

Planning Committee

18 September 2019



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| Application Nos. | 19/01051/FUL | | |
| Site Address | 15 -51 London Road, Staines-upon-Thames | | |
| Proposal | Erection of two buildings to provide 173 residential homes (Class C3) and flexible commercial space at ground and first floors (Class A1, A2, A3, B1, D1 or D2), with landscaping and associated works, to be delivered as an extension to the wider redevelopment of 17-51 London Road under application 19/00290/FUL, comprising an additional 22 homes above those within application 19/00290/FUL. | | |
| Applicant | Berkeley Homes (West London) Ltd | | |
| Ward | Staines | | |
| Call in details | N/A | | |
| Case Officer | Matthew Churchill | | |
| Application Dates | Valid: 29.07.2019 | Expiry: 28.10.2019 | Target: Under 13 weeks |
| Executive Summary | <p>This planning application seeks to incorporate 15 London Road into the redevelopment of the former Centrica site (17-51 London Road). This would be achieved through the extension of Block F, as approved in planning permission 19/00290/FUL, across 15 London Road, to provide 20 additional residential units. This would follow the demolition of the existing vacant building at 15 London Road, which is understood to have been most recently in use as a fireworks shop, but has been derelict for some time. The application also proposes the reconfiguration of Block E, to provide 2 additional affordable housing units.</p> <p>In total, the application proposes 173 residential units in Block E & F (increased from 151 in the consented scheme) as well as increasing the flexible commercial space on the ground and first floors of Block F.</p> <p>Blocks A, B, C & D, as approved in planning permission 19/00290/FUL, fall outside the red site boundary and are not under consideration in the present application. However, when considered in combination with Blocks A, B, C & D, the scheme would deliver a total of 489 residential units across 15-51 London Road, increased from 467 units approved in the consented scheme.</p> <p>The principle of Block E and Block F has been set by the previous planning approval (19/00290/FUL). The Local Planning Authority must consider whether the reconfiguration of Block E and the extension to Block F would cause any material harm.</p> | | |

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| | <p>As with planning permission 19/00290/FUL, Block E would remain at 8 storeys in height. An additional residential unit would be contained on the ground floor and a further residential unit would be contained on the first floor. The commercial floorspace in this block would also be reconfigured.</p> <p>Block F would remain at 12 storeys in height and would be increased in width by some 11.5 metres (across 15 London Road). There would be no alterations to Blocks A, B, C or D as a result of the proposal and these blocks have not been included as part of the submission.</p> <p>Block E would contain 43 affordable units, which would represent a 9% provision of the 489 units provided across 15-51 London Road. This is in line with the 9% affordable housing provision provided in planning permission 19/00290/FUL.</p> <p>A total of 346 (341 residential) car parking spaces would be provided to 15-51 London Road at a ratio of 0.70 per dwelling.</p> |
| Recommended Decision | <p>This application is recommended for approval subject to conditions and a legal agreement.</p> |

BACKGROUND

Planning permission was granted to redevelop the former Centrica site (17-51 London Road) on 11 July 2019 (19/00290/FUL). The development description was as follows:

“Erection of six buildings to provide 467 residential homes (Use class C3) and flexible commercial space at ground and first floors (Use Classes A1-A3, B1a, D1 or D2), car parking, pedestrian and vehicle access, landscaping and associated works”.

Following negotiations with the owner, the applicant has now sought to incorporate 15 London Road into this development. The present application relates to the redevelopment of 15 London Road and the southern section of the former Centrica Site, where Block E and Block F would be located. It would see the demolition of the existing building at 15 London Road, and the extension in the width of Block F by some 11.5 metres across the 15 London Road site. This would deliver 20 additional residential units in Block F. The application also proposes the internal reconfiguration of Block E to provide 2 additional affordable housing units. In total, 173 units would be provided across Block E and Block F (151 units were approved in these blocks in the consented scheme). When considered in combination with Blocks A, B, C & D, which are not subject to the present application, a total of 489 residential units would be provided across 15 London Road and the former Centrica Site.

MAIN REPORT

1. Development Plan

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

- SP1 - Location of Development
- LO1 - Flooding
- SP2 - Housing Provision
- HO1 - Providing for New Housing Development
- HO3 - Affordable Housing
- HO4 - Housing Size and Type
- HO5 - Housing Density
- EM1 - Employment Development
- CO2 - Provision of Infrastructure for New Development
- CO3 - Provision of Open Space for New Development
- SP6 - Maintaining and Improving the Environment
- EN1 - Design of New Development
- EN3 - Air Quality
- EN4 - Provision of Open Space and Sport and Recreation Facilities

- EN11 - Development and Noise
- EN15 - Development on Land Affected by Contamination
- CC1 - Renewable Energy, Energy Conservation and Sustainable Construction
- CC2 - Sustainable Travel
- CC3 - Parking Provision

1.2 Also relevant is the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development, 2011, and the National Planning Policy Framework (NPPF), 2019

2. Relevant Planning History

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|--------------|--|---------------------------------|
| 19/00290/FUL | Erection of six buildings to provide 467 residential homes (Use class C3) and flexible commercial space at ground and first floors (Use Classes A1-A3, B1a, D1 or D2), car parking, pedestrian and vehicle access, landscaping and associated works | Grant Conditional 11.07.2019 |
| 18/01101/FUL | Erection of six buildings to provide 474 residential homes (Class C3) and flexible commercial space at ground and first floors (Class A1, A2, A3, B1, D1 or D2) car parking, pedestrian and vehicular access, landscaping and associated works. | Refused 14.11.18 |
| 16/01158/FUL | Redevelopment of the site to provide 5 buildings of varying height comprising 12,787 square metres of office floor space (Use Class B1a) and 253 residential units (Class C3), provision of a new landscaped area, vehicular access, car parking, cycle storage and energy centre. | Grant Conditional 30.10.17 |
| 10/00556/RMA | Reserved Matters for the erection of Building A, underground parking areas and piazza deck over, pursuant to planning permission 06/00887/OUT for the | Grant Conditional 18.10.10 |

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| | development of either Class B1 offices (with ground floor retail and restaurant uses within Classes A1/A3); or a mix of Class B1 offices and Class C1 hotel and Associated uses (with ground floor retail and restaurant uses within Classes A1/A3); associated servicing, access, parking to include underground parking and landscaping including public piazza.. | |
| 07/00754/FUL | Erection of a two storey Class A3 (Restaurant/Cafe) building. | 12.10.07 |
| 07/00744/FUL | Erection of hotel building with floorspace of 6700m2 & an office building with floorspace of 10,970m2, together with ground floor retail/restaurant uses within Classes A1/A3, associated servicing, drop off & access arrangements, landscaping & a reconfigured piazza (as a revision to that approved under permission 06/00887/OUT) | Grant Conditional 19.3.08 |
| 07/00639/RMA | Reserved Matters - erection of Building A, underground parking areas and piazza deck, pursuant to planning permission 06/00887/OUT for the development of either Class B1 offices (with ground floor retail and restaurant uses within Classes A1/A3); or a mix of Class B1 offices and Class C1 hotel and Associated uses (with ground floor retail and restaurant uses within Classes A1/A3); associated servicing, access, parking to include underground parking and landscaping including public piazza. | Grant Conditional 12.10.07 |
| 07/00637/RMA | Reserved Matters - erection of Buildings B and C, underground parking areas and piazza deck, pursuant to | Grant Conditional 12.10.07 |

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| | planning permission 06/00887/OUT (office option) for the development of Class B1 offices (with ground floor retail and restaurant uses within Classes A1/A3); associated servicing, access, parking to include underground parking and landscaping including public piazza. | |
| 06/00887/OUT | Development of either Class B1 Offices (with ground floor retail and restaurant uses within Classes A1/A3); or a mix of Class B1 Offices and Class C1 Hotel and associated uses (with ground floor retail and restaurant uses within Classes A1/A3); associated servicing, access, parking and landscaping including public piazza. | Grant Conditional 10/07/2007 |

3. Description of Current Proposal

- 3.1 The application is seeking to incorporate 15 London Road into the redevelopment of the former Centrica site (17-51 London Road). It would see Block F as approved in planning permission 19/00290/FUL, extended by 11.5 metres in width across 15 London Road, following the demolition of the existing vacant building.
- 3.2 It is understood that the vacant building was most recently in use as a fireworks shop, although it has been unused for a considerable time period. The application proposes that 20 additional residential units would be incorporated in the extension to Block F, as well as commercial space on the ground and first floors.
- 3.3 The application further proposes the internal reconfiguration of Block E, to provide two additional affordable housing units in this block. The two additional units would be situated on the ground floor and first floors.
- 3.4 In total 173 units would be provided across Blocks E & F. This represents an increase of 22 units in comparison to the 151 units approved within Blocks E & F in the consented scheme.
- 3.5 It should be noted that only the southern section of the former Centrica site and the existing building at 15 London Road are subject to this planning application. Blocks A, B, C & D, approved in planning permission 19/00290/FUL, fall outside the red application boundary line and are not under consideration (see location plan below). However, when the units proposed in Blocks E & F in the present application are considered in combination with the units already granted in Blocks A, B, C & D, a total of

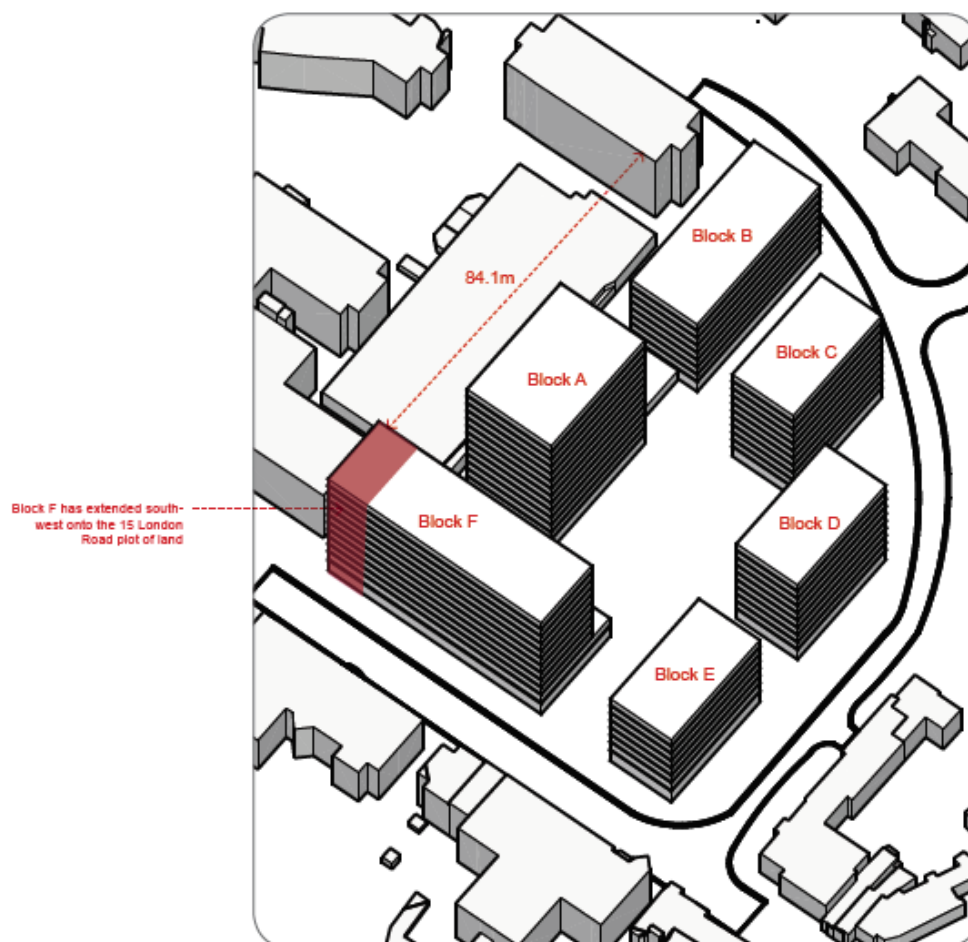
489 units would be provided across 15-51 London Road. This is in comparison to the 467 units approved in the consented scheme.



- 3.6 As with the planning permission 19/00290/FUL, Block E would be set over 8 storeys and Block F would be set over 12 storeys. Flexible commercial space with access from London Road would also be contained on the ground floor of Block E as well as on the ground and first floors of Block F.
- 3.7 The application site, spanning 15 London Road, and the southern section of the former Centrica site, is bounded by London Road to the south. This street scene contains office buildings and former office buildings converted to residential uses, which are located on the southern side of the road.
- 3.8 Immediately to the west of the site is an office building and multi-storey car park. Linden Place lies to the east, which contains a residential building of 3 storeys in height. Staines Town Centre is located a short distance to the west and the Crooked Billet Junction is located to the east.
- 3.9 The site is bounded to the north by the remainder of the former Centrica site (that would contain Blocks A, B, C & D of planning permission 19/00290/FUL). Ash House, a former office building converted to residential units lies to the north of this, as do residential properties in Moormede Crescent. Birch Green, which is designated as Common Land and is situated in the Green Belt, is also located to the north-east.
- 3.10 The site is located in the 1 in 1000 year flood event area (Flood Zone 2) and is situated in a Staines Employment Area. It is also located in the Staines Area of High Archaeological Potential.
- 3.11 The principle of high density development in this location has been accepted in planning permission 19/00290/FUL. This permission granted consent for buildings ranging from 8 to 14 storeys in height. The Local Planning Authority

must consider whether the extension in the width of Block F and reconfiguration of Block E, to provide 22 additional residential units, would cause material harm.

- 3.12 The illustration below highlights the extension to Block F in red. It also shows the present proposal in the context of the redevelopment of the remainder of the former Centrica site (note Blocks A, B, C & D are not under consideration in the present application and remain unchanged from the consented scheme):



- 3.13 The table below compares the unit mix of Blocks E & F in the consented scheme (19/00290/FUL) against the present proposal:

| Unit Mix | | | | |
|----------|----------------------|---------------------|----------------------|---------------------|
| | Block E Consented | Block E Proposed | Block F Consented | Block F Proposed |
| Studio | 6 | 7 | 20 | 20 |
| 1 Bed | 16 | 15 | 70 | 70 |
| 2 Bed | 19 | 21 | 20 | 40 |
| Total | 41 | 43 | 110 | 130 |

- 3.14 The commercial space across Block E & Block F, would also increase from 1970.5 m² in the consented scheme to some 2356.4 m² in the present proposal.

- 3.15 There would be a pedestrian gap between Block E & Block F that would measure approximately 17.8 metres. This would provide a landscaped access to the central courtyard space approved in the consented scheme. It would also provide commercial 'spill-out' opportunities and a visual break of the built form on the London Road elevation.
- 3.16 A total of 341 car parking spaces would be provided for the occupiers of the residential units. There would be 255 spaces in the basement level, accessed via a ramp at the north-west edge of the site, 86 in the adjoining multi-storey car park to the west of the site and 5 club car/visitor spaces in a new lay-by on Fairfield Avenue. There would also be 5 car parking spaces serving the commercial use (346 spaces in total).

Block E

- 3.17 As with the consented scheme, Block E would be set over 8 storeys and would measure approximately 27 metres in height. It would contain 43 affordable housing units (7 studio, 15 x 1 bed and 21 x 2 bed), increasing from 41 in the consented scheme. This would represent 9% of the 489 units across the former Centrica site and 15 London Road (although Blocks A, B, C & D are not under consideration in the present application).
- 3.18 Block E would contain a commercial unit of some 183.75 m² (1977.9 ft²), on the ground floor that would be accessed from London Road. A substation and bin store would also be located on the ground floor, which would have access to Fairfield Avenue. In addition, a secure cycle store and a one bedroom residential unit would be contained on the ground floor, which would be accessed from the block's northern elevation. The remaining residential units including an additional unit on the first floor (in comparison to the consented scheme), would be situated on the floors above. The residential units in the upper floors of Block E would be accessed from a central spine corridor. The roof would also contain a small lift overrun and would comprise a brown roof.

Block F

- 3.19 Block F would be set over 12 storeys and would measure approximately 39.3 metres in height. It would contain 130 residential units (20 studio, 70 x 1 bed and 40 x 2 bed) that would be situated above the commercial space on the ground and first floors. This represents an increase of 20 units in comparison to the 110 units approved within Block F in the consented scheme. It would also measure some 55.3 metres in width as result of the projection across 15 London Road. This is in comparison to the 43.8 metre width granted in the consented scheme.
- 3.20 The commercial space would be accessed by London Road. There would be 1071 m² (11533 ft²) of commercial space on the ground floor and some 1069m² (11503ft²) of commercial space situated on the first floor.
- 3.21 The residential units would be located on the floors above the commercial space and would be accessed from the central courtyard at the northern

elevation of the block. Access would then be provided to the individual units though a central spine corridor on each floor. As with Block E, the roof would contain a small lift overrun and would comprise a brown roof.

4. Consultations

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

| Consultee | Comment |
|---|---|
| BAA | Requests an informative relating to cranes. |
| CADENT GAS | The applicant is advised to contact Cadent's Plant Protection team before carrying out any works on site. |
| County Highway Authority | No objection subject to conditions and legal agreement. |
| County Archaeological Officer | No objection subject to conditions. |
| Highways England | No objection on the basis that the proposal will generate minimum additional traffic on the Strategic Road Network in peak hours. |
| Environment Agency | No objection. |
| Environmental Health (Contaminated Land and Dust) | No objection subject to conditions. |
| Environmental Health (Air Quality) | No objection subject to conditions. |
| Environmental Health (Noise) | No objection subject to conditions. |
| Environmental Services (Renewable Energy) | No objection. |
| Housing Strategy | No comments received. However, supported the previous proposal which would have provided 41 units for Affordable Rent, which is greatly needed in the local area. |
| Natural England | No comments as the development is unlikely to have a significant effect on nearby designated sites |
| Neighbourhood Services (Waste Collection) | No objection. |
| Crime Prevention Officer | Comments on the two previous applications (18/01101/FUL & 19/00290/FUL) are still applicable. |
| Fire and Rescue | No comments Received. |
| Thames Water | No objection with regard to Foul Water sewage network infrastructure capacity. The application also indicates that surface waters will not be discharged to the public network and as such Thames Water has no objection. |

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| Lead Local Flood Authority (SUDS) | No objection subject to conditions. |
| SCAN | No comments received, however the proposal would be required to meet Building regulations. |
| Surrey Wildlife Trust | No comments received. However, recommend that the actions contained in the Ecological Appraisal were undertaken in the consented scheme. |
| Staines Town Society | Whilst there is a basic position that tower blocks are not appropriate for Staines, it would be unreasonable to object to this alteration to the approved plans. The Society is glad the proportion of 2 bedroom flats has increased and that two more affordable units will be provided. |

5. Public Consultation

5.1 A total number of 349 properties were notified of the application, statutory site notices were displayed on site and statutory notices were placed in the local press.

5.2 A total of 6 letters of representation has been received commenting on the proposal on the following grounds:

- The area is at capacity
- Development has been going on in the area for 3 years
- There will be too much congestion
- There is a lack of green space in the area
- There will be a strain on local services
- Highways issues cannot be accurately assessed until the London Square development is complete
- The planning application should be delayed for a few years
- Inadequate community facilities (doctors/schools)
- Impact on air quality and health
- The site will be overdeveloped
- Concerns over pollution
- The quality of life of neighbouring residents would be reduces
- Whilst tower blocks are not appropriate in Staines, it would be unreasonable to object to this alteration.

- The increase in proportion of two bedroom flats and increase in affordable housing units is welcomed.

6. Planning Issues

Principle of Development

Need for Housing

Housing Type, Size and Density

Design, Height and Appearance

Amenity Space for Residents

Landscape

Open Space

Daylight and Sunlight Assessment

Contaminated Land

Impact on Existing Residential Dwellings

Parking

Transportation Issues

Waste and Recycling

Air Quality

Archaeology

Flooding

Renewable Energy

Biodiversity

Microclimate Study

Sites of Special Scientific Interest

Local Finance Considerations

7. Planning Considerations

Principle of Development

- 7.1 Policy HO1 encourages the redevelopment of poorly located employment land for housing and seeks to ensure the effective use of urban land through the application of Policy HO5 on density.
- 7.2 This is also reflected in the NPPF paragraph 117 which emphasises the need for the effective use of land in meeting the need for homes, whilst safeguarding the environment and provides further relevant context at paragraph 122 in respect of achieving appropriate densities.
- 7.3 The principle of the high density redevelopment of the former Centrica site has been accepted in planning permission 19/00290/FUL. The present

application seeks to incorporate 15 London Road into the development, and provide 22 additional units in Block's E & F, with flexible commercial space.

- 7.4 It is considered that the proposed increase in units and incorporation of 15 London Road, would be in accordance with national and local policy.

Need for Housing

- 7.5 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment (SHMA) – Runnymede and Spelthorne – Nov 2015). On 20th 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 figure of 590 based on the 2014 household formation projections has also been suggested by the Government in its latest consultation (Oct – Dec 2018). Following recent analysis, the figure has been revised to 603. 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 603 dwellings per annum figure as their local housing need figure that comprises the basis for calculating the five-year supply of deliverable sites.
- 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". 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. A 20% buffer applied to 603 results in a figure of 724 dwellings per annum which is our current figures. The effect of this increased requirement is that the identified sites only represent a 4.4 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites.
- 7.7 In using the new objectively assessed need figure of 724 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.

- 7.8 As a result, current decisions on planning applications for housing development need to be based on the 'tilted balance' approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole'*. This will be assessed below.
- 7.9 It should also be noted that The Housing Delivery Test Result for Spelthorne Borough Council was published by the Secretary of State in February 2019, with a score of 63 percent. This means that the Council had undelivered housing delivery verses need in previous years and as a result the Council have produced a Housing Delivery Test Action Plan to positively respond to the challenge of increasing its housing delivery. The Action Plan analyses and sets out actions to improve housing delivery within the Borough.

Housing Type, Size and Density

- 7.10 Policy H04 of the CS&P DPD and the Council's Supplementary Planning Document (SPD) on Housing Size and Type, seeks to secure 80% of dwellings in developments of 4 or more units to be 1 or 2 bed in size. This is to ensure that the overall dwelling stock meets the demand that exists within the Borough, including a greater demand for smaller dwellings.
- 7.11 The application seeks to provide 173 residential units across Blocks E & F. This would comprise 27 x studio apartments (16%), 85 x one bed units (49%) and 61 x two bed units (35%). This unit mix is considered to be in accordance with the requirements of policy HO4 highlighted above.
- 7.12 The table below compares the unit mix of the consented scheme (19/00290/FUL), to the unit mix of the present application (19/01051/FUL) (note for the purposes of this comparison, the consented units in Blocks A, B, C & D have been included in the 19/01051/FUL figures).

| | Studio | 1 bed | 2 bed | 3 bed | Total |
|--------------|--------------|--------------|--------------|------------|-------|
| 19/00290/FUL | 102 (22%) | 151 (32%) | 201 (43%) | 13 (3%) | 467 |
| 19/01051/FUL | 103 (21%) | 150 (31%) | 223 (45%) | 13 (3%) | 489 |

- 7.13 The proposed housing mix is broadly in line with the housing mix accepted in the consented scheme. The 22 additional units, including 2 additional affordable units, are considered to represent a further optimisation of the site, which is in close proximity to a range of facilities in the nearby town centre, and is on a site that has highly accessible public transport options.
- 7.14 In terms of unit size, the studio apartments would have an average internal floor area of 42m². This average was accepted in the consented scheme
- 7.15 The 1 bedroom units would have an average floor area of 52m². This represents an increase of 1m² in comparison to the consented scheme.

- 7.16 The 2 bedroom units would have an average floor area of 71 m². This would be some 2m² less than was accepted in the consented scheme. However, this is still in excess of the 70 m² minimum requirement for a unit of this size as set out in the governments nationally described *Technical Housing Standards* (March 2015).
- 7.17 The 3 bedroom units would have an average internal floor area of 97 m². This average was also accepted in the consented scheme.
- 7.18 In terms of density, the NPPF identifies that planning policies and decisions should promote an effective use of land in meeting the need for homes and that substantial weight should be given to the value of using suitable brownfield land within settlements.
- 7.19 Policy HO5 of the CS&P DPD sets out guidance on density of housing developments. It recognises that higher densities may be appropriate in suitable areas where non-car based modes of travel are accessible.
- 7.20 When considered alone, Blocks E & F would have a density of approximately 662 dwellings per hectare. However, when considered in combination with Block's A, B, C, D and the remainder of the former Centrica site (where the majority of the landscaping, open space and shared amenity space would be located), the development would have a density of 445 dwellings per hectare (on the basis of 489 units). This is higher than the density of 429 dwellings per hectare accepted in the consented scheme (19/00290/FUL). However, as an apartment development, higher numerical densities can be achieved through a more efficient use of the land, and since the site is close to Staines Town Centre and good public transport options, this is considered to be sustainable and would help reduce pressure on the Green Belt. It would also have the added benefit of replacing an isolated, vacant building with limited potential and would improve the surrounding street scene.
- 7.21 In instance, 445 dwellings per hectare is considered to be an appropriate density in accordance with policy HO5, notwithstanding that the proposal must also comply with policy EN1 on design.

Affordable Housing

- 7.22 The NPPF seeks to deliver a sufficient supply of homes that meet the needs of the population. Paragraph 62 of the NPPF states that:

'Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site...'

- 7.23 Policy HO3 of the CS&P DPD states:

'The Council's target for affordable housing is that 40% of all net additional dwellings completed over the plan period, 2006-2026, should be affordable.'

Having regard to specific site circumstances the LPA will negotiate for up to 50% of housing to be affordable where the development comprises 15 or

more dwellings. The Council seeks to maximise the contribution to affordable housing provision from each site, having regard to the individual circumstances and viability, with negotiations conducted on an 'open book' basis.

- 7.24 The policy also states that the provision within any one scheme may include social rented and intermediate units, subject to the proportion of intermediate units not exceeding 35% of the total affordable housing component. However, there is a recognised need for affordable rented properties in Spelthorne Borough.
- 7.25 The present application would deliver two additional affordable housing units in Spelthorne, above those granted in the consented scheme (19/00290/FUL).
- 7.26 By way of background, in the refused scheme (18/01101/FUL) the applicant initially proposed 15% affordable provision based on their viability report, which would have provided 71 shared equity units. However, this would not have addressed the Borough's current need for affordable rented units as identified by the Council's Housing Strategy Manager. As a result of negotiations, the applicant agreed to provide the 41 units in Block E in an affordable rented tenure, which represented 9% of the 467 total units.
- 7.27 Planning application 18/01101/FUL was refused. However, in the consented scheme (19/00290/FUL), 41 units (9%) affordable units were again proposed in Block E in an affordable rented tenure, which was accepted when planning consent was granted.
- 7.28 The present application would increase the number of affordable rented units in Block E to 43. This would represent 25% of the 173 units proposed in Blocks E & F (under consideration in the present application). It would also represent 9% of the 22 additional units proposed in this scheme.
- 7.29 When considered in combination with Blocks A, B, C & D approved in the consented scheme, the redevelopment of 15 London Road and the former Centrica site as a whole (489 units), would also have 9% affordable housing as a result of the two additional units in Block E.
- 7.30 As 9% affordable housing was accepted in the consented scheme in an affordable rented tenure, and as the present proposal would deliver two additional affordable housing units in Spelthorne that would represent 9% of the overall redevelopment of 15 London Road and the former Centrica site, it is considered that the affordable rented housing provision is acceptable and would be in accordance with policy HO3.

Design, Height and Appearance

- 7.31 Policy EN1 of the CS&P DPD, which is supported by the Supplementary Planning Document on the 'Design of Residential Extensions and New Residential Development', requires a high standard of design. Sub point (a) requires new development to demonstrate that it 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”

- 7.32 Policy EN1 (b) requires that new development ‘*achieves a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight, sunlight, or overbearing effect due to bulk, proximity or outlook*’.
- 7.33 The proposed heights of Block E & Block F were accepted in planning permission 19/00290/FUL. The demolition of the existing isolated vacant building at 15 London Road is considered to represent an improvement to visual amenity and the surrounding street scene. The approximate 11.5 metre increase in the width of Block F across 15 London Road, is considered to have an acceptable impact upon the surrounding locality, and the design of the façade of the extension to Block F is considered to be visually ‘in keeping’ with the consented scheme. The internal alterations to Block E are also considered to have an acceptable impact upon the wider street scene.

Amenity Space for Residents

- 7.34 The Council’s SPD, Design of Residential Extension and New Residential Development (2011) provides general guidance on minimum garden sizes (Paragraph 4.20). In the case of flats it requires 35 square metres per unit for the first 5 units, 10 square metres for the next 5 units, and 5 square metres per unit thereafter. On this basis 1040m² of private amenity space would be required for Blocks E & F, and 2620m² would be required in the 489 units across the redevelopment of 15 London Road and the former Centrica site as a whole.
- 7.35 Inset balconies would provide some of the units within Block E and Block F with private amenity space. There would also be residential amenity space around the blocks and a roof terrace would be provided for residents between Blocks A, B and F, although these fall largely outside the red boundary line of the present application. The applicant’s submission states that private balconies would provide some 1200m² of private amenity space across the whole of 15 London Road and the former Centrica site (489 units), in addition to residential private terraces. Whilst this would be below the 2620m² requirement highlighted above, the proposal also provides a central courtyard and space around the building for residents amounting to 4975m², which is well in excess of the minimum amenity space requirements, although this would be publically accessible
- 7.36 In the case of higher density town centre residential development and mixed use schemes paragraphs 4.46 – 4.47 of the SPD states:
- “Such schemes will usually involve high density flatted development... The opportunities for on-site open space provision will be limited, particularly where ground floor non-residential uses and access/delivery areas occupy most of the site area. Family accommodation is therefore unlikely to be appropriate. Some amenity space can be provided in the form of large*

balconies as well as at roof level, subject to design and safety considerations.”

- 7.37 Given the amount of both private and public amenity space contained within the proposed development, it is considered that the proposal complies with the aims of the Council's SPD and policy EN1 in respect of requiring a high standard of design and layout. The level of amenity space was also accepted in the consented scheme.

Landscape

- 7.38 With the exception of additional trees planted in containers at the front of 15 London Road, the landscaping in the present application would remain unchanged from the consented scheme. Indeed the majority of the landscaping, including the central courtyard space and routes running through the site, fall outside the red application site boundary.
- 7.39 Tree planting would take place in the space between Blocks E & F and as noted above, tree planting in containers is also proposed along the London Road frontage. This is considered to diffuse the massing of both blocks. The 17.8 metre gap between Block E and Block F allows for pedestrian permeability into the remainder of the site, and would be the entrance to the primary route across the development, leading to a raised table in Fairfield Avenue and Birch Green.
- 7.40 The landscaping was accepted in the consented scheme and is considered to be acceptable in the present proposal.

Open Space

- 7.41 The development is located across from Birch Green and within close proximity to nine other open spaces of vary types that offer a range of recreational opportunities.
- 7.42 The majority of public the open space would be located in the central courtyard area and around Blocks A, B, C & D. It would therefore largely fall outside the present planning application boundary.
- 7.43 As with the consented scheme, 4975 m² public open space would located across present application site (around Blocks E & F) and the remainder of the former Centrica site (falling outside the application site boundary). This this level of public open space was accepted in the consented scheme, and the benefit of 22 additional units, including 2 additional affordable housing units, is considered to outweigh any harm the present proposal would have upon the ratio of open space provision provided, particularly given the amount of open spaces in the vicinity of the site.
- 7.44 There are a number of recent planning permissions for high density residential development, including those in nearby sites within urban accessible locations, where a shortfall in open space provision against the Council's standards has been accepted. There is no evidence that these areas are overused or would become so as a result of approval of 22

additional units. There is also no evidence to demonstrate a shortfall in public open space in the locality as referred to in policy CO3.

Daylight and Sunlight Assessment

- 7.45 A daylight and sunlight assessment was submitted in the consented scheme, and the impact upon daylight and sunlight was found to be acceptable. A further addendum to this was submitted with the present application. This concluded that the addition of 15 London Road, has no impact upon daylight or sunlight of any surrounding properties when compared to the recently consented scheme (19/00290/FUL).
- 7.46 The extension of Block F across 15 London Road, is therefore not considered to have an adverse impact upon the daylight or sunlight of and neighbouring residential dwellings. It should be noted that the nearest building to the site (1 London Road) is an office building and is not in a residential use.
- 7.47 The impact of Block E upon the daylight and sunlight of Linden Place and all other surrounding properties was also accepted in the consented scheme.

Contaminated Land

- 7.48 In regards to contaminated land, the applicant has submitted two additional contamination documents, primarily as the proposal relates to the demolition of the existing building at 15 London Road, which was not subject to the consented scheme.
- 7.49 The documents consist of desk study/preliminary risk report, and a Remediation Strategy and Verification Report.
- 7.50 The desk study found that the site of 15 London Road had been occupied by buildings since at least 1865 in unspecified uses.
- 7.51 The Council's Environmental Health Pollution Officer commented that as a new site investigation is required on the extension site at 15 London Road any permission should incorporate a requirement for reporting of the investigation and amendment of the remediation strategy if necessary. It is recommended that this is secured by condition.
- 7.52 The Environment Agency has not raised any objections.

Impact on Existing Residential Dwellings

- 7.53 Policy EN1 (b) requires that new development 'achieves a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight, sunlight, or overbearing effect due to bulk, proximity or outlook.'
- 7.54 The principle of Block A, B, C & D was accepted in planning permission 19/00290/FUL. The impact of these blocks is not under consideration in the present application. In regards to Block E, the reconfiguration of this block to provide two extra residential units is not considered to cause additional harm

to the residential amenity of the occupiers of any neighbouring or adjoining dwellings, including those within Linden Place.

- 7.55 It is noted that the extension to Block F, would bring this block into close proximity of 1 London Road. This building contains clear windows in the eastern and southern elevations. However, as 1 London Road is an office block, the proposal would not have an impact upon the residential amenity of this site and would not have a material adverse impact upon the occupiers of the office.
- 7.56 It is noted that residential units appear to be under construction in the Old Police Station and Heliting House located to the south of the site. Such units do not appear to be in occupation at the time of writing. The design and access statement indicates that there would be a distance of 21 metres between Block F and Heliting House. As a result of this distance, and in view of the existing consent for Block F at the site (19/00290/FUL), on balance the proposal is considered to have an acceptable impact upon the amenity of these properties.

Parking

- 7.57 Under the requirements of the Councils Parking Standards SPD (2011), 221 parking spaces would normally be required to serve Blocks E & F. When considered in combination with Blocks A, B, C & D (489 units) 669 spaces would normally be required based on the following standards:

| Unit Type | General Needs Housing | Affordable Housing |
|--------------------------------------|-----------------------|--------------------|
| 1 bed unit | 1.25 | 1 |
| 2 bed unit | 1.5 | 1.25 |
| 3 bed unit (over 80 m ²) | 2.25 | 1.75 |

- 7.58 The occupants of Block E & F would benefit from off-street parking provision that would be provided at basement level, as well as in the adjoining multi-storey car park. This would be shared with the occupants of Blocks A, B, C & D, granted in the consented scheme.
- 7.59 The layout of the car parks and the number of off-street parking spaces would remain unchanged from the consented scheme. The occupants of Blocks E & F together with Blocks A, B, C & D would be served by 341 off-street parking spaces.
- 7.60 The majority of the spaces would be contained at basement level (255) and would be accessed via a ramp at the north-west of the site. Consistent with the previous scheme, 86 of the car parking spaces would be contained in the adjacent multi-storey car park.
- 7.61 Whilst Blocks A, B, C & D, are not under consideration in the present application, as a result of the increase in residential units to Blocks E & F, the parking ratio across 15 -51 London Road as a whole, would be reduced from 0.73 spaces per residential unit in the consented scheme (19/00290/FUL), to 0.70 per unit in the present proposal.

7.62 The table below demonstrates how the development would compare to other residential developments that have previously been granted planning consent in and around Staines Town Centre:

| Planning App. No. | Site | No. of units | No. of Parking Spaces | Parking Provision per dwelling |
|---------------------|---|--------------|---------------------------------|---|
| 15/01718/FUL | Bridge Street Car Park, Staines upon Thames | 205 | 135 | 0.65 Per /unit |
| 16/00179/RMA | Charter Square (formerly known as Majestic House), High Street, Staines, TW18 4AH | 260 | 217 | 0.83 per unit |
| 16/01158/FUL | 17-51 London Road, Staines Upon Thames | 253 | 211 | 0.81 per unit |
| 17/01365/OUT | Renshaw Industrial Estate, 28 Mill Mead, Staines-upon-Thames | 275 | 225 | 0.91 per unit |
| 17/01923/FUL | Charter Square, High Street, Staines-upon-Thames | 104 | 27 (Phase 1B) (218 in Phase 1A) | 0.67 per unit across phase 1A & 1B (0.25 across phase 1B alone) |
| 19/00290/FUL | 17-51 London Road, Staines Upon Thames | 467 | 341 | 0.73 per unit |
| Present application | 17-51 London Road, Staines Upon Thames | 489 | 341 | 0.70 per unit |

7.63 On the basis of the above, the proposal is considered to be consistent with the parking ratios of other high density schemes in and around Staines Town Centre.

7.64 It should also be noted that planning application 18/01101/FUL (at the former Centrica site), was recommend for refusal for amongst other things, inappropriate parking provision. This scheme would have had a parking ratio of 0.66 spaces per unit. The Council decided not to defend the parking reason for refusal in an appeal against this decision (APP/Z3635/W/18/3219226).

7.65 There would be 544 cycle spaces provided to the residential units (increased from 468 in the consented scheme), and 14 cycle spaces serving the commercial use (increased from 10 in the consented scheme).

7.66 A total of 68 spaces would provide electric vehicle charging points fitted with 'fast chargers' (7 kW), which equates to 20% of the total parking spaces. Additionally, 15 of the parking spaces at basement level would be allocated to

disabled users. The development would also include 5 car club/visitor spaces at surface level.

- 7.67 The commercial proportion of the development would be served by 5 car parking spaces located at basement level, resulting in the development having 346 off-street parking spaces as a whole. The applicant's submission documents state that 1 car parking space would be provided per 256 m² for the B1 use and that the retail element of the development would be 'car free'. The application also proposes two service bays that would be located at the north and east of the site.
- 7.68 Policy CC3 states that the Council will require appropriate provision to be made for off street parking in new developments. The policy further states that development proposals should be in accordance with the Council's maximum parking standards
- 7.69 As highlighted above, the development proposes a total of 341 residential parking spaces at a ratio of 0.70 spaces per dwelling. Whilst this is below the Council's normal parking standards, the applicants submission documents indicate that 36% of household flats in Central Staines are car free on the basis of the most recent, 2011 Census data. In addition, the ratio of 0.70 spaces per dwelling would be broadly in line with other residential developments that have recently been granted planning consent in and around Staines Town Centre and all of these planning permissions have been approved against the same adopted Core Strategy and Parking Standards.
- 7.70 The Council's Parking Standards SPD states that in certain circumstances there will be an exemption to the minimum parking requirements and a reduction in parking provision will normally be allowed. This includes proposals for development within the borough's 4 town centres, as defined within the Core Strategy, where public transport accessibility is generally high. Any reduction will be assessed against the distance from public transport nodes (e.g. railway stations & bus stops), the frequency and quality of train and bus services, the range and quality of facilities supportive to the residential development and the availability of pedestrian and cycle routes. The NPPF also states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- 7.71 Whilst located outside of Staines Town Centre, the application site is located approximately 500 metres from Staines Railway Station which has regular train services to London Waterloo and Clapham Junction, as well as regular services to Reading, Weybridge and Windsor & Eton. London Road (A380) situated to the south of the site is also well served by buses, with eastbound and westbound bus stops located within 100 metres of the development site. The site is also situated some 280 metres from the pedestrianised section of Staines High Street, with numerous facilities and amenities available to future residents. Additionally, a number of public car parks are within a short walking distance from the site including the, The Elmsleigh Centre Car Park, and the Two Rivers Car Park.

- 7.72 It is accepted that the parking provision would be below the Council's normal parking standards. However, given the sustainable transport location of the site, and the level of facilities and amenities within a short walking distance of the site, the parking ratio of 0.70 parking spaces per unit is considered to be acceptable in this location.
- 7.73 The roads immediately adjoining the site including London Road and Fairfield Avenue have parking restrictions; Fairfield Avenue has single yellow lines with no parking between 7am and 7pm Monday to Saturday and there are double yellow lines on London Road. Further afield in the nearby residential roads, on street parking takes place at present. Even if overflow parking took place as a result of this development, there is no evidence that there would be unacceptable congestion and in any event, this could be controlled by further on street parking restrictions if required. Para 109 of the NPPF 2018 advises:

'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

- 7.74 The Council has consulted the County Highway Authority (CHA). The CHA reviewed the application and whilst it acknowledged that there would be a fall in the residential parking space ratio from 0.73 spaces per unit to 0.70 spaces, no objections were raised. The CHA commented that the proximity of the site to a range of local amenities in Staines Town Centre, as well as the accessibility of both good bus and train services, means reduced parking provision is acceptable in this location. The CHA also commented that in the event that parking demand exceeds the provision on site, it is unlikely that this would cause a highway safety issue, as the existing car parking restrictions in the vicinity of the site should prevent indiscriminate parking.
- 7.75 As with the consented scheme, it is recommended that the Council enters into a legal Agreement with the developer to secure, a club car scheme, a travel plan and a financial contribution of £20,000 to review parking in the area, as outlined in the recommendation section of this report.

Transportation Issues

- 7.76 The site is located in close proximity to Staines Town Centre and to existing public transport provision. The NPPF encourages sustainable travel choices and promotes opportunities for the use of public transport, walking and cycling. The NPPF also encourages the focus of significant development to locations which are or can be sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The applicants have also submitted a Transport Assessment and a Residential Travel Plan in support of the application.
- 7.77 The Transport Assessment examines the differences between the present proposal and the consented scheme (19/00290/FUL). It concluded that the present proposal would result in an increase in 6 two way vehicle movements against the consented scheme during the AM peak (08.00 – 09.00) and a

further a further increase of 6 two way vehicle movements in the peak PM (17.00 – 18.00).

- 7.78 The County Highway Authority has reviewed the Transport Assessment submitted by the applicant and has raised no objections subject to conditions. The CHA commented that the 6 additional two way vehicle movements in the AM and PM peaks are unlikely to have a significant impact upon highway safety or the capacity of the highway network.
- 7.79 Highways England has also raised no objection to the scheme on the grounds of impact on the strategic road network.
- 7.80 As with the consented scheme, the developer is seeking to provide a raised table crossing to Birch Green, to benefit pedestrian safety and reduce traffic speeds through Fairfield Avenue, although this falls outside of the application site and will require a separate highways agreement with the Highway Authority.
- 7.81 It is recommended that the Council enters into a Legal Agreement (Section 106) with the developer to provide a travel plan that would include measures including the provision of five club car vehicles, and the provision of a £50 sustainable travel voucher per household, as outlined in the recommendation section of this report.
- 7.82 In conclusion, the proposal is considered to have an acceptable impact on the surrounding road network.

Waste & Recycling

- 7.83 The development would provide Block E with 19 x 1100 litre bins for residential refuse, 19 x 1100 litre bins for recycling. Block F would be provided with 57 x 1100 litre bins for residential waste and 59 x 1100 litre bins for recycling.
- 7.84 The development's estate management team would be responsible for transporting the bins from each individual block's waste collection area to the basement collection point and from there to the ground floor transfer area at the lay-by on Fairfield Avenue. The basement collection point incorporates a dedicated service lift allowing 6 bins at a time to be transported to the ground floor collection point. Empty bins would then be transported back to their original locations via a dedicated electric buggy.
- 7.85 The refuse strategy was accepted in the previous scheme. The Council's Group Head Neighbourhood Services has been consulted and is satisfied that the operational aspects for waste and recycling for the proposal can be adequately accommodated.

Air Quality

- 7.86 Policy EN3 of the CS&P DPD seeks to improve air quality within the Borough and minimise harm from poor air quality.

- 7.87 The applicant has submitted an Air Quality Assessment to assess both construction and operational impacts of the proposed development.
- 7.88 The Council's Pollution Control Officer has assessed the application and as there would be no changes proposed to the levels of parking provision (in comparison to the previous scheme), stated that the air quality comments on the consented were still remained applicable to the present application. Such comments considered that in light paragraph 152 of the NPPF a financial contribution of £8,250 would assist in mitigating the additional degradation of the air quality as result of the proposal.
- 7.89 This contribution would be used to ensure that public rapid charging infrastructure would be provided within the local area.
- 7.90 On this basis, the Council's Pollution Control Officer has raised no objection on grounds of air quality and the proposal is considered to comply with policy EN3 of the CS&P DPD.

Archaeology

- 7.91 The County Archaeology Officer was consulted and advised that the site is partially situated in an area of High Archaeological Potential, defined around the historic core of Staines and prehistoric and Roman occupation sites.

- 7.92 The officer further commented:

"Due to the presence of extant buildings, the degree of survival of any Heritage Assets of archaeological significance that may be present in the Plot is uncertain, however, it is possible for such Assets to survive beneath buildings where ground works and foundations have been less intrusive in nature. As such, I consider there to be a moderate potential for archaeological Heritage Assets to be present with the Plot and, in line with the National Planning Policy Framework and Local Plan policy BE25 for development within an Area of High Archaeological Potential, there is the need for further archaeological work in relation to the proposed development.

That work should take the form of a programme of archaeological monitoring (also known as a Watching Brief) of all the groundworks associated with the proposed development within the Plot including the grubbing out of the foundations of the extant buildings. This will ensure that any Heritage Assets of archaeological significance are identified and recorded before they are destroyed by the proposed development".

- 7.93 In light of such comments, it is recommended that a condition is attached to the decision notice to secure the implementation of a programme of archaeological work.

Flooding

- 7.94 The site is located in flood zone 2 which represents land having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% - 0.1%).

- 7.95 The applicant's Flood Risk Assessment (FRA) states that detailed modelling indicates that using a maximum flood level of 15.207m AOD for the 1 in 100 year event, with a 35% allowance for future climate change, flood waters would not reach the development.
- 7.96 As with the consented scheme, notwithstanding this modelling, the applicant proposes mitigation measures including the provision of a finished floor level constructed at 15.6m AOD.
- 7.97 Surface water attenuation would be provided on site to accommodate a 1 in 100 year event with a 40% allowance to account for future climate change.
- 7.98 The FRA assessed other flood risks as low and concluded the overall flood risk to be low on this site. The Environment Agency, Thames Water and the Lead Local Flood Authority were consulted on the proposal and raised no objection to the proposal, subject to conditions and informatives.

Renewable Energy

- 7.99 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 square metres, to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.100 The applicant has submitted a revised Energy Strategy (in comparison to the consented scheme), which includes 15 London Road. It proposes enhanced passive and active design measures to reduce energy consumption and CO² emissions. This includes enhanced efficiency for the building envelope, improved air tightness compared to the building regulations and high efficiency lighting and plant.
- 7.101 The energy report concludes that the proposed development would exceed a 10% reduction against Part L of the 2013 Building Regulations, and the use of low carbon technologies would meet the requirement for 10% of the development's energy requirement being from on-site renewable energy sources.
- 7.102 The Council's Sustainability Officer has been consulted and is satisfied that the renewable requirement would be met. The proposal is therefore considered to comply with policy CC1 of the CS&P DPD.

Biodiversity

- 7.103 The applicant has undertaken a Phase 1 habitat survey relating to 15-51 London Road, which has determined that the site was not subject to any statutory or non-statutory nature conservation designations and that all habitats on the existing site are of low ecological value.
- 7.104 The survey has provided recommendations to enhance the biodiversity value of the site, in accordance with national and local planning policies, including

the use of brown roofs, a pond, native tree planting and the provision of bat roosting opportunities which should be incorporated into the landscape details.

- 7.105 Surrey Wildlife Trust was consulted on the consented scheme, and a condition was recommended to ensure the recommendations of the report were undertaken. The Surrey Wildlife Trust was also consulted on the present application, although no comments have been received. In any event it is considered that the previous condition is still relevant to the present scheme particularly given the conclusions of the habitat survey.
- 7.106 As the present application also relates to the demolition of the unused building at 15 London Road, the applicant has submitted a bat survey. The survey found that the building had moderate potential to support bat roosting. However, no bats were observed entering or leaving the site during the survey and a desk survey found that there were no records of bat roosting sites within 250 metres of the building. It was therefore concluded that a roost was likely absent.

Other Matters

Microclimate Study

- 7.107 As with the consented scheme the applicant has submitted a microclimate desk based study, and the microclimate was considered to be acceptable in the prevision permission (19/00290/FUL). The study has been revised to include 15 London Road and states that the extension to Block F is not considered to materially alter the wind conditions in and around this block.
- 7.108 Sites of Special Scientific Interest
- 7.109 The site is located approximately 415 metres from the Shortwood Common SSSI to the east, 670 metres from Staines Moor, 450 metres from King George VI Reservoir and 690 metres from Staines Reservoir.
- 7.110 The site lies within the Impact Risk Zone for Sites of Special Scientific Interest (SSSI) which is intended to assist the LPA to determine whether they need to seek advice from Natural England on the nature of any potential SSSI impacts and how they might be avoided or mitigated.
- 7.111 The South-West London Water Bodies Special Protection Area (SPA) comprises a series of embanked water supply reservoirs and former gravel pits that support a range of man-made and semi-natural open water habitats. The reservoirs and gravel pits function as important feeding and roosting sites for wintering wildfowl.
- 7.112 The Staines Moor SSSI comprises the largest rea of alluvial meadows in Surrey and supports a rich flora.
- 7.113 An appropriate assessment will only affect a project if it would have a significant impact on the site integrity. The Local Planning Authority has considered the potential impact on the site integrity and determined that in

light of existing development and the approved proposal on the site there would be no significant impact resulting from this proposal.

- 7.114 Natural England was consulted and stated that it had no comments to make as the application is unlikely to have a significant effect on nearby designated sites.
- 7.115 The Local Planning Authority has undertaken a Habitat Regulations Assessment Screening Report considering all 4 European Sites in the vicinity, but with particular regard to the South West London Waterbodies SPA.
- 7.116 The screening assessment considered the conservation objectives and the key pressures and threats and concluded that the proposed development was not likely to have a significant effect on the ecological integrity of the South West London Waterbodies SPA alone, or in combination with other plans or projects.

Finance Considerations

- 7.117 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.
- 7.118 In consideration of S155 of the Housing and Planning Act 2016, the proposal would result in the following financial contributions:
- £20,000 to be used as a contribution towards the review of parking restrictions in the area.
 - £6,150 to be used to review the Travel Plan submitted as part of the justification for reducing the parking provision on the site and promoting alternative modes of transport.
 - £8,250 to be used as a contribution towards the provision of public electric vehicle (EV) charging infrastructure.
 - The Community Infrastructure Levy for Zone 2 (£140) will be payable on this site, with a reduction for the affordable housing provision.

These are considered to be a material considerations in the determination of this planning application. The proposal will also generate a New Homes Bonus Business Rates and Council Tax payments which are not material considerations in the determination of this proposal

8. Conclusions

- 8.1 It is considered that the extension to Block F and reconfiguration of Block E makes effective use of urban land in a sustainable location and the 22 units would not cause material harm. It would not create a significant impact on the

highway network over and above recently consented scheme and the level of parking is considered to be appropriate for this location close to the town centre. It meets the Borough's recognised need for housing and provides units with a good standard of amenity. Therefore, the application is recommended for approval.

8.2 The three tests set out in Regulation 122(2) and 123 of The Community Infrastructure Levy Regulations 2010 require S.106 agreements to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Regulation 123 of The Community Infrastructure Levy Regulations 2010, as amended, states that a planning obligation may not constitute a reason for granting planning permission where the obligation provides for the funding or provision of an infrastructure project or type of infrastructure and five or more separate planning obligations for the funding or provision of that project or type of infrastructure have been entered into.

9. Recommendation

(A) To GRANT planning permission subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 43 affordable rented housing units on site:
 - Prior to the sales completions of 50% of the residential units (not being the affordable units) to build and complete the affordable rented units and transfer these to an entity nominated by the Council or in the absence of such nomination a Registered Provider.
 - Prior to occupation of the affordable rented housing units the transferee shall enter into a Nominations Agreement in respect of the affordable rented housing (in order that the affordable housing meets local needs).
 - To provide 27 parking spaces for use in connection with the affordable rented housing units.
2. To provide a Travel Plan to include, but not restricted to, the following:
 - A financial contribution of £6,150 towards the cost of auditing the Travel Plan
 - Provision of five club vehicles with phased introductions according to demand, with all costs associated with the provision of the vehicles including provision of parking space being met by the developer
 - Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
 - Provision of one year free membership of the car club for the first occupants of each of the proposed residential units

- Provision of one £50 sustainable travel voucher per household (equates to £24,450) for the 489 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £24,450 is not spent within one year of sales completion then the remaining value should be used for other sustainable transport measures as agreed with the County Council.
- 3. To provide public access to the central courtyard and play areas.
- 4. To provide a financial contribution of £8,250 towards the provision of electric vehicle charging infrastructure in the local area.
- 5. To provide a financial contribution of £20,000 towards the review and implementation of parking restrictions in the area following the occupation of the buildings on the site.
- 6. To enter into a S278/S38 Agreement with Surrey County Council (SCC) for the dedication as highway and adoption of part of the application site to form a widened footpath along London Road, the construction of a crossing point at Birch Green and two lay-bys on Fairfield Avenue in accordance with details submitted to and approved by SCC.

Stopping up highway within the application site and dedicating land as part of the highway in accordance with the plan numbered 183887B/A/01.

In the event that the Section 106 Agreement is not completed

In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Planning Development Manager in consultation with the Chairman of the Planning Committee the following:

REFUSE the planning application for the following reasons:

1. The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009 and the principles set out in the National Planning Policy Framework.
2. The development fails to provide adequate measures to mitigate the level of reduced parking provision proposed and increased traffic movements on the A308 London Road, contrary to Policies SP7, CC2 and CC3 of the Core Strategy and Policies DPD 2009 and the principles set out in the National Planning Policy Framework.
3. The development fails to make adequate provision for public open space and play equipment within the development and to mitigate the increased density proposed. The proposal thereby creates additional, unnecessary pressure on the existing public open space in the immediate vicinity and would adversely affect the amenities that the wider community might reasonably expect to

enjoy, contrary to Policies SP5 and CO3 of the Core Strategy and Policies DPD 2009 and the requirements of the National Planning Policy Framework.

- (B)** In the event that the Section 106 agreement is completed to the satisfaction of the Local Planning Authority; 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: GA (12) 002 P1, GA (11) 001 P1, GA (11) 003 P, GA (11) 004, GA (11) 002, GA (10) 003-01 P1, GA (10) 003-02 P1, GA (10) 001 P1, GA (10) 004 – 01 P1, GA (10) 004 – 02 P1, GA (10) 002-01 P1, GA (10) 001-01 P1, GA (10) 003 P1, GA (10) 002 P1, GA (10) 002-02 P1, TP (12) 003 P1, TP (11) 104 P1, TP (11) 101 P1, TP (11) 102 P1, TP (11) 001 P1, TP (10) 010 P1, TP (10) 013 P1, TP (10) 007 P1, TP (10) 003 P1, TP (10) 011 P1, TP (10) 008 P1, TP (10) 006 P1, TP (10) 005 P1, TP (10) 004 P1, TP (10) 002 P1, TP (10) 012 P1, TP (10) 001 P1, TP (10) 014 P1, TP (10) 009 P1, GA(11) 004 P2, GA (11) 003 P2, GA(11) 002 P2, GA (11) 001 P2

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

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

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

- 4 The parking spaces for motor vehicles and bicycles shown on the approved plans shall be constructed and laid out prior to the occupation of the development and shall be retained thereafter for the benefit of the occupiers of the development as approved and shall not be used for any other purpose without the express written consent of the Local Planning Authority

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring

highways and to ensure that the cycle parking spaces are provided are reserved for the benefit of the development for which they are specifically required, in accordance with policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 5 No development above damp course level shall take place until details of the materials to be used for the external surfaces of the building(s) and surface material for the courtyard open space are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

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

- 6 The development hereby approved shall not be occupied until details of the play equipment to be installed and the layout of the Play Areas have been submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

Reason: To ensure that the proposed development complies with policy C03 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 and section 8 (promoting healthy and safe communities) of the National Planning Policy Framework.

- 7 Prior to the occupation of any part of the development hereby approved, the applicant shall enter into a s278 agreement with Surrey County Council to provide the pedestrian footway, crossing and laybys, together with associated works, as illustrated on drawing 183887B/A/01 contained in the Transport Assessment Addendum dated March 2019.

Reason: To ensure 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.

- 8 The last building to be constructed on the development hereby approved shall not be occupied until a minimum of sixty eight (68) 7kW (fast charge) charge points for electric vehicles have been laid out within the site. The charging points shall be retained exclusively for their designated purpose, unless agreed in writing with the Local Planning Authority.

Reason: To ensure that the development complies with policies CC2 and EN3 of the Core Strategy and Policies DPD and section 9 (Promoting Sustainable Transport) of the National Planning Policy Framework.

- 9 All construction work shall be undertaken in accordance with the Construction Transport Management Plan approved under 16/01158/DC2 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development does 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.

- 10 Notwithstanding the submitted travel plan, prior to the commencement of the development a 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: To ensure that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 11 The site of 15-51 London Road shall be remediated in accordance with the approved remediation strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of future residents and the environment from the effects of potentially harmful substances in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009

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

Reason: To protect the amenities of future residents and the environment from the effects of potentially harmful substances in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 13 All of the construction work shall be undertaken in accordance with the Construction Environmental Management Plan approved under 16/01158/DC2 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that neighbouring residential occupiers do not suffer a loss of amenity by reason of excess noise, nuisance and pollution from the construction work and activity taking place on the site when implementing the decision in accordance with policy EN1 and EN11 and the National Planning Policy Framework 2019.

- 14 No ground works at 15 London Road shall take place until:-
- (i) 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.
 - (ii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

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

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

NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected By Contamination: Guidance to Help Developers Meet Planning Requirements" providing 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.

- 15 The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a discharge rate to be agreed with SCC as LLFA.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

- 16 Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the drainage system is constructed to the national Non-Statutory Technical Standards for SuDS.

- 17 The development shall be constructed in accordance with the details provided in the energy statement dated March 2019, and the Energy Strategy dated 11 February 2019, submitted with the application, to deliver a minimum of 10% of the energy requirement generated by the development by renewable energy methods, unless otherwise agreed in writing by the Local Planning Authority.

Reason: .In the interest of sustainable development and in accordance with policies CC1, SP6 and EN1 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 18 That the development hereby approved shall be carried out in accordance with the mitigation and biodiversity recommendations as set out in paragraphs 4.15 to 4.24 of the Preliminary Ecological Appraisal dated July 2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and protect important species using the site in accordance with policies SP6 and EN8 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 19 Prior to the occupation of any part of the development 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 external lighting on the site shall at all times accord with the approved details.

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.

- 20 The waste management strategy submitted with the application shall be in operation prior to occupation of any of the buildings hereby approved and shall be carried out in accordance with the approved details, unless expressly agreed in writing by the Local Planning Authority.

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.

- 21 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:
Bedrooms - 35dB LAeq T *, 30 dB LAeq T † , 45dB LAFmax T *
Living rooms- 35dB LAeq T †
Dining room - 40 dB LAeq T † *
- Night-time - 8 hours between 23:00-07:00 †
- Daytime - 16 hours between 07:00-23:00 31.

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with policy.

- 22 The 86 car parking spaces within the multi storey car park as identified on plans L(LE)001 and L(LE)003 shall be retained in perpetuity for such use by the residential occupiers of the proposed development, unless otherwise agreed by the Local Planning Authority in writing.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the parking spaces are provided are reserved for the benefit of the development for which they are specifically required, in accordance with policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 23 Notwithstanding the submitted plans the proposed development shall not be occupied until the vehicle access to Fairfield Avenue has been constructed with visibility splays in accordance with Drawing Number 183887B/A/03, and provided with tactile paving in accordance with a scheme to be submitted to and approved in writing the Local Planning Authority, all to be permanently retained.

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 2019 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

INFORMATIVES TO APPLICANT

- 1 The Town and Country Planning (Development Management Procedure) (England) Order 2015
Working in a positive/proactive manner

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

- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure
- c) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

2 Access by the Fire Brigade

Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings.

There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

3 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.

4 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. If there are any further queries please contact the Sustainable Drainage and Consenting team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

5 The applicant is advised to contact the Council's Environment Health department concerning the requirements for extraction facilities that may be required in connection with the flexible commercial spaces and the café prior to the commencement of development to ensure that adequate provision and/or future capacity is incorporated.

6 Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome.

This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>) [NEW]

- 7 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice.
- 8 When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developer's expense.
- 9 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).
- 10 The developer 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.