the commencement of the development. The hardstanding area shall be completed and maintained in accordance with the approved details.

Reason:-. To minimise the risk of flooding from surface water run off.

18. The proposed development shall not be occupied until a pedestrian inter-visibility splay has been provided on each side of the proposed access/es, the depth measure from the back of the footway and the widths outwards from the edges of the access in accordance with a scheme to be submitted to an approved in writing with the Local Planning Authority. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

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

Informatives to applicant

1. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see <http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice/ordinary-watercourse-consents>.
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

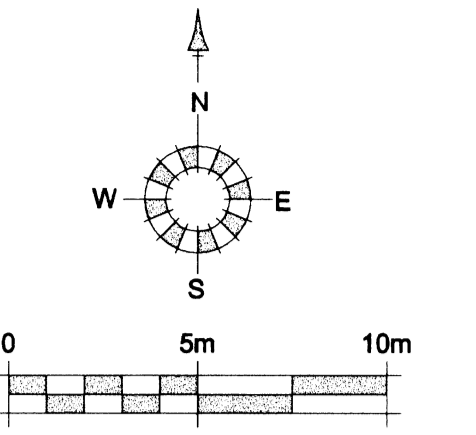
uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

3. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
4. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access/es, the depth measured from the back of the footway and the widths outward from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
5. 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.
6. This development is situated within 250 metres of a current or historic landfill site or gravel pit. A gas impermeable membrane should be incorporated within the structure along with a ventilated sub floor area. Any services entering/leaving the structure should be located above the gas impermeable membrane or alternatively, adequate seals will need to be provided if the membrane is to be breached. The details of the gas impermeable membrane and with particular attention to the joins with any existing structure and seals around any services, plus details of the sub-floor ventilation should be submitted to the Local Planning Authority for approval prior to the works being carried out.

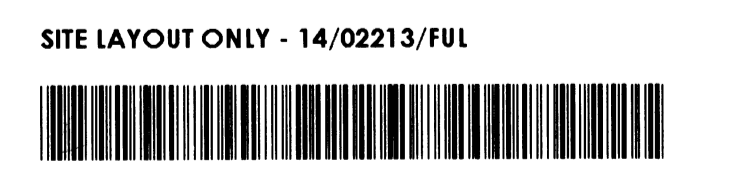
On completion, documentation (such as photographs, inspection reports, etc) shall be submitted to the Local Planning Authority to demonstrate that the gas impermeable membrane has been installed in accordance with the approved plans.

The applicant is advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.

7. The applicant should contact the utility provider responsible for the substation on site prior to the commencement of any building or demolition works to ensure the proposal would not impact, or be impacted by, the substation on site.



14/02213



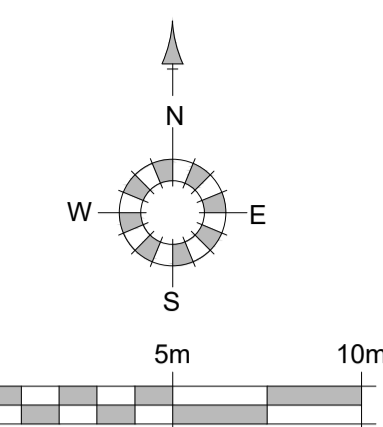
REV	DATE	REVISIONS:	REV	DATE	REVISIONS:	REV	DATE	REVISIONS:
A	17 Oct 2013	Address revised.						

CLIENT:	A2 Dominion	PROJECT:	Churchill Way Sunbury, Surrey
SCALE:	1:200 (A1 ORIGINAL)	DRAWING:	Existing Site Survey
DRAWN:	1316	S102	A
DATE:	27.02.2013		

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Total Site Area: 0.165 Hectares	
Site Plan Legend	
	Application Site Boundary Line
	Plot Reference
	Allocated parking Space
	1.8m Closeboarded Fence
	Bin and Bicycle Store
Landscaping	
	Proposed trees.
	Trees to be removed.

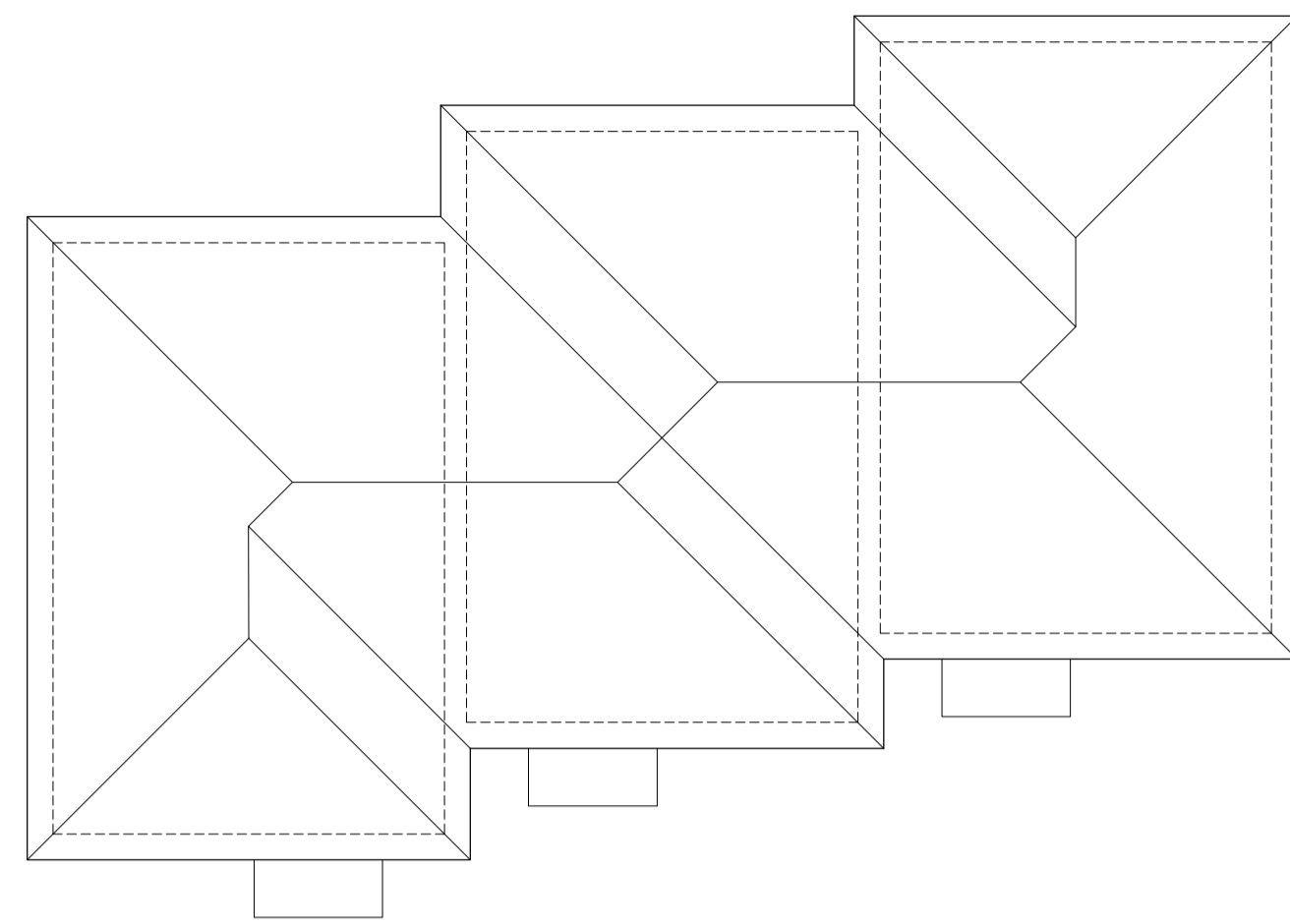
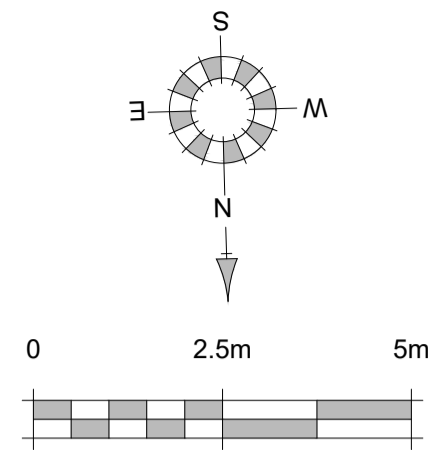


REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:

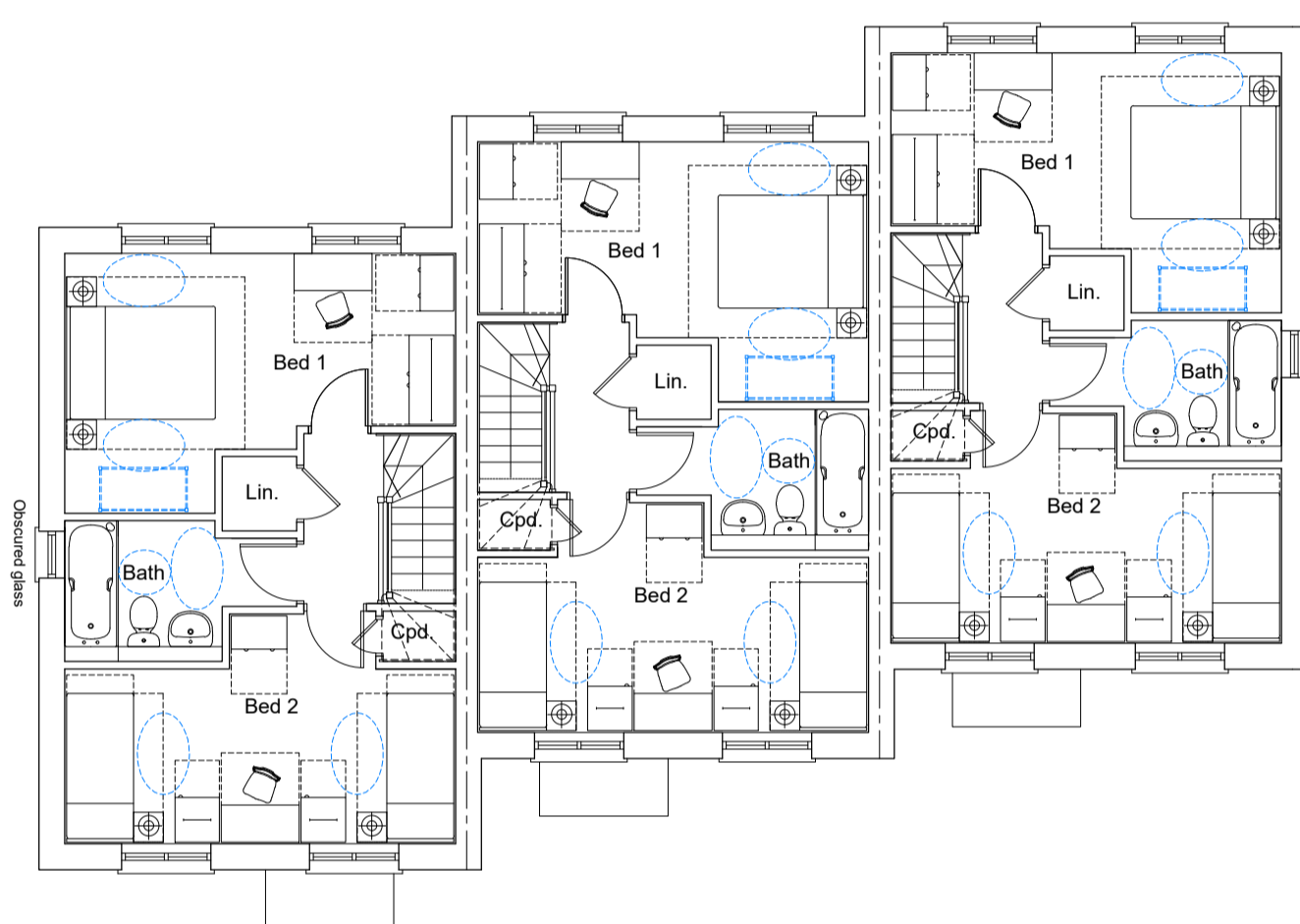
CLIENT:	A2 Dominion	PROJECT:	Churchill Way Sunbury, Surrey
SCALE:	1:200 (A1 ORIGINAL)	DRAWING:	Proposed Site Layout Ground Level
DRAWN:	jg	1316	P201
DATE:	22 Mar 2016	A	

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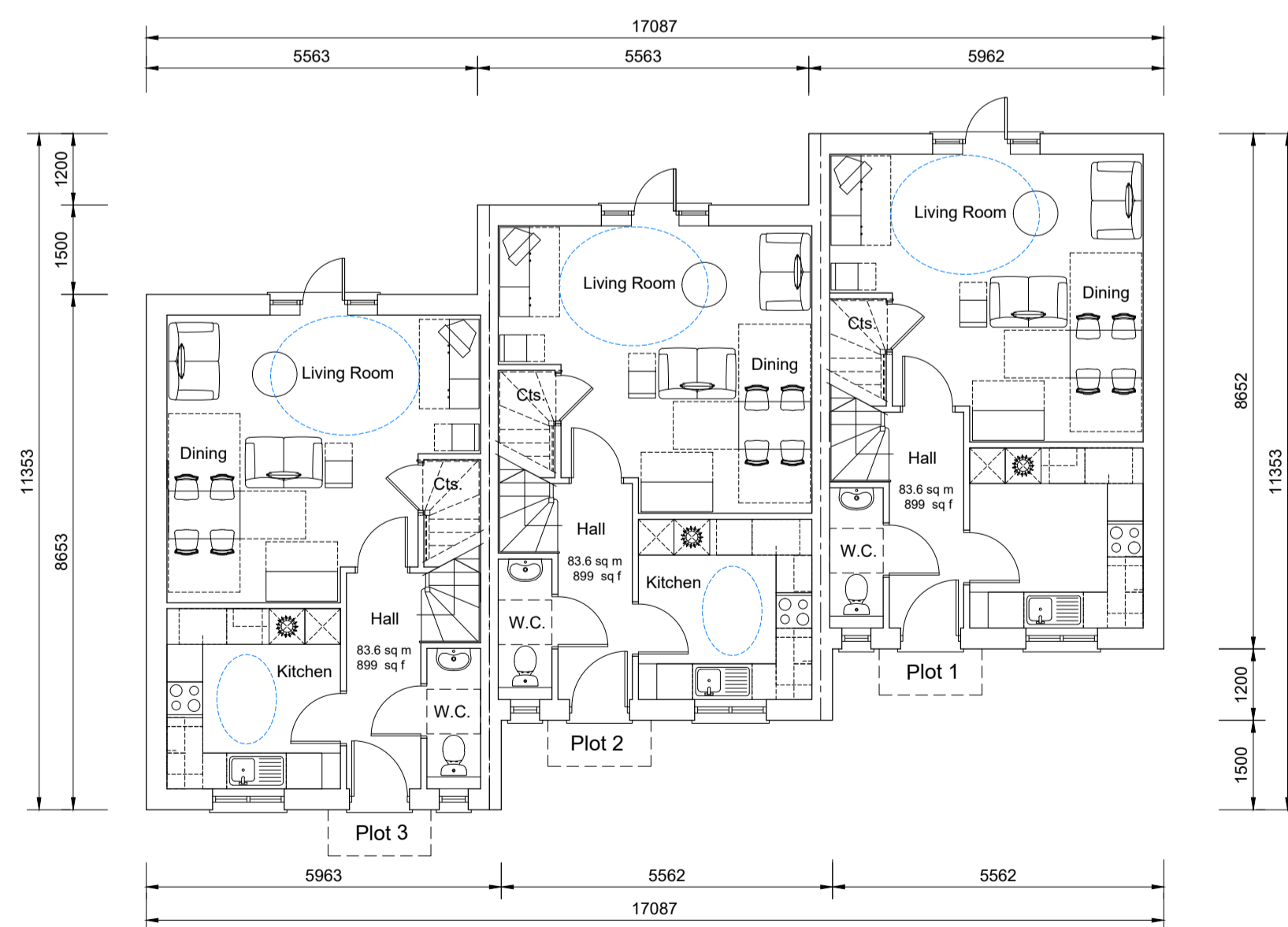
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Roof Plan



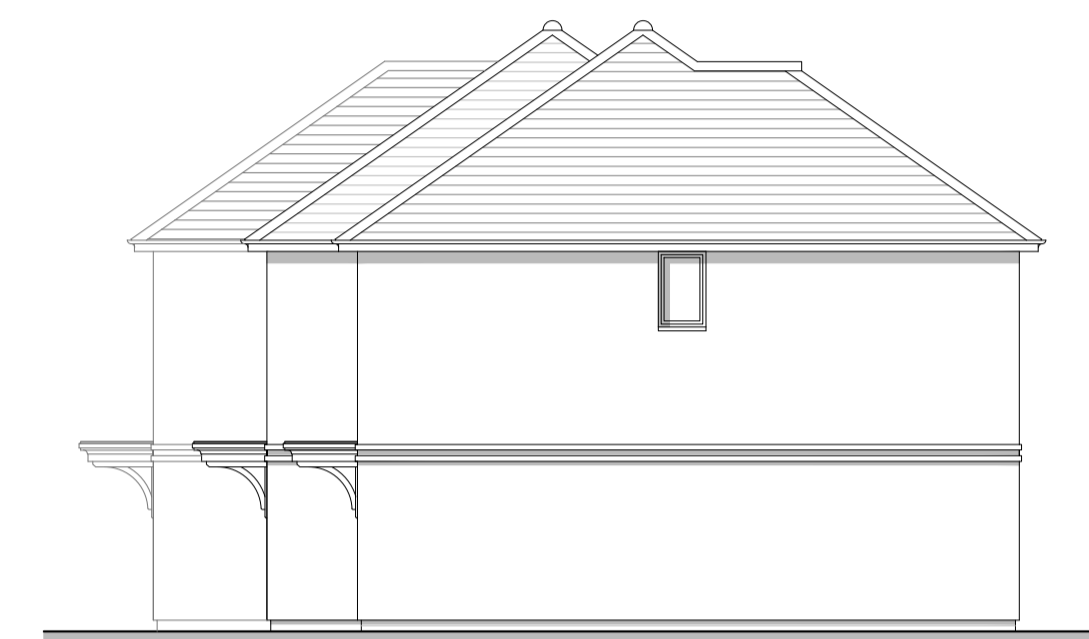
First Floor Plan



Ground Floor Plan



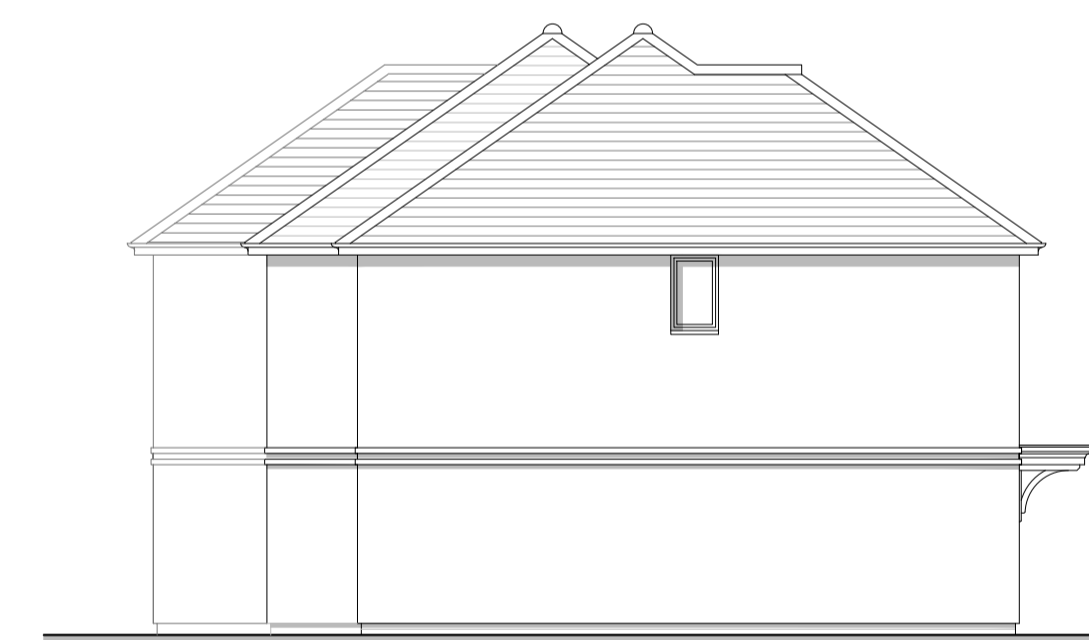
Front Elevation



Side Elevation



Rear Elevation

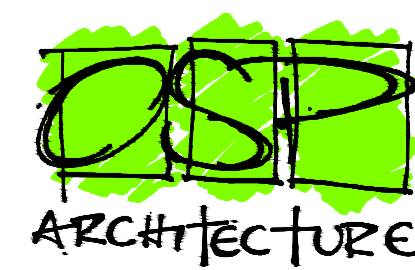


Side Elevation

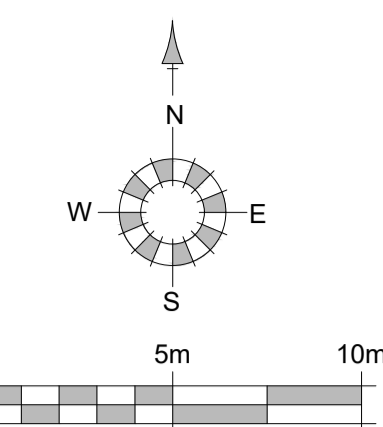
REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:

CLIENT:	A2 Dominion	PROJECT:	Churchill Way Sunbury, Surrey
SCALE:	1:100 (A1 ORIGINAL)	DRAWING:	Plot 1 - 3 Proposed Plans & Elevations
DRAWN:	1316	P210	-
DATE:	23 Mar 2016		

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	Plot Reference
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	Proposed trees.
	Trees to be removed.



REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:

CLIENT:	A2 Dominion	PROJECT:	Churchill Way Sunbury, Surrey
SCALE:	1:200 (A1 ORIGINAL)	DRAWING:	Proposed Site Layout Roof Level
DRAWN:	1316	P202	A
DATE:	22 Mar 2016		

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