

## Planning Committee

03 April 2019



<b>Application No.</b>	18/01259/FUL		
<b>Site Address</b>	The Old Police Station, 69 Staines Road East, Sunbury on Thames TW16 5AA		
<b>Proposal</b>	Erection of first floor rear extension and conversion of existing building (former Police Station) into 4 no. two bedroom flats and erection of a detached two storey building to provide 4 flats, comprising 2 no. two bedroom flats and 2 no. one bedroom flats together with associated parking, amenity space, cycle and refuge storage following demolition of existing garages/outbuildings..		
<b>Applicant</b>	Lacaze Projects Ltd		
<b>Ward</b>	Sunbury East		
<b>Call in details</b>	N/A		
<b>Case Officer</b>	Matthew Clapham		
<b>Application Dates</b>	Valid: 02/10/2018	Expiry: 27/11/2018	Target: over 8 weeks Extension of Time Agreed.
<b>Executive Summary</b>	<p>This planning application seeks the conversion, extension and alterations of the existing old police station building which is locally listed to provide 4 flats, together with the erection of a new 2 storey building to provide an additional 4 flats, following the demolition of the existing outbuildings. In addition the proposal would provide car parking, landscaping, access and associated works.</p> <p>The proposal is considered to be a sustainable form of development, retaining and reusing an existing locally listed building for a residential use, together with the provision of a new building in a design which pays due regard to the locally listed building and would make a positive contribution to the street scene in this location. Consequently, the proposal is acceptable on design grounds.</p> <p>It would be an efficient use of land providing a good standard of housing, with sufficient amenity space provision. It is considered to be acceptable in terms of parking and highway issues and would have an acceptable relationship with adjoining properties and would not have a material detrimental impact upon their residential amenity.</p>		
<b>Recommended Decision</b>	This planning application is recommended for approval.		

## MAIN REPORT

### 1. **Development Plan**

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

- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN5 (Buildings of Architectural and Historic Interest))
- EN15 (Development on Land Affected by Contamination)
- EM1 (Employment Development)
- 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
- SPG on Parking Standards

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

### 2. **Relevant Planning History**

95/00004/GOV Extension and change of use of garage to Form a Gymnasium .	No objections 12.06.1995
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### 3. **Description of Current Proposal**

- 3.1 The site comprises an area of 0.0823ha and is located to the north/east of Staines Road East in Sunbury on Thames. The Old Police Station building itself is a locally listed building. On the opposite side of Staines Road East are residential dwellings. To the east, are flats forming Priory Walk, and to the west of the site are semi-detached two storey dwellings forming Priory Close, which are believed to be former Police houses. The site is currently vacant with a number of large outbuildings adjacent to the boundary with the flats in Priory Walk and to the rear. The site is accessed via Priory Close, a private road accessed from Staines Road East.
- 3.2 The site is located within the urban area, approximately 600m from the Sunbury Cross shopping area.
- 3.3 Although the site has an established use as a Police Station and is located close to a commercial builder's yard, there are residential properties in close proximity, including the block of flats to the east and semi-detached houses to the west in Priory Close as outlined in paragraph 3.1 above.
- 3.4 The common height of buildings in this location is two storey including the houses either side, although the Old Police Station building itself is approximately 0.5m taller. However, the boundary wall to the site, particularly to the east onto Priory Walk, is a substantial structure of approximately 3.5m in height, rising to 5.3m to the side elevation of the existing building with 2m high boundary to the frontage on Priory Close.
- 3.5 The proposal is for the conversion of the existing old Police Station building to 4 flats with various alterations including a first floor side extension. In addition, it involves the erection of a new 2 storey block to the rear of the site following the demolition of the existing outbuildings to provide an additional 4 flats, together with the proposed parking, landscaping and access. The proposed new block has been designed to be in character with the design of the existing locally listed building on the site. It would be constructed of bricks with a tiled pitched roof with similar window treatments on the elevations to provide symmetry.
- 3.6 The existing access to Priory Close is retained. Parking for 9 cars would be provided to the centre of the site, with 3 further spaces for use by residents in Priory Close to the rear of the plot. Refuse storage facilities would be provided adjacent to the highway, and landscaping would be used to soften the car parking areas and buildings, and provide amenity space for the proposed residents.
- 3.7 The proposed site layout and elevation plans are provided as an Appendix.

## **4 Consultations**

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

Consultee	Comment
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County Highway Authority	No objection subject to conditions
Conservation and Listed Buildings Officer	No objection
Environmental Health (Contaminated land)	No objection subject to conditions
Environmental Health (construction/dust)	No objection subject to conditions
Group Head of Neighbourhood Services	No objection subject to conditions

## **5. Public Consultation**

5.1 Neighbouring properties were notified of the planning application and the application was advertised in the local press. Letters have been received from 5 neighbouring properties.

5.2 Reasons for objecting include:-

- presence of bats in the Old Police Station
- noise and disturbance
- emergency access / highway safety
- inadequate parking
- pollution
- refuse collection issues
- loss of sunlight / daylight
- overlooking and loss of privacy
- increase traffic
- highway safety issues
- overbearing
- overdevelopment
- loss of a street light
- sewers
- flooding.

## **6. Planning Issues**

- Principle of the development
- Housing density
- Reuse of locally listed building
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Dwelling mix

## **7. Planning Considerations**

Need for housing

- 7.1 In terms of the principle of housing development regard must be had to paragraphs 59-61 of the National Planning Policy Framework (NPPF) which state the following:-

*“Para 59. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.*

*Para 60. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*

*Para 61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

- 7.2 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.
- 7.3 Para 11 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay noting that:  
*“...Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*  
*(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*  
*(ii) 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.”*
- 7.4 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). On 20<sup>th</sup> February 2019, the government updated its guidance in respect of Housing and

economic needs assessment which included proposals for a standard method for calculating local authorities' housing need. A figure of 590 dwellings per annum for Spelthorne was proposed by the application of this new approach. This provisional figure of 590 based on the 2014 household formation projections has also been suggested by the Government in its latest consultation (Oct – Dec 2018). Despite recent uncertainties, the standard methodology provides the most recent calculation of local housing need in the Borough and is consistent with the range of need identified by the Council in their SHMA. It is therefore appropriate for the Council to use the 590 dwellings per annum figure as their local housing need figure that comprises the basis for calculating the five-year supply of deliverable sites.

- 7.5 In using the new objectively assessed need figure of 590 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.
- 7.6 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised 5-year housing land supply figure. Whilst this has shown that notionally we have identified sufficient sites to demonstrate that we have a five year supply of housing sites we have recently been advised that we need to apply an additional 20% buffer rather than the previously used 5%. This is because Government guidance (NPPF para 74) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years". We now have to have regard to the Local Housing Need figure of 590 dwellings per annum and, on this basis, the Council has failed to deliver a sufficient number of dwellings in recent years. It therefore has no choice now but to apply the additional buffer for the five year period from 1 April 2019 to 31 March 2024. The effect of this increased requirement is that the identified sites only represent some 4.5 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites.
- 7.7 As a result, current decisions on planning applications for housing development need to be based on the "tilted balance" approach as set out in paragraph 11 of the NPPF (2019) which requires that planning permission should be granted unless "any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole"
- 7.8 Having regard to the proposed development and taking into account the presumption in favour of sustainable development which applies to Spelthorne together with adopted policy HO1 which encourages new housing development, it is considered that particular weight should be given to the merits of this development in this sustainable location. It should also be noted that each planning application must be assessed in its own right and permission cannot be refused on the basis that other schemes for housing have been approved nearby.

### Principle of the development

- 7.9 As noted above, Policy HO1 Core Strategy Policies DPD 2009 (CS & P DPD) 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 As referred to above, the NPPF emphasises the government’s overall housing objective to significantly boost the supply of housing.
- 7.11 The site is within the urban area and is a brownfield site in an accessible and sustainable location, close to local facilities, the primary highway network and public transport links. The creation of residential units at the site is therefore considered to be acceptable in principle.

### Housing density

- 7.12 Policy HO5 of the CS & P DPD sets out density ranges for particular context but prefaces this at paragraph 6.25 by stating:

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

- 7.13 Policy HO5 indicates that in the existing residential areas, new development should generally be in the region of 35 to 55 dwellings per hectare. Within the Ashford, Shepperton and Sunbury Cross centres, it recognises that this can be increased to 40 to 75 dwellings per hectare. While the site is outside of the designated Sunbury Cross town centre, regard should be given to this figure when assessing density levels in accessible locations to address the Government’s housing objectives.
- 7.14 The proposal is for a total of 8 units and would be on a site of some 0.0832 ha, equating to 96 dwellings per hectare (dph). Whilst the proposed density is above that set out in Policy HO5, the policy states that, *‘Higher density developments may be acceptable where it is demonstrated that the development complies with Policy EN1 on design particularly in terms of its compatibility with the character of the area and is in a location that is accessible by non car based modes of travel.’* It is important to note that any mathematical density figure is in part a product of the mix of units proposed. In this case all 8 units are 1 bed or 2 beds, in accordance with the Borough’s housing need, and accordingly it is possible to accommodate many more small units within a given floor space and an acceptable numerical density can be much higher. It is also noted that the adjoining flats (Priory Walk) have a density of 100dph. In this particular case, it is considered that the proposed density is acceptable in this particular sustainable location.

### Re-use of Locally Listed Building

- 7.15 The main building on the site was constructed in 1890 as a Police Station. The Police Station closed approximately 10 years ago and the premises has been derelict since then. The property is a locally listed building with many of the original features remaining. It is listed in the Spelthorne Local List Feb 2004 (ref LL/116), which notes that the property is, *'...Hipped slate roof with bracketed eaves and deep overhang. Yellow Flemish bond brick with red brick window arches, painted stucco strings at first floor sill level and at the springing of ground floor window arches. Painted keystones. False round headed sash windows generally (sliding behind brick arches), with windows grouped in pairs. Stone door case apparently for dual entrances, but right hand side false (arched for window). Three pilasters supporting shallow portico with stone frieze supported on three consoles – the words "Metropolitan Police" are in bold relief across this frieze. A prominent and well proportioned municipal building – a competent example of the period and in near original condition. Lions' mask guttering is a common feature of Victorian metropolitan Police Stations, similar to the guttering on the former Staines Police Station (LL/080).*
- 7.16 Policy EN5 of the CS & P DPD notes that the Council will seek to preserve its architectural and historic heritage. The foreword in paragraph 10.27 states that:-
- 'Buildings on the local list do not have the same legal protection over demolition, alterations and minor extensions. However, the Council will oppose redevelopment proposals that would involve their loss, or unsympathetic proposals that would damage their character and setting.'*
- 7.17 The Council's Conservation Officer was consulted and raises no objection to the proposal. He notes that. *'...The locally listed Police Station is currently in a dilapidated condition and urgently requires a new use. These proposals retain and refurbish much of the architectural detail of the building and perpetuate the architectural language in the design of the new blocks. I consider the essential character of the LL building will be preserved. I have no adverse comments.'*
- 7.18 As such the re-use of the existing locally listed building is considered to be a significant benefit of the scheme and ensures that this heritage asset is retained. As such the re-use of the locally listed building should be afforded significant weight and the proposal is considered to accord with Policy EN5.

### 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 locally listed building would be retained and modified in order to accommodate 4 residential units, including the erection of a first floor extension above the eastern wing of the building. Externally the building would remain very much like it is now, with the retention of all the window openings, which form part of the main character of the building. The proposal is considered to pay due regard to the character of the host building and would enable the conversion of the locally listed building to a residential use. As such, these changes to the building would have an acceptable impact on the character.
- 7.21 The proposed new building would replace the existing outbuildings located at the rear of the site, currently located across the eastern side of the site. The main part of the building would have a pitched roof with a maximum height of 7.5m, with the wing being reduced in height to 6m. These are below the height of the existing Police Station building, which has a maximum height of 8.5m. The proposed building would extend across most of the width of the plot. The wing element would also have a lower eaves height compared to the main structure. It would be constructed in materials to match the existing building and the design is considered to pay due regard to the design and character of the existing locally listed Police Station building.
- 7.22 Landscaping would be provided around the buildings which would help to provide an attractive setting to the well-designed buildings and to provide a good standard of amenity for future occupants. This would help to complement the proposed built form and visual amenities of the area. The access to the site would remain as existing and the proposal would provide 9 parking spaces, with 3 spaces provided for residents of Priory Close as part of a legal agreement, which is not a planning matter. The scheme is considered to provide an attractive form of development, which would have its own sense of place and provide an attractive place to live, adding to the visual amenity of the area, while retaining a heritage asset. As such the proposed development is considered to be acceptable in design terms, and to make a positive impact on the street scene, Staines Road East and the surrounding area, conforming to policy EN1.

#### Impact on neighbouring residential properties

- 7.23 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.”*

- 7.24 The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) provides further details for the policies of the CS & P DPD.
- 7.25 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

an unacceptable loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for 2 storey development of 10.5m for back to boundary distance, and 21m for back to back development. There is also a minimum distance for back to flank elevations of 13.5m for 2 storey developments.

- 7.26 Whilst the building fronts Staines Road East, the closest residential properties are located to the east (Priory Walk - flats) and west (Priory Close - semi-detached dwellings which face towards the application site). The proposed extension to the locally listed building would be approximately 9m away from the side of the flats in Priory Walk, which have side facing windows. It is noted that the boundary between the two plots, adjacent to the existing Police Station is already substantial, with a wall of 5.3m forming the boundary. The additional storey to the rear of the Police Station would have a pitched roof, sloping away from the boundary with an eaves height of 5.8m. There is also a dense screen of trees along most of the boundary, within Priory Walk. No first floor rear or side facing windows to the eastern side are proposed. The flank elevation facing Priory Close remains unchanged, albeit with habitable rooms rather than offices etc. however these are 11m away from the adjoining properties to the west. Therefore it is considered that the proposed alterations to the Locally Listed Building would have an acceptable relationship with the existing dwellings and would not cause significant overlooking, loss of privacy or overbearing/overshadowing or loss of light impacts and as such the proposal will have an acceptable impact on the amenity of neighbouring residential properties and accords with the SPD and Policy EN1.
- 7.27 The new building to the rear is located some distance away from the front of the properties in Priory Close, being at least 11m away. However, the building is located in close proximity to the flats in Priory Walk. Whilst no habitable room windows are proposed on the first floor eastern elevation, minimising any loss of privacy, consideration is required regarding loss of light and overbearing impact to the adjoining flats. There are two windows serving ground floor flats on the side/rear projection, which are only approximately 2.5 and 3m away from the boundary and the proposed building. However there is an existing 3.6m high wall on the boundary at this point, while the eaves height of the proposed building would be 4m, 0.4m higher than the existing boundary wall. Furthermore, the windows to the flats provide secondary glazing to living rooms and primary glazing to 'galley' style kitchens. The applicant has submitted a BRE daylight / sunlight assessment which demonstrates that the examined rooms comply with the BRE standards for daylight and sunlight and the development would have no significant impact on daylight at the neighbouring property.. Four windows would be below the 27% Visual Sky Component figure considered good practice, however these windows are currently below this figure and are not made by worse as result of the proposal. Five of the windows examined would also be below the Annual Probable Sunlit Hours calculation, However, these are currently below figure and the proposal would not be demonstrably worse than the existing situation. Whilst BR 209 gives numerical guidelines for assessing daylight and sunlight levels, it is important to bear in mind that the numerical guidelines should be interpreted flexibly. BR 209 Paragraph 1.6 states:

*“The guide (BR 209) is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and the guide should not be taken as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.”*

- 7.28 To the rear is a patio door to a ground floor flat and this will have the 45 degree angle infringed by the proposed block of flats. However, the infringement is minimal – being 1m at a distance of 7m from the window. The patio windows would continue to have a clear outlook to the rear and eastern side. Therefore, on balance, and taking into account the wider benefits of the proposal, the harm arising from this infringement is considered to be minimal and would not result in a detrimental loss of light or outlook to this window and any harm does not outweigh the positives of the scheme. As such, the proposed building is considered to have an acceptable relationship with the adjoining properties.

#### Amenity Space

- 7.29 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats it requires 35 sqm per unit for the first 5 units, 10 sqm for the next 5 units and 5 sqm per unit thereafter. On this basis some 205 sq. m would be required for the 8 flats. The flats have access to landscaped areas of the site including an area of grass to the centre of the site, to the rear of the existing Police Station building with an area of approximately 75 sq. m. This would provide a level of amenity space for use by residents of the units but is acknowledged as being below the minimum SPD standard. It should be noted that the site has landscape areas to the front and sides of the properties which would add to the visual amenities of the locality and benefit not only the future occupants but improve the street scene. The site is located a short walk away from a public green space which forms part of the new development on the former London Irish site on The Avenue. When considered in the wider planning balance, the reduced amenity area would not outweigh the benefits associated with the scheme.

#### Proposed dwelling sizes

- 7.30 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats, as well as to 2 and 3 storey houses. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sqm.
- 7.31 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.

- 7.32 All of the proposed 2 bed flats exceed the 61 sq. m minimum requirement and the one bed units meet the 50 sq m requirement. In addition, benefits arise from the fact that accommodation is provided within an existing locally listed building which would be retained and the scheme would provide its own sense of place with a courtyard feel. Therefore, it is considered that their standard of amenity overall is acceptable.

Highway and parking provision

- 7.33 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.*

- 7.34 Policy CC3 of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.
- 7.35 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).
- 7.36 The proposed parking provision for the site is 9 spaces. The Councils Parking Standards as set out in the Supplementary Planning Guidance requires 1.25 spaces per 1 bed unit and 1.5 spaces per 2 bed unit. As such the current proposal for 8 units (2 no. 1 bed and 6 no. 2 bed) would require 10.5 rounded up to 11 car parking spaces. 3 parking spaces are shown to be provided for the existing residents of Priory Close, as required by a lease agreement, which is a non-planning matter. The SPG goes on to state that a reduction in parking requirement will normally only be allowed in the following situations within the borough where public transport accessibility is generally high including frequency and quality of train and bus services, distance to public transport nodes, pedestrian and cycling routes and the range and quality of facilities supportive of residential development within a reasonable walking distance, e.g. retail, leisure, education and possibly employment. It also states that other situations which are relevant to less parking provision include units specifically designed for single person occupation and residential conversions where there are limited off street parking opportunities both of which are also relevant to this scheme. As such, the parking provisions are considered acceptable.

- 7.37 The County Highway Authority (CHA) has been consulted and while originally raising an objection, has now removed objection, subject to conditions and has noted that ‘...*The County Highway Authority previously objected to this proposal, for the reasons set out in the response dated 15/11/18. Since this response, the number of units proposed on site has been reduced from nine to eight. Whilst the proposed parking provision still falls below the level recommended in Spelthorne Borough Council's Parking Standards, it is likely that the level of parking associated with the proposed development can be accommodated within the site.*

*The site is located approximately 400 metres from Sunbury Rail Station, which is a comfortable walking. Sunbury Rail Station is served by half-hourly train services in either direction between London Waterloo and Shepperton. Well served bus stops are also available in proximity to the Rail Station, approximately 450m from the development site. In addition to the public transport infrastructure, some further local amenities are available within walking distance of the site, particularly around the Sunbury Cross Roundabout. It is therefore considered that future residents of the proposed development would not be dependent on private motor vehicles. Notwithstanding this, it is considered likely that residents will want to own private cars in this location, given the number of local amenities that are just beyond a convenient walking distance that are otherwise not well catered for by more local facilities.*

*The CHA acknowledge the existing parking stress on Priory Close, and that any overspill parking on this road could exaggerate this. However, Priory Close is a private road, and therefore not under the jurisdiction of the CHA. The potential for overspill of parking from Priory Close onto the old alignment of Staines Road West (D6298), and the main Staines Road West (A308) previously made up part of SCC's objection to the proposal. It has been considered again in the context of the revised proposal, and given the reduced parking demand it is now considered unlikely that this will cause a significant or severe highway safety concern. it is unlikely that any overspill parking that may be generated by the development will result in on-street parking in a location that will compromise highway safety.’*

- 7.38 The proposal for the provision of 9 car parking spaces would limit the number of vehicles accessing and leaving the site, in particular it is considered that the use by vehicles at the site would be less intense than the previous use as a Police Station. As such, it is not considered that the proposal would result in a greater impact compared to the established use and therefore would not result in a significant impact in terms of traffic generation.
- 7.39 Therefore given the above and the fact that the majority of the units are 1 bedroom and the site is located in a highly accessible location, close to local facilities, the proposed parking provision is acceptable. It should also be noted that future occupants would be aware of the parking provision and whether they have an allocated parking space or not when they choose to live here. The CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision. As such, it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

#### Flooding

- 7.40 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne. The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded

on flooding grounds. In terms of flood risk, given the development site is located outside of the high flood risk area and there is no risk to the future occupants of the site from flooding, with safe access and egress available.

- 7.41 The Environment Agency maps for potential surface water drainage shows that the site itself is at a low/medium risk with Priory Close being very low risk. Therefore the concerns regarding drainage and flooding are not considered to be significant enough to justify refusal.

#### Renewable Energy

- 7.42 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sqm to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development. The Council's Sustainability Officer has been consulted and requested further information which will be secured by a suitable condition.

#### Dwelling mix

- 7.43 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.
- 7.44 The proposal complies with the requirements of Policy HO4 with all 8 of the units being one and two bedroomed.

#### Impact on Trees/Landscaping

- 7.45 There are trees located adjacent to the site within the grounds of Priory Walk. The extension to the locally listed building, closest to the trees is at first floor with no / limited ground disturbance. Therefore, it is not considered that any trees are likely to be impacted by the proposal and is not considered to affect the living conditions of the new units in particular in terms of overshadowing or loss of light impact.
- 7.46 The amenity space will also be landscaped with grass and trees. In addition landscaping will be used around car park areas to help break up hardstanding and add visual interest which will help to enhance the proposed development and is considered acceptable.

#### Contaminated Land

- 7.47 The Council's Pollution Control Officer has raised no objection but has requested 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.

### Air quality

- 748 The Council's Pollution Control section was consulted on the application and has raised no objection, but has recommended conditions regarding dust control and the provision of electric car charging points.

### Refuse Storage and Collection

- 7.49 The access to the site remains unchanged, with refuse storage areas located close to Priory Close, where existing collections already take place and these are also easily accessible by future residents. The County Highway Authority has raised no objection on this particular issue. The Councils Group Head for Neighbourhood Services has commented that the proposal would not allow refuse vehicles to enter and leave the site in forward gear but notes that this situation already exists for Priory Close. The location of the refuse stores is suitable subject to size and access (which is subject to a condition).and the refuse arrangements are considered to be acceptable. Accordingly, the proposed refuse storage and collection facilities are acceptable.

### Financial Considerations

- 7.50 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, but the existing floor space is currently in use and can be deducted. As such it would generate a CIL payment based on £140 per square metre of approx. £33,600 in total. This money goes toward local infrastructure and as such 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.

### Other matters

- 7.51 The County Highways Engineer has not raised any concerns regarding the loss of a street light. In any event, the road is private and this is not considered to be a justification for refusal.
- 7.52 A representation was received concerning the possibility of bats roosting in the garage building to the rear of the Police Station. It is the responsibility of the site owner, and any contractor undertaking works, to ensure that the appropriate Acts and Regulations are observed and no offence is committed. An informative is recommended to ensure that appropriate consideration is taken in this respect.

## Conclusion

- 7.53 The proposal would secure the redevelopment of a previously developed site, retain and reuse a locally listed building of value which should be afforded significant weight, make effective use of urban land in a sustainable location, and meet a need for housing. As noted previously the “tilted balance” approach as set out in paragraph 11 of the NPPF (2018) requires that planning permission should be granted unless “any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole” There is a presumption in favour of sustainable development, and the benefits of the scheme in this sustainable location clearly outweighs any harm, as such the NPPF requires permission to be granted.
- 7.54 Therefore, the proposal to provide 8 units by building a 2 storey block of 4 units and also utilising the existing locally listed building on the site is considered to be acceptable and 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 three years from the date of this permission.

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

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

PL01, PL02, PL03, PL04, PL05 (all revision B) received on 18.02.2019 and

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:-



(a) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.

(b) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.

(c) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

Reason:-

(a) To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

#### NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected by Contamination: Guidance to Help Developers Meet Planning Requirements" providing guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](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 the occupation of the buildings hereby permitted details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall be implemented prior to the occupation of the buildings and shall at all times accord with the approved details.

Reason: - To safeguard the amenity of neighbouring residential properties, in the interest of security, and in the interest of wildlife.

9. That no further openings of any kind be formed in any 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.

10. Prior to the occupation of the development hereby permitted the first floor window on the eastern elevation of the proposed new build block 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 amenity of neighbouring residential properties in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

11. No development shall commence 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) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) measures to prevent the deposit of materials on the highway
  - (g) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The conditions above are 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 policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

12. 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: - 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.

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

Reason: This condition is required in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy

Framework 2018, and to accord with policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

14. The development hereby approved shall not be first occupied unless and 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.

15. 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.

16. The development hereby approved shall not be occupied unless and until at least 2 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) for the charging of electric vehicles in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: The conditions above are required in order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of 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.

17. No demolition shall take place, including any works of demolition or site clearance, until a demolition method statement detailing the proposed methodology for demolishing the existing structures and the mitigation measures to be implemented has been submitted to and approved in writing by the Local Planning Authority. The DMS shall include submission of a Pre-Demolition Asbestos Survey. The agreed

methodology and mitigation measures shall be implemented in accordance with the approved details.

Reason: To protect the amenity of the local area.

Informatives to be attached to the planning permission

1. 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).
2. 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
3. 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).
4. 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.
5. 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).
6. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

If you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development.

Further information on CIL and the stages which need to be followed is available on the Council's website. [www.spelthorne.go.uk/CIL](http://www.spelthorne.go.uk/CIL).

7. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
  - (a) 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)

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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. 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.

10. The applicant is advised that all gas fired boilers should meet a minimum standard of less than 40mgNO<sub>x</sub>/kWh. All gas-fired CHP plant should meet a minimum emissions standard of 50mgNO<sub>x</sub>/Nm<sup>3</sup> for gas turbines - note other limited apply for spark or compression ignition engines. Where biomass is proposed within an urban area it is to meet minimum emissions standards of: Solid biomass boiler 275 mgNO<sub>x</sub>/Nm<sup>3</sup> and 25 mgPM/Nm<sup>3</sup>

11. Attention is drawn to the Wildlife and Countryside Act 1981 as amended, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats) Regulations 1994. These Acts and Regulations protect ALL wild birds, their nests (whether in use or being built) and eggs and other wild animals including bats and their roosts in or adjacent to trees. It is a criminal offence to recklessly or intentionally destroy any bird, its nest or its eggs or any bat or its roost (even if the roost is not occupied at the time). With particular reference to bats, it is the site owner's responsibility, along with any contractor who will undertake work, to observe the law and make sure that no offence is committed. If you consider that there is potential for bats to be present, we recommend that a bat survey is undertaken by a consultant. If bats or bat roosts are found to be present, a licence from the Department of the Environment, Food and Rural Affairs may be required for the work to be undertaken legally. This licence simply permits works which affect bats or their roosts which are otherwise unlawful. Natural England can provide details of suitable consultants to undertake bat surveys on 02380286410.

IF BATS OR EVIDENCE OF BATS ARE FOUND AT ANYTIME, ALL WORKS MUST STOP IMMEDIATELY; CONTACT NATURAL ENGLAND ON 02380286410 OR THE BAT CONSERVATION TRUST HELPLINE ON 0845 1300 228 FOR FURTHER ADVICE.

12. Decision Making: Working in a Positive and Proactive Manner

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

- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.