



Glenthorne, Rookery Road, Staines upon Thames (16/00547/FUL)

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Planning Committee

13 November 2019



Application No.	16/00547/FUL		
Site Address	The Grange, Glenthorne, 33 Rookery Road, Staines Upon Thames, TW18 1BT		
Applicant	Surrey County Council		
Proposal	Planning application for the erection of 19 no. residential flats over 3 floors (9 no. 1 bed and 10 no. 2 bed) with associated access, parking and amenity space, following demolition of existing buildings.		
Officers	Kelly Walker		
Ward	Staines		
Call in details	N/A		
Application Dates	Valid: 22/09/2016	Expiry: 22/12/2016	Target: over 13 weeks EOT agreed
Executive Summary	<p>This planning application seeks the demolition of the existing vacant buildings on site and the erection of a building over 3 floors to provide 19 flats with parking and amenity space.</p> <p>The proposal is considered to pay due regard to the design, scale and character of the area, making a positive contribution to the street scene. It will be a sustainable form of development, meeting a need for housing on a brownfield site. The proposal provides 25 parking spaces and a generous sized area of amenity space to the rear of the site, as well as some private space for the ground floor units. The proposal is considered to provide a good standard of amenity for future occupants and will have an acceptable impact on existing residential properties. The community use was re-provided at Burgess Way, Knowle Green, (which is within close proximity to the existing site) in 2011 when the building became vacant due to structural issues, As such, there are no adverse impacts that would significantly and demonstrably outweigh the benefits when taking the 'tilted balance' into account. The application is considered to be acceptable and is recommended for approval.</p>		
Recommended Decision	The application is recommended for approval, subject to the prior completion of a legal agreement to provide an affordable housing contribution and also subject to conditions.		

MAIN REPORT

1. Development Plan

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

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO4 (Housing Size and Type)
- TC2 (Staines Town Centre Shopping Frontage)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (Development and Noise)

- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

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

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

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

2. Relevant Planning History

08/00470/FUL	Erection of a detached timber chalet building at rear	Refused 28.07.2008
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96/00589/DE3	Change of use from residential institution (Class C2) to a non-residential institution (Class D1), erection of a single storey rear extension, a two storey link extension and additional	No objection 23.07.1997
95/00112/DE3	Installation of two external fire escapes.	No objection 26.04.1995
94/00033/CON	Change of use of Glenthorne to a mental health resource centre, erection of a two storey side extension to Glenthorne, erection of a part single, part two storey rear extension to Holmwood.	Objection 27.04.1994
PLAN N/DE 4/76/255	Erection of a two-storey link between Glenthorne and Holmwood Children's Home. Plan No. CP.76/217.	No objection 04.08.1976
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PLAN N/FUL/ 74/254	Proposed use of 'Holmwood' as a Children's Home (Class XIV).	No objection 15.08.1974
STAINES/FUL/ P5213/3	Constructing a single-storey addition to make one self-contained ground floor flat.	Grant 26.02.1964
STAINES/FUL /P1129	Use as a Children's Home.	Grant unconditional 28.11.1951

3. Description of Current Proposal

- 3.1 The application site is located on the eastern side of Rookery Road and is a large rectangular plot occupied by a large 3 storey building which has been vacant since 2011. There is a car park to the southern side of the building and a garden area to the rear. Immediately to the south of the site is the car park area of 14 flats on the corner of Kingston Road and Rookery Road at Charlescombe Court. These consist of 2 blocks of 3 storey buildings, with a pitched roof. In addition there are 2 other sites with flats fronting Kingston Road at Braeburn Court and Morrell Court. To the north and west opposite the site along Rookery Road are large properties located on relatively large plots, most are residential, however directly opposite at Roslin there is a children's day nursery and a care home at Woodlands. Some of these buildings are 3 storey in height with features characteristic of the road, including gable frontages, pitched roofs and are constructed in traditional materials. This includes both dwellings to the north of the application site at Lolamore and Houghton, which are of a similar design to the existing buildings on the application site. The road is tree lined with plane trees which are regularly pollarded. There are residential properties to the rear of the site located along Glebe Road whose rear gardens back onto the application site

and there are a number of mature trees along this boundary, most are located within the rear gardens of the neighbouring properties.

- 3.2 The site comprises an area of 0.26 ha and is located to the eastern side of Rookery Road, Staines. The site comprises a former social services building, previously used as a care centre, which is currently vacant with a large rear garden and car park to the side accessed from Rookery Road. The site has been vacant for 8 years, since 2011 due to structural issues with the building
- 3.3 The site is located within the urban area and within the 1 in the 1000 flood zone.
- 3.4 The proposal is for the demolition of the existing buildings on site and the erection of a building over three floors to provide 19 flats (9 x 1 bed and 10 x 2 bed). The building will front the highway, in a similar position to the existing building, but will be wider across the site. It will have pitched roofs, with 3 gable features and dormers fronting the road. It will have a rear projecting element set in from the side boundaries. Some small private amenity spaces will be provided directly adjacent to some of the ground floor units and also a large communal amenity space will be provided to the rear of the site with landscaping for use by the future occupants.
- 3.5 Parking for 25 cars is to be provided at ground level to the side of the proposed flats, in the same position as it is currently. The access will be the same as existing, to the south of the building onto Rookery Road. The proposed car parking area will be to the south of the site, adjoining the car parks of neighbouring block of flats. The proposal also includes areas of landscaping, refuse and cycling parking facilities.
- 3.6 The proposed indicative site layout is provided as an Appendix.

4 Consultations

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

Consultee	Comment
County Highway Authority	No objection recommends conditions
Environment Agency	No objection recommends condition
Head of Street Scene (refuse)	No objection
Tree Officer	No objection recommends condition
Crime Prevention Officer	No objection makes a number of detailed security related comments. Requests a condition to require the development to achieve the Secure by Design award.
Valuation Advisor	Has recommended that a financial contribution of £132,527. should be paid which the applicant has agreed to
Sustainability Officer	No objection

Thames Water	No objection
Local Lead Flood Authority (Surrey County Council)	No objection recommends conditions
Environmental Health Officer (Air Quality)	No objection recommends condition
Environmental Health Officer (Contamination)	No objection recommends condition

5. Public Consultation

- 5.1 A total of 61 properties were notified of the planning application. Furthermore, a statutory site notice was displayed and the application was advertised in the local press. 19 letters of representation were received at that time. 18 objecting, including one from Staines Town Society and Staines Mental Health Association, and 1 in support of the application. In addition a letter was received with 10 signatures in relation to the closure of Glenthorne and the loss of the mental health facility.
- 5.2 Because of the time that had passed since the application was submitted further consultations took place on 9 April 2019 and an additional 5 letters were received, including one from Spelthorne Mental Health Association. The following issues have been raised:-
- overdevelopment/too big
 - will significantly increase population of road
 - lack of parking/traffic generation
 - access by emergency vehicles
 - highway safety
 - loss of mental health facility; lack of provision elsewhere
 - Traffic assessment incorrect/incomplete
 - Nursery nearby- safety of young children
 - flats are out of keeping
 - road floods and impact on sewers
 - impact on trees
 - light intrusion, noise and smells
 - loss of privacy/overlooking to properties at rear especially in winter when trees have no leaves.
 - density too high
 - Building too large, flats too small
 - Many of the letters do note that they are not opposed to redevelopment of site

-Like the look of the proposals, the building has been empty for a while and needs a new use

6. Planning Issues

- Principle of the development
- Loss of community facilities
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Affordable housing
- Flooding
- Renewable energy
- Dwelling mix
- Trees
- Air quality

7. Planning Considerations

Need for housing

- 7.1 When considering planning applications for housing, local planning authorities should have regard to the government's requirement that they boost significantly the supply of housing, and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF).
- 7.2 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.
- 7.3 The sites identified in the Strategic Land Availability Assessment (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 figure. 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.

- 7.4 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 SLAA which identifies potential sites for future housing development over the plan period.
- 7.5 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’*.
- 7.6 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 has 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.
- 7.7 Taking into account the above and adopted policy HO1, which encourages new housing development in urban sites for additional housing to meet our Borough’s needs, the Action Plan set out ways in which Spelthorne will meet this need. Para 6.11 states that, *‘...The policy defines a range of measures including the promotion of specific sites through Allocations DPDs, producing planning briefs, encouraging housing generally on suitable sites, including mixed use scheme, using poorly located employment land, using land effectively and resisting the loss of housing.’*

Principle of the development

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

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

- 7.9 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.
- 7.10 The site is located within Staines, in the urban area on a previously developed site, close to the parade of shops along Kingston Road, and within walking distance of Staines train station. As such the site is within an accessible location close to facilities and public transport links. It is not located within a high flood risk area or the Green Belt. The building has been unoccupied for some time and the community use has been re-located to a nearby site at Burgess Way, Knowle Green, which is explained in more detail below. The site is surrounded by residential uses, with flats to the south of the site and therefore the principle of creating 19 new residential flats is considered acceptable. Furthermore, the proposal is considered to comply with the aims of National Planning Policy Framework (NPPF) and makes efficient use of urban land. The principle of the development is, therefore acceptable, provided other policies requirements are met as discussed further below.

Loss of community use

- 7.11 Policy CO1 of the Core Strategy and Policies DPD 2009 (CS & P DPD) seeks to ensure community facilities are provided to meet local needs, as well as resisting the loss of existing facilities except where they are no longer needed or are provided in an alternative location.
- a) *“supporting the provision of new facilities for which need is identified in locations accessible to the community served,*
 - b) *supporting improvements to existing facilities to enable them to adapt to changing needs,*
 - c) *resisting the loss of existing facilities except:*
 - (i) *where it is demonstrated that the facility is no longer needed, or*
 - (ii) *where it is established that the services provided by the facility can be provided in an alternative location or manner that is equally accessible to the community served.”*
- 7.12 The applicant, Surrey County Council, has provided a statement which details how the proposal accords with the relevant part of Policy CO1 (section (c)). The statement confirms that the former Glenthorne Resource Centre was previously occupied by Surrey County Council’s Mental Health Group and Surrey Mental Health Association /Trust, providing a day centre and Adult Social Care (Mental Health Group). However, this use ceased in August 2011 due to significant structural issues with the building and has remained vacant since this date. They note that their records indicate that the property was firstly used as a residential home and then secondly, for the delivery of adult mental health services. The applicant confirms that the site has never been used as a traditional Adult Social Care service centre.

- 7.13 The applicant goes on to note that the previous services provided within the property have both been relocated. The Adult Social Care (Mental Health Group) was relocated to the Cedar Unit at Ashford Hospital, before later moving to Burgess Way, Knowle Green and the Surrey Mental Health Trust moved to the Salvation Army in Ashford.
- 7.14 The Applicant, Surrey County Council, (SCC) has confirmed that the existing building no longer meets current needs, either physically or functionally, and the applicant considers that the demand for mental health and social care is being successfully met elsewhere in alternative premises. The applicant also notes that this evidence demonstrates that the community facility is no longer needed and that the services which were historically provided by the facility have been successfully re-provided at alternative locations that are equally accessible to the community served. In addition SCC notes that the absence of mental health or adult social services at the subject site does not impact on the County's provision of social services which are adequately provided for in alternative premises. SCC conclude that it is felt the policy tests set out in Policy CO1 are therefore met in full.
- 7.15 Consequently it is considered that there is no conflict with Policy CO1 relating to community facilities as the facilities previously provided at the site were re-provided in an alternative location nearby within the Borough and in addition this use ceased some 8 years ago with the building remaining unoccupied since this time.

Housing density

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

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

- 7.17 Policy HO5 specifies densities for sites within existing residential areas that are characteristic of predominantly family housing rather than flats, new development should generally be in the range of 35 to 55 dwellings per hectare. It is important to emphasise that the density ranges are intended to represent broad guidelines and development will also be considered against the requirements of Policy EN1 on design.
- 7.18 The principle of a high density development on urban land is the focus of the NPPF and Policy HO1 in order to make efficient use of land of previously developed and brownfield land, in sustainable locations.
- 7.19 The proposal is for 19 flats. The site area is some 0.26 hectares and will therefore result in a density of 73 dwellings per hectare. Although above the recommended amount in policy HO5, this policy does permit higher densities

where a development complies with policy EN1 on design particularly in terms of the character of the area and is in an accessible location.

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

Dwelling mix

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

- 7.22 The application provides 100% of the units as small units and as such the proposal complies with the requirements of Policy HO4 and is acceptable.

Design and appearance

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

- 7.24 The existing building on the site is attractive with architectural features characteristic of other properties along the road. However as previously noted the subject building became unoccupied due to health and safety and structural concerns in 2011, and over the years it has further deteriorated. There were originally 2 separate buildings on the site which had been joined together..

- 7.25 The area along Rookery Road consists of relatively large buildings on large plots, mostly residential, including both dwellings to the north of the application site at Lolamore and Houghton. There is a distinct character of gable features, with pitched roof and three storey accommodation is evident in the street scene. The properties along Kingston Road are more traditional in design with simple block type structures to the flats with pitched roofs

- 7.26 The proposed replacement building consists of 1 building over 3 stories fronting Rookery Road. It will have a pitched roof, sloping in from the sides (from which the building will be set in), with 3 gable features facing the road projecting forward of the main built form to provide some interest in the front elevation. It will also provide dormers at second floor level in the roof. The applicants note that the final design solution includes features such as a roof overhang to match neighbours, the roof level was lowered and the second

floor accommodation was provided within the roof space along with the roof pitch being changed to 43 degree to match the adjacent Victorian properties. The proposed materials will include brick and render with traditional roof tiles.

- 7.27 The design will display features of the existing and neighbouring properties, in particular the 2 dwellings to the north which have a traditional style. Therefore this design, scale and layout will pay due regard to that of the neighbouring sites and is considered to be in keeping with the character of the area.
- 7.28 The proposed property will have 2 similar gables at the rear of the property with roof dormers and in addition a central section projecting to the rear. This will have a low eaves level but extending up to full height to provide a further 3 stories of accommodation. This element will be set well away from the side boundaries (11m to the northern side boundary) and given the width and depth of the site, the built form will appear in proportion and will not result in an overdevelopment of the site. As such the proposed building is considered to accord with policy EN1 and provide a replacement building that pays due regard to not only the existing building, but also neighbouring sites and will make a positive contribution to the street scene of Rookery Road.
- 7.29 Landscaping is to be provided which will help to complement the proposed built form. Parking has been provided in the same location as existing and will also include landscaping to soften its appearance. As such the proposed development is considered to be acceptable in design terms and conforms to policy EN1.

Impact on neighbouring residential properties

- 7.30 Policy EN1b of the CS & P DPD states that:

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

- 7.31 The scale of the development and proximity to the boundaries with existing properties needs to be given consideration to ensure that there is an acceptable relationship and that existing residential properties will not be significantly adversely affected by the proposal. The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policies requirements in order to ensure this is the case.
- 7.32 The SPD in para 3.6 acknowledges that 'most *developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.*' It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for 2 storey development of 10.5m for back to boundary distance, and 21m for back to back development. Three storey development has a back to boundary distance of 15m and back to back distance of 30m. There is also a minimum distance for back to flank elevations of 13.5m (2 storey) and 21m (3 storey).

- 7.33 The proposed built form will be located some 25m from the rear boundary with the properties located along Glebe Gardens which also have long rear gardens. As such this will substantially exceed the minimum requirement for back to boundary and back to back development and will ensure an acceptable relationship with the proposed development
- 7.34 The proposed development will be set in from the side boundaries and the roof slopes away from the side boundaries. The rear projecting element is set well away from the side boundaries. It will be closest to the northern boundary with a distance of 11m. The proposed built form will not cross a vertical or horizontal 45 degree line from the adjacent dwelling to the north of the site, as set out in the SPD on design. In addition, the proposal will not cross the 25 degree line when drawn from a point at 2m above ground level from the properties to the rear or indeed those on the opposite side of Rookery Road. This will ensure an appropriate level of daylight and a significant view of the sky is maintained, as set out in the SPD. As such the proposed development will have an acceptable relationship with, and impact on the amenity of existing neighbouring residential properties, and will not cause a significant loss of light, be overbearing or cause loss of outlook
- 7.35 The proposed first floor side facing windows in the main built form will be obscure glazed by condition to ensure there is no overlooking or loss of privacy to neighbouring properties. The rear projecting element does propose angled windows in the side on the ground and first floors. This built form will be located some 11m from the side boundary to the north and the windows will be at an angle facing towards the rear gardens, with a distance at this angle of some 13m to the side boundary. As such this exceeds the 2 storey minimum separation distance for back to boundary distance of 10.5m and is considered that the windows will not cause a significant overlooking or loss of privacy issue, due to their angle and the distance from the boundary.
- 7.36 The properties to the south are flats and have their own car park located adjacent to the car park at the subject site. As such the proposal is considered to have an acceptable relationship with and impact on the amenity of neighbouring properties to the south and will not lead to a significant loss of light, loss of outlook, be overbearing or cause a significant loss of privacy/overlooking
- 7.37 The proposal is considered to have an acceptable relationship and therefore an acceptable impact on the amenity of existing neighbouring residential properties, conforming to the Design SPD and Policy EN1.

Amenity Space

- 7.38 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats it requires 35 sq m per unit for the first 5 units, 10 sq m for the next 5 units and 5 sq m per unit thereafter. On this basis, 270 sq. m would be required for the 19 flats. The proposal provides a small private amenity space for the ground floor units and a large communal area at the rear of the site, in excess of 680 sq. m, which is

substantially above this requirement. Therefore the provision of amenity space is considered acceptable and in keeping with the character of the area.

Proposed dwelling sizes

- 7.39 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats, as well as to 2 and 3 storey houses. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sq. m.
- 7.40 The Government has since published national minimum dwelling size standards in their “*Technical Housing Standards – nationally described space standard*” document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD and includes minimum sizes for studio flats. This national document must be given substantial weight in consideration of the current application in that it adds this additional category of small dwellings not included in the Council’s Standards.
- 7.41 All of the proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards and the SPD, Therefore, it is considered their standard of amenity overall to be acceptable.

Highway and parking provision

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

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

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

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

- 7.44 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.
- 7.45 On 20 September 2011 the Council’s Cabinet agreed a ‘Position Statement’ on how Policy CC3 should now be interpreted in the light of the Government’s recent parking policy changes. The effect of this is that the Council will give little weight to the word ‘maximum’ in relation to residential development when applying Policy CC3 and its residential parking standards will generally be

applied as a minimum (maximum parking standards continue to be applicable in relation to commercial development). The supporting text to the Parking Standards stipulates a number of important exceptional situations where a reduction in parking will only be allowed. One of these situations includes town centre locations where the reduction in parking will be assessed against, amongst other considerations, the range and quality of facilities within reasonable walking distance and where there is good access to public transport.

- 7.46 The proposed parking provision for the residential properties is 25 spaces. The Council's residential Parking Standards would require 26.25 spaces, which is rounded up to 27. The originally submitted scheme did provide 26 car parking spaces. However following concerns raised by the Council's Tree Officer, the car park was slightly reconfigured to ensure it has an acceptable impact on the health of the mature trees located in the rear gardens of the adjoining sites to the east. As such it resulted in the removal of one of the car parking spaces. Therefore, the proposal has a slight parking shortfall, however it is considered that there are sufficient grounds for justifying this relatively minor shortfall. The County Highway Authority (CHA) was consulted on the planning application and has raised no objection to the proposed parking provision.
- 7.47 The County Council was consulted as the County Highway Authority (CHA) and has raised no objection subject to the imposition of conditions. The CHA has noted that *'...According to Spelthorne Borough Council Parking Standards the proposed development should include 27 car parking spaces. The shortfall can be accommodated on the highway without causing a highway safety problem. The developer is providing adequate covered space for parking bikes. There is adequate visibility from the proposed access and at the junction of Rookery Road with Kingston Road. The developer is proposing a refuse store within 25 metres of the highway, as recommended in Manual for Streets.'*
- 7.48 Therefore the CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision. As such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

Affordable housing

- 7.49 Policy HO3 of the CS & P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. The Council seeks to maximise the contribution to affordable housing provision from each site having regard to the individual circumstances and viability, including the availability of any housing grant or other subsidy, of development on the site. Negotiation is conducted on an 'open book' basis.
- 7.50 The applicants have submitted a Viability Assessment on an open book basis in accordance with Policy HO3. This was reviewed by the Council's valuation advisor. The Advisors in their financial assessment follow the RICS Professional Guidance, "Financial Viability in Planning", 2012. There is also guidance in the NPPF and PPG. The PPG states that "Viability assessment is a process of assessing whether a site is financially viable, by looking at

whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return.” The Council’s Financial Advisor has recommended that the applicant pays an affordable housing contribution of £132,527. The applicant has agreed to this and the money will be secured by a legal agreement. As such, subject to the prior completion of the legal agreement, the proposal is considered to accord with policy HO3 of affordable housing.

Flooding

- 7.51 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by not requiring all development proposal within Zones 2, 3a and 3b and development outside the area (Zone1) on sites of 0.5ha or of 10 dwellings or 1000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA). .
- 7.52 The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded on flooding grounds. The applicant has submitted a Flood Risk Assessment & Surface Water Drainage Strategy, as is required by Policy LO1 of the CS & P DPD.
- 7.53 In terms of flood risk the development given the site is located outside of the high flood risk area and as displayed in the FRA there is no risk to the future occupants of the site from flooding. With regard to surface water drainage, the applicant is proposing to implement infiltration drainage devices to discharge surface water to the underlying soil in the form of soakaways and permeable paving to provide much improved surface water drainage than currently on site.
- 7.54 The Environment Agency (EA) has been consulted and has raised no objection subject to the imposition of a condition requiring the scheme to be carried out in accordance with the submitted FRA. Furthermore, the Lead Local Flood Authority at Surrey County Council has raised no objection to the proposed sustainable drainage scheme, subject to conditions. Accordingly, the application complies with the requirements of Policy LO1 of the CS & P DPD.

Renewable Energy

- 7.55 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sq m to include measures to provide at least 10% of the development’s energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.56 The applicant has submitted an Energy Strategy Overview, which considers various renewable energy options for the site. The report concludes that the proposed development can provide solar photovoltaic panels on the roofs of the proposed buildings and confirms that a total energy reduction of at least 10% can be achieved. The Councils Sustainability Officer has been consulted

and raises no objection. Accordingly, the renewable energy proposals are acceptable and accords with Policy CC1, subject to a condition.

Loss of Trees/Landscaping

- 7.57 The applicant has submitted an Arboricultural Method Statement and Impact Assessment which includes detail about trees to be removed from the site and how the proposal will impact on the retained trees at the site and adjacent sites. The Council's Tree Officer has been consulted and originally raised some concerns about the impact on the parking layout on trees. As noted previously, the parking layout has been slightly reconfigured to ensure an acceptable impact on trees. As such, no objections are raised subject to recommended condition.
- 7.58 Landscaping will be provided to the front of the built form to help improve the streetscape. The amenity space to the rear will be landscaped to provide an attractive and useable amenity space for future occupants. In addition the planting will be used around the car park area to help break up hardstanding and add visual interest.
- 7.59 The loss of some of the existing trees and the proposed replacement planting and landscaping will help to enhance the proposed development and is considered to be acceptable.

Contaminated Land

- 7.60 The applicant has submitted an Environmental Site Assessment report to ascertain the level of contamination of the existing ground conditions and proposed remediation measures. This is particularly important as the proposal introduces new residential development onto the site and reflects our standard precautionary approach to contamination risk. The Council's Pollution Control Officer has raised no objection but requested standard conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures. Subject to these conditions, the proposal is considered acceptable in accordance with Policy EN15.

Air quality

- 7.61 The applicant has submitted an Air Quality Report for the site as required by Policy EN3 of the CS & P DPD. The Council's Pollution Control section has been consulted on the application and raises no objection subject to conditions. As such the proposal is considered to be acceptable in this regard.

Refuse Storage and Collection

- 7.62 Refuse storage area is located within the ground floor of the proposed building, accessed from the front elevation. It will provide enough bins and recycling storage for 10240 litres of waste and food waste in addition. This is in excess of the requirement for the 19 residential units. The County Highway Authority has raised no objection on this particular issue. The Council's Group Head Neighbourhood Services has been consulted and has raised no objection to the provision.

Financial Considerations

- 7.63 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. As noted previously the application is subject to an affordable housing contribution of £132,527, which is a material consideration. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate a CIL payment based on a rate of £140 per sq. metre of net additional gross floor space of approximately £80,000 in total. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Conclusion

- 7.64 The proposal is considered to pay due regard to the design, scale and character of the area, making a positive contribution to the street scene. It will be a sustainable form of development, meeting a need for housing on an unused brownfield site, providing a good standard of accommodation for future residents with sufficient parking and amenity space provision. The previous community use at the site has been re-provided at a site nearby. It will have an acceptable impact on the amenity of neighbouring properties and is considered to be acceptable.
- 7.65 As such there are no adverse impacts that would significantly and demonstrably outweigh the benefits when taking the tilted balance into account and therefore the application is considered to be acceptable. The application is recommended for approval, subject to a legal agreement to provide an off-site affordable housing contribution...

8. Recommendation

- 8.1 (A) Subject to the applicant first entering into an appropriate legal agreement to secure the affordable housing contribution of £132,527.

In the event that the legal agreement is not completed

In the event that the legal 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 proposed development is considered to provide insufficient contribution to affordable housing having regard to the individual circumstances and liability and would be contrary to Policy HO3 of the Core Strategy and Policies DPD,

8.2 (B) GRANT subject to the following conditions:

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

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

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

12484-SPR-APT-XX-05-00-3 2
12484-SPR-APT-XX-05-01-3 2
12484-SPR-APT-XX-05-02-3 2
12484-SPR-APT-XX-05-03-3_4
12484-SPR-APT-XX-05-04-3_3
12484-SPR-APT-XX-05-05-3_3

12484-SPR-APT-XX-30-00-3 3
12484-SPR-APT-XX-30-01-3 2
12484-SPR-APT-XX-30-02-3 2
12484-SPR-APT-XX-30-05-3 2
12484-SPR-APT-XX-30-03-3 2
12484-SPR-APT-XX-30-06-3 2
12484-SPR-APT-XX-30-08-3 2
12484-SPR-APT-XX-30-07-3 2
12484-SPR-APT-XX-30-04-3 2
12484-SPR-APT-XX-30-09-3 2

C161535/C/001(Rev P4)
C161535/C/002(Rev P4)
C161535/C/003(Rev P3)

12484-SPR-APT-XX-20-01-3 2
12484-SPR-APT-XX-20-02-3 2
12484-SPR-APT-XX-20-03-3 2
12484-SPR-APT-XX-20-04-3 2
12484-SPR-APT-XX-20-05-3 1

12484-SPR-APT-XX-15-04-3 2
12484-SPR-APT-XX-15-03-3 2
12484-SPR-APT-XX-15-02-3 4
12484-SPR-APT-XX-15-01-3 4

12484-SPR-APT-XX-90-01-3_3
12484-SPR-APT-XX-90-02-3_3
12484-SPR-APT-XX-90-03-3_3
12484-SPR-APT-XX-90-04-3_3
12484-SPR-APT-XX-90-06-3_3
12484-SPR-APT-XX-90-07-3_3
12484-SPR-APT-XX-90-08-3_3

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

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

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

4. Prior to the first use or occupation of the development, a written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

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

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

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

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

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

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

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

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

8. Prior to the occupation of the buildings hereby permitted details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall be implemented prior to the occupation of the buildings and shall at all times accord with the approved details.

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

9. Prior to occupation of the units the proposed first floor windows in the northern and southern flank elevations of the main building (not including the projecting element) shall be obscure glazed and non-opening to a minimum of 1.7m above internal floor level. Details of glazing to be installed shall be submitted to and approved in writing by the Local Planning Authority. These windows will thereafter be permanently retained as installed.

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

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

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties

and the appearance of the locality in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

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

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

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

Reason: This condition is required in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2018, and to accord with policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

13. Prior to the occupation of the building, facilities within the curtilage of the site for the storage of refuse and recycling materials shall be implemented in accordance with the approved plans and retained thereafter.

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

14. 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) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development.
- c) 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 feature (silt traps, inspection chambers etc.).
- d) 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.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) 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.

- 15 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.

Informatives to be attached to the planning permission

1. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
2. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs
3. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.

4. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
6. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

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

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

7. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and

(g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration

8. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:
 - (a) How those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
 - (b) How neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
 - (c) The arrangements that will be in place to ensure a reasonable telephone response during working hours;
 - (d) The name and contact details of the site manager who will be able to deal with complaints; and
 - (e) How those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.
9. The applicant is advised that planning permission is likely to be required for the provision of ducting for any use requiring the cooking of hot food on the premises.



Site Plan - Roof plan



Proposed Front Elevation