

Planning Committee

4 March 2020



Application Nos.	19/01044/FUL		
Site Address	Car Park To Rear Of Tesco, Ashford Hospital, London Road, Ashford, TW15 3AA		
Proposal	Redevelopment of surplus hospital car park for 115 residential units, comprising 110 flats and 5 terraced houses, in buildings ranging from 2 to 5 storeys in height (C3 Use), with associated access, parking, services, facilities and amenity space.		
Applicant	Knowle Green Estates		
Ward	Ashford North & Stanwell South		
Call in details	N/A		
Case Officer	Matthew Churchill & Fiona Tebbutt		
Application Dates	Valid: 15.08.2019	Expiry: 14.11.2019	Target: Extension of time until 09.03.2020
Executive Summary	<p>This application seeks the redevelopment of an existing surplus car park at Ashford Hospital for 115 residential units in buildings ranging from 2 to 5 storeys in height. The scheme also proposes associated access, parking, services, facilities, landscaping and amenity space, and includes the demolition of the existing low profile buildings at the north, east and west of the site. Immediately adjacent to the north, south and east site boundaries are existing established houses, with the Tesco Superstore and loading area situated adjacent to the western site boundary.</p> <p>The car park is currently accessed by vehicles along Town Lane, and whilst there is pedestrian access to Victory Close, a barrier prevents private vehicles from accessing this road, which was installed as part of a planning permission to redevelop the hospital in 1992 (92/00540/OUT & 92/00674/OUT). The applicant has stated that barrier would remain in place following redevelopment and be under the control of the NHS.</p> <p>The site is currently occupied by five buildings, three of which contain a children's nursery. The other buildings are in uses ancillary to Ashford Hospital. The applicant has confirmed that the nursery has relocated within the hospital site.</p> <p>The car park currently provides 113 car parking spaces for hospital staff and 8 parking spaces for the nursery use. The applicant's submission documents state that operations at the hospital have recently changed and the car park in this location is no longer required. The applicant's</p>		

	<p>submission further states that existing parking demand for Ashford Hospital can be accommodated in the main hospital car park situated to the south of Town Lane, which has been reconfigured. It should be noted that the car park has now been sold by the hospital to the applicant and the car parking arrangements for the hospital are not under consideration as the hospital falls outside of the application site.</p> <p>The proposed development would provide 117 car parking spaces for the 115 residential units. The applicant has also offered to provide 6 affordable housing units in a rented tenure.</p>
Recommended Decision	This application is recommended for approval subject to the prior completion of a Section 106 Agreement.

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
- EN7 – Tree Protection
- EN8 – Protecting and Improving the Landscape and Biodiversity
- 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

2.1 The planning history below relates to the application site and also to nearby land that once formed part of the hospital site:

12/01037/RMA (Officer note: this application relates to nearby land that once formed part of the Ashford Hospital site)	Reserved matters submission pursuant to Outline Planning Permission 08/01024/OUT: Demolition of existing buildings and erection of a part 3, 4, 5 and 6 storey development comprising 152 residential units. Provision of basement car park and ground level parking spaces	Grant Conditional 03.10.2012
09/00076/FUL (Officer note: this was the main hospital car park)	Reconfiguration of existing car park.	Grant Conditional 20.03.2009
08/01024/OUT (Officer note: this application relates to nearby land that once formed part of the Ashford Hospital site)	Demolition of existing buildings and erection of a part 3, 4, 5 and 6 storey development comprising 152 residential units. Provision of basement car park and ground level parking spaces (OUTLINE).	Grant Conditional 26.08.2009
08/00615/FUL (Officer note: this was the main hospital car park)	Reconfiguration of existing hospital car park.	Grant Conditional 02.09.2008
02/00586/FUL	Relocation of existing creche nursery building from south east part of site to the rear of Tesco Superstore and alterations to car parking, to provide new parking throughout site. AMENDED DESCRIPTION	Grant Conditional 28.08.2002
92/00674/OUT	Redevelopment of site for new and improved hospital use to include new ward blocks, improved clinical departments;	Grant Conditional 16.06.1993

	food superstore ;petrol filling station, associated car parking, servicing and access (OUTLINE)	
92/00540/OUT	Redevelopment of site for new & improved hospital use to include new Ward Blocks, improved Clinical Departments, Food Superstore, Petrol Filling Station, Associated Parking, Servicing and Access	Grant Conditional 16.06.1993

3. Description of Current Proposal

The Application Site

- 3.1 This application is seeking the redevelopment of an existing car park at Ashford Hospital. The car park is located to the north-east of the hospital site and is accessed through Town Lane. The site is situated at the rear of the Tesco Superstore and to the west of Victory Close. There are established houses to the north, east and south of the site. The car park area also contains five buildings, with three of the buildings serving as a children's nursery and the remaining buildings in uses ancillary to Ashford Hospital.
- 3.2 The site is some 0.9 hectares in area and presently contains 113 car parking spaces for hospital staff as well as 8 further parking spaces for the nursery use. Vehicular access for the site is through Town Lane, and whilst pedestrians are able to access Victory Close along pavement areas, a barrier is located at the east of the site, which prevents private vehicles driving into this road. The applicant's submission documents state that this barrier would be maintained following the redevelopment of the site and would remain under control of the NHS.

Surrounding Area

- 3.3 There are established residential dwellings in Viola Avenue and Vernon Close situated to the north of the site. These properties are typically 'traditional' two storey semi-detached or terraced dwellings. Queen Mary Court, a three storey flatted development, constructed in the early 2000s is situated immediately to the north of the site and is accessed through Yeoman Drive.
- 3.4 A row of two storey terraced dwellings are situated immediately to the east of the site in Greenaway Terrace. These typically contain car parking at the front and gardens at the rear. Victory Close and Yeoman Drive are also located immediately to the east and contain a number of two and three storey dwellings which are typically semi-detached or terraced in layout. A number of three storey flatted developments also occupy Victory Close and Yeoman Drive, including Wheat House, Marquis Court and Barley Court.
- 3.5 Immediately to the south of the site are Albain Crescent and Willowbrook Road, which are occupied by more 'traditional semi-detached or terraced two storey family scale dwellings with garden spaces at the rear.

- 3.6 A Tesco Superstore is located immediately to the west of the site, on the northern side of Town Lane. This was constructed in the 1990's and the car park to the store is located to the west, which incorporates a petrol station. The service yard for the superstore is located to the rear and adjoins the application site on its western side.
- 3.7 The main Ashford Hospital development is located to the south-west of the application site, on the southern side of Town Lane. This contains buildings of up to four storeys in height, as well as associated car parking space at the north and east.
- 3.8 To the west of the hospital site at the junction of Town Lane and London Road is West Plaza, which is a high density residential development that previously formed part of Ashford Hospital. It contains 152 residential units in buildings ranging up to 6 storeys in height. The reserved matters for this development were approved in October 2012, under reference 12/01037/RMA.

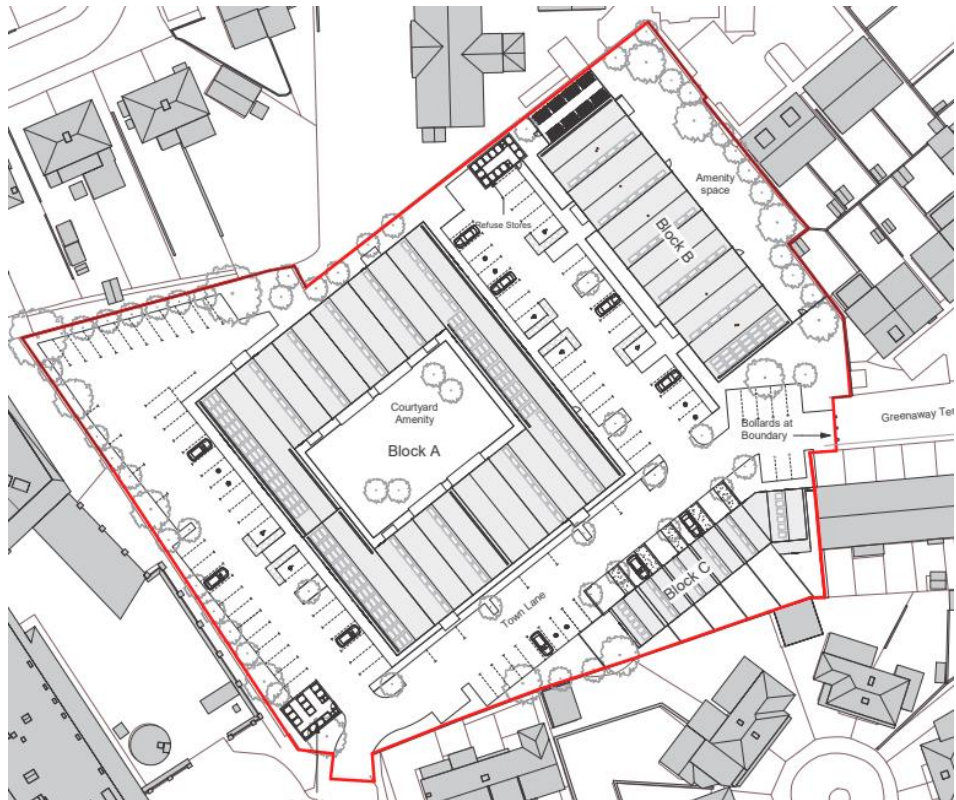
The Proposal

- 3.9 The application proposes 115 residential units in buildings ranging from 2 to 5 storeys in height with associated access, facilities, services and amenity space. A total of 117 parking spaces, at a ratio just over 1 car parking space per unit, would be provided. The development is also offering 6 affordable housing units in an affordable rented tenure (consisting of 4 x 2 bedroom flats and 2 x 1 bedroom flats). Landscaping would also be incorporated across the development.
- 3.10 The development proposes 110 apartments and 5 two storey terraced houses. The unit mix is outlined in the table below:

1 bed apartment	2 bed apartment	3 bed apartment	2 bed house
36 (31%)	66 (57%)	8 (7%)	5 (4%)

Site Layout

- 3.11 The proposed apartments would range from 1 to 3 bedroom units and would be located in Blocks A, B and a section of Block C. The 2 bedroom terraced dwellings would all be located in Block C and would have private gardens. The illustration below outlines the layout of the site and the location of Blocks A, B & C.



Block A

- 3.12 This block would be located at the west of the site and would range between 4 and 5 storeys in height. It would be arranged around a central landscaped courtyard space, which would contain private amenity space with access limited to residents. The fifth storey would be located in the south-western corner and would contain 5 units. The remainder of the block would be 4 storeys in height. Block A would measure a maximum of 35.8 metres in height at the south-western corner and would incorporate a number of gable roofs and a mixture of 'inset' and external balconies, which would be prominent in the facades. The external walls would contain light grey/buff multibrick, and black fibre cement slate tiles would be contained in the roof.
- 3.13 The residential units in this block would be accessed through the central courtyard, which would be accessible via openings at ground floor level in the eastern and western elevations. Entry to the residential units would be through one of four central spine stairways/lifts. In total this block would contain 34 x 1 bedroom units, 42 x 2 bedroom units and 8 x 3 bedroom units. Each of the units would be served by either an 'inset' or external balcony which would look out onto either the central courtyard space or the external street scene.

Block B

- 3.14 This block would be located to the east of the site. It would be set over 3 storeys and would measure a maximum height of 29.75 metres. As with Block A, it would incorporate a number of gable style roofs and would contain

'inset' and external balconies. The block would incorporate light red multibrick in the facades and black fibre cement slates in the roof.

- 3.15 The residential units would be accessed through one of two entrances located in the eastern elevation, and via a spine stairway/lift. This block would contain 2 x 1 bedroom units and 22 x 2 bedroom units. A communal amenity area is proposed to the east of Block B, which would have controlled access limited to residents.

Block C

- 3.16 This block would contain 5 x 2 bedroom terraced dwellings located to the south of the site and 2 x 2 bedroom apartments at the east of the block. Each of the terraced dwellings would be two storeys and would be accessed from the northern elevation. The dwellings would each contain private amenity space. This block would incorporate gable roofs and would measure a maximum of 26.7 metres in height. This block would incorporate dark red multibrick and black fibre cement slate tiles in the roof.

4. Consultations

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

Consultee	Comment
Affordable Housing Advisor	The applicant's offer of affordable housing units is acceptable and there is no justification to pursue a high proportion of affordable accommodation.
BAA	Requests an informative relating to cranes and wind turbines is attached to any planning permission.
CADENT GAS	Request an informative is attached to any planning permission.
County Highway Authority	No objection, requests conditions.
County Archaeological Officer	Initially requested desk based archaeology report. Following receipt of this report, has raised no objections subject to a condition.
Council's Arboricultural Officer	The site has no trees of any particular merit and there are no objections to the proposal.
Highways England	No objection to the impact upon the Strategic Road network.
Environment Agency	No objection.
Environmental Health (Contaminated Land and Dust)	Requests conditions.
Environmental Health (Air Quality)	Requests conditions.
Environmental Health (Noise)	Requests conditions.
Environmental Services (Renewable Energy)	No objection.
Housing Strategy	<p>The Council's housing needs are such that any affordable units provided should comprise two thirds 2 bed (four person) units and one third 3 bed (five person) units. We also have had very few houses come forward as s106 affordable housing in recent years, and we have a number of vulnerable households with children who have a need for this type of accommodation.</p> <p>As a housing authority we are already concerned about the level of affordable housing forthcoming on this site (5%), but appreciate that you have commissioned an independent review of the financial viability of the scheme. We would always support efforts to increase the % of affordable housing on forthcoming schemes.</p>

	We now have a Housing Register of over 2000, with about 20 new applications registered each week.
Natural England	No objection.
Crime Prevention Officer	No objection subject to conditions.
Fire and Rescue	No comments received.
Thames Water	No objection.
Lead Local Flood Authority (SUDS)	No objection subject to conditions.
Surrey Wildlife Trust	No objections.

5. Public Consultation

5.1 The proposed development was statutorily publicised by four planning site notices on lampposts adjacent to the site and in the local newspaper. Neighbour notification letters were issued to housing in close proximity to the site. A total of 6 letters of representation have been received, objecting to the proposal on the following grounds:

- Overdevelopment of an already overcrowded area in Stanwell, which will put a strain on local services and infrastructure.
- The development is too big for the location
- Addition of a high volume of residents in an area with already full and busy schools, doctors, and dentists
- Addition of a lot of traffic to the already busy junctions in Stanwell when people are travelling to Staines, West London or the M25
- Fire coverage to the area is already drastically reduced, but building and development seem to be at an all-time high
- Pressures on local services and transport infrastructure - Lack of infrastructure
- Objections will be ignored and the Council will “push through” the development.
- Increase in traffic will increase parking demand and congestion in the area
- Existing inadequate visitor parking will increase
- Increase in number of pedestrians will exacerbate the rubbish and litter problems that the existing residents experience
- Increase in number of people in the neighbourhood will increase the existing anti-social behaviour in the area
- Off street parking issues in and around Yeoman Drive will increase
- Development will be visible from objectors property
- Enquiries about who the proposed houses would be available to

6. Planning Issues

- Principle of Development
- Need for Housing
- Housing Type, Size
- Design, Height and Appearance
- Density
- Amenity Space for Residents
- Landscape
- Open Space
- Contaminated Land
- Impact on Existing Residential Dwellings
- Parking
- Transportation Issues
- Waste and Recycling
- Air Quality
- Archaeology
- Flooding
- Renewable Energy
- Biodiversity
- Sites of Special Scientific Interest
- Equality Act
- Human Rights Act
- Local Finance Considerations

7. Planning Considerations

Principle of Development

- 7.1 Policy HO1 encourages the development of appropriate land for housing purposes and seeks to ensure the effective use of urban land through the application of Policy HO5 on density.
- 7.2 This is also reflected in the NPPF paragraph 117 which emphasises the need for effective use of land in meeting the need for homes, whilst safeguarding the environment, and provides further relevant context at paragraph 122 in respect of achieving appropriate densities.
- 7.3 The application proposes 115 residential units on a surplus car park and a children's nursery building, which would make a significant contribution to the Council's 5 year housing supply. The majority of the units (93%) would contain either 1 or 2 bedrooms, as encouraged by policy HO4. High density

development has previously been accepted on the Ashford Hospital Site in the West Plaza development, and it is considered that the proposal would be appropriate in this location. The applicant has confirmed that the nursery has been relocated within the hospital, and that the main hospital car park is being reconfigured to accommodate additional spaces. The Council's Strategic Land Availability Assessment (SLAA) (July 2019) also identifies that the site could accommodate 108 dwellings, in a time frame of 1-5 years.

Need for Housing

- 7.4 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment (SHMA) – Runnymede and Spelthorne – Nov 2015).
- 7.5 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 sufficient sites have been identified 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.
- 7.7 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 is 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 under delivered on housing delivery versus 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.
- 7.10 The revised Housing Delivery Test was issued on 13 February 2020. The Council's figure is now 60% compared with the previous figure of 63%. We are still in the +20% and Action Plan consequences. Next year unless the position changes dramatically (which is unlikely), we will also be in the Presumption consequence as this will apply to any authority at or below 75%. However in practice we are in that position anyway as we do not have a 5 year housing land supply

Housing Type and Size

- 7.11 Policy HO4 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.
- 7.12 The proposed unit mix would comprise 36 x 1 bedroom apartments (31%), 66 x 2 bedroom apartments (57%), 8 x 3 bedroom apartments (7%) and 5 x 2 bedroom dwelling houses (6%). As approximately 93% of the units would contain 1 or 2 bedrooms, the development would meet the requirements of Policy HO4 outlined above. The proposed unit mix is therefore considered to be appropriate.
- 7.13 The Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development (2011) sets out minimum floor space standards for new dwellings.
- 7.14 The Government has also published national minimum dwelling size standards in their "Technical Housing Standards – nationally described space standard" document (2015). These largely reflect the London Housing Design Guide on which the Spelthorne standards were also based, and are arranged in a similar manner to those in the SPD. A summary of the relevant minimum floor space requirements set out in the Technical Housing Standards is illustrated in the table below:

Dwelling Size (Single Storey)	Minimum Floor Space Requirement
1 bed x 1 person	39m ²
1 bed x 2 person	50m ²
2 bed x 3 person	61m ²
2 bed x 4 person	70m ²
3 bed x 4 person	74m ²
Dwelling Size (Two Storey)	Minimum Flood Space Requirement
2 bed x 3 person	70m ²

- 7.15 All of the apartments proposed in Blocks A & B would meet the minimum internal floor space requirements outlined above. The 5 terraced dwellings proposed in Block C, would also meet the minimum requirements for a 2 bed x 3 person dwelling set over 2 storeys.
- 7.16 The ground floor apartment in Block C would constitute a 2 bed x 3 person apartment. It would contain an internal floor space measuring 60m², which would fall 1m² short of the 61m² minimum floor space requirements for a unit of this size. The upper floor apartment in Block C, would be in adherence to the minimum floor space requirements.
- 7.17 As 114 of the 115 units would be in adherence to the minimum internal floor space requirements as set out in the Technical Housing Standards, and given the extent of the shortfall in floor space of the apartment in Block C, on balance, the internal floor space provision across the development is considered to be acceptable. Additionally, a shortfall of 1m² is not viewed to outweigh the benefits of the overall scheme and the contribution of 115 residential units to the Council's 5 year housing supply.

Affordable Housing

- 7.18 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...'*
- 7.19 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.'*
- 7.20 Policy HO3 further states that this will be achieved by having regard to the circumstances of each site and negotiating a proportion of up to 50% of housing on sites to be affordable, where the development comprises 15 or more dwellings. The LPA 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.

- 7.21 The NPPF (paragraph 57) states that viability assessments should reflect the approach recommended by national planning guidance, including standardised inputs. The planning policy guidance (PPG) states that the assessment of costs in viability assessments should be based on evidence that is reflective of local market conditions. The PPG further states 15-20% return of the gross development value may be considered as a suitable return to the developer in order to establish the viability of the development. The Local Planning Authority has also been advised by independent financial advisors that every application must be assessed in the same way regardless of the developer, and this is reflected in RICS guidance.
- 7.22 The applicant's planning statement indicates that the development would provide rented housing to private occupants and key workers. It further suggests that individuals on the housing register and key workers would be offered the opportunity to rent the units at a discounted rate. However, whilst the applicant has stated an intention to offer units to key workers and individuals on the housing register, the planning statement and viability report both initially confirmed that no affordable housing would be offered in the development.
- 7.23 The applicant's initial viability statement assessed three scenarios; 100% market housing, 10% affordable housing, and 50% affordable housing. The statement concluded that it would not be viable for the applicant to provide any affordable housing in the development.
- 7.24 The LPA consulted an independent viability assessor to review the applicant's viability report. The assessor concluded that the applicant should be willing to provide a firm commitment to providing 4 affordable housing units at a discounted rent.
- 7.25 The applicant was advised of the assessor's conclusions and responded stating that recent changes to ground rent legislation would reduce the ability to provide affordable housing. Notwithstanding this, the applicant confirmed a willingness to provide 4 affordable rented housing units.
- 7.26 The LPA's assessor agreed that changes to ground rent legislation would reduce the ability to provide affordable housing in the scheme and stated "*The applicant's offer of 4 affordable units is in our opinion, therefore extremely fair and there is no justification to pursue a higher proportion of affordable housing*".
- 7.27 In addition, officers requested that the applicant to remove the CIL figure of £328,787, which had been included in the costs section of the viability report. This was on the basis that the CIL payment is not required for a development in this particular area (CIL Charging Zone 1), which proposes in excess of 15 units and where policy HO3 applies. Consequently, the applicant agreed to provide two additional affordable units resulting a total of 6 affordable rented housing units across the development, as well as payment of £1,778 for off-

site provision. The six units will comprise 4 x 2 bedroom flats and 2 x 1 bedroom flats.

- 7.28 Whilst the planning statement suggests that the properties in the development would be offered to key workers and individuals on the housing register, the applicant has offered a commitment to provide 6 affordable rented housing units. Any planning permission would run with the land and not the applicant. The application must therefore be determined and assessed on the basis that 6 affordable housing units would be provided, and not on the grounds of future potential for dwellings to be offered to key workers and those on the housing register.
- 7.29 Given the comments of the independent viability assessor it is considered that the applicant's commitment to providing 6 affordable housing units at the site would be in accordance with the requirements of policy HO3 and the NPPF.

Design, Height and Appearance

- 7.30 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"

- 7.31 The site is surrounded by existing residential development to the north, south and east, much of which is two storey in scale, with a variety of brick, materials and detailing. To the north of the site, properties in Viola Avenue and Vernon Close are older, more mature, traditionally designed and set over two storeys, as are properties in Willowbrook Road and Albain Crescent, located to the south. Greenaway Terrace, located directly to the east contains a row of two storey terraced dwellings with driveways at the front and gardens at the rear. There is a greater mixture of dwellings in Victory Close and Yeoman Drive, with two storey semi-detached and terraced dwellings present, as well as higher density flatted development at Barley Court, Marquis House, Queen Mary House. There is also high density development on the western side of the hospital site in West Plaza.
- 7.32 The unit mix proposed in the development, ranging from two storey terraced dwellings to four storey (with a part five storey element) high density apartments, is considered to be acceptable in this location, given the unit mix in the surrounding area, particularly the high density flatted developments, including at West Plaza.
- 7.33 The placement of windows and balconies, the distances between existing and proposed housing (detailed elsewhere in this report), the use of a variety of materials ranging from traditional brick to more modern reconstituted stone and glass and the use of features such as gables, areas of open space and landscaping, all help to integrate the proposed development with the existing

and to relate to the surrounding development style and character, while taking account of the constraints of redeveloping a site in an urban environment.

- 7.34 It is therefore considered that the proposal would have an acceptable impact upon the character of the area and would meet the requirements of Policies EN1 and SP6 of the CS&P DPD and the NPPF.

Density

- 7.35 Policy HO5 of the CS&P DPD states that within existing residential areas characterised predominantly by family housing rather than flats, new development should generally be in the range of 35 to 55 dwellings per hectare. In areas characterised by a significant proportion of flats, and those containing significant employment areas, this rises to a range between 40 to 75 dwellings per hectare. Policy HO5 further states higher density development may be acceptable where it is demonstrated that the scheme complies with Policy EN1 on design.
- 7.36 The NPPF encourages the optimisation of densities and states that Local Planning Authorities should refuse planning applications which they consider fail to make an efficient use of land.
- 7.37 The development would have a density of approximately 128 dwellings per hectare. The surrounding residential properties located to the north, east and south of the site, are laid out as either 'traditional family scale dwellings' or as flatted developments including Wheat House, Marquis Court and Barley Court. A density in the range of 40 to 75 dwellings per hectare would normally be acceptable in this location, when assessed against policy HO5. However, Policy HO5 allows for higher density developments where a scheme complies with Policy EN1 on design. For the reasons highlighted above, the proposal is considered to be in accordance with policy EN1 in design terms and a higher density is considered to be acceptable.
- 7.38 The proposed density of 128 dwellings per hectare, is considered to represent an acceptable optimisation of the site, in accordance with the objectives of the NPPF. It should also be noted that West Plaza, which is located 250 metres to the west of the site and previously formed part of Ashford Hospital, has a density of 165 dwellings per hectare.
- 7.39 The proposed density is considered to be in accordance with the objectives of the NPPF, and as the development is in accordance with policy EN1, the proposal is also considered to accord with the objectives of policy HO5.

Amenity Space for Residents

- 7.40 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, this guidance states that 35m² of amenity space should be provided per unit for the first 5 units, 10m² should be provided to the next 5 units, and 5m² should be provided to each unit thereafter. It also states that two bedroom semi-detached or terraced dwellings should be provided with a minimum garden area of 60m².

- 7.41 On the basis of the above minimum guidance, there would be a requirement for the 110 apartments to be served by a minimum of 725m² of private amenity space. The plans indicate that all but two of the apartments would be served by either inset or external balconies, or private amenity areas on the ground floors. The Local Planning Authority has calculated that 1082m² of amenity space would be provided across the balconies and private amenity areas serving the ground floor units. This would exceed the LPA's minimum guidelines and is therefore considered to be acceptable.
- 7.42 Further communal amenity space would be provided to residents of Block A in the Central Courtyard, which measures 640m². This would have controlled access and would only be accessible for residents of this block. A further amenity space with controlled access would be provided to Block B, situated to the east of this block. This would measure 540m² in area. Both of these areas would contain incidental play features.
- 7.43 When considered cumulatively with the balconies and private garden areas, the apartments would be provided with amenity space that significantly exceeds the Council's minimum requirements.
- 7.44 The garden areas provided to the dwelling houses in Block C vary from 23m² to 62m². The Council's SPD on design states that two bedroom dwellings should contain a minimum garden area of 60m². It is acknowledged that 4 of the 5 houses would fall short of the Council's minimum requirements. Whilst this is the case, there is a play area and green space within 150 metres of the site, in Victory Close. The applicant's submission documents also identify 6 play spaces within a 15 minute walk of the site, which are considered to partially mitigate this shortfall. On balance, given the siting of the green space in Victory Close, and as the development as a whole would provide amenity space significantly in excess of the Council's minimum amenity space requirements, the level of amenity space provided to the proposed terraced dwellings is considered to be acceptable when weighted against the benefits of the scheme.

Landscape

- 7.45 The applicant has submitted a landscape statement, which details planting at the site boundaries and car parks, as well as in the courtyard of Block A. This is considered to enhance the development and the amenity provided.
- 7.46 The applicant has submitted an Arboricultural Implications Assessment, which states that it would be necessary to fell an Ash Tree and 2 x Horse Chestnuts within the site to enable the development to take place. The Council's Tree Officer has undertaken a site visit, and has commented that the trees are not of particular merit, and that the proposed new planting will compensate for their loss.

Open Space

- 7.47 Policy CO3 of the CS&P DPD states that in new housing development of 30 or more family dwellings the Local Planning Authority will require a minimum

of 0.1 hectares of open space to provide for a children's play area. The policy states that such provision should be increased proportionally according to the size of the scheme. For the purposes of this policy a family unit is defined as having two or more bedrooms.

- 7.48 There would be 79 units across the development that would contain two or more bedrooms. On this basis there would be a requirement for 0.26 hectares of open space to provide children's play spaces.
- 7.49 Incidental play features would be contained in the courtyard of Block A and the amenity space to the east of Block B. Both of these spaces would have controlled access and would not be open to members of the general public. The total area of the courtyard within Block A and the amenity space to the east of Block B would amount to approximately 0.118 hectares. The incidental play areas would form part of this space.
- 7.50 As there would be a shortfall when assessed against the requirements of policy CO3, the LPA has sought a financial contribution from the applicant towards off-site improvements to existing open spaces in the borough. A contribution of £35,000 has been agreed. The applicant's submission documents have also identified 6 play spaces within a 15 minute walk of the site, including a park in Victory Close, which is approximately 100 metres from the site, and this is considered to partially mitigate this shortfall.
- 7.51 Given the proximity of other open public spaces to the site, together with the applicant's financial contribution towards the improvement of off-site existing open spaces, whilst the shortfall in open space when assessed against policy CO3 is acknowledged, on balance the proposal is considered to be acceptable in this regard.

Contaminated Land

- 7.52 The Council's Environmental Health Department has requested that a condition is attached to the decision notice requiring the developer to submit a revised remediation strategy.

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 LPA's SPD on the Design of Residential Extensions and New Residential Development (April 2011), contains a 'back-to-back' guide, which states that there should be a minimum distance of 21 metres between the rear elevations of two storey dwellings where the rear elevations are situated 'back-to-back'. The SPD further states that there should be a minimum distance of 30 metres between the rear elevations of three storey dwellings. The SPD also contains a 'back-to-side' guide, which states that there should be a minimum distance of 13.5 metres between the side elevations and the rear elevations of two storey properties. This minimum distance increases to 21 metres between the

side and rear elevations of three storey buildings. It should be noted that this guide is aimed primarily towards 'traditional suburban dwellings' rather than high density development.

Block A

- 7.55 The south western corner of Block A would contain 5 storeys and would measure a height of 35.8 metres. It would be located approximately 20 metres from the rear elevation of the nearest residential dwelling (no.12 Albain Close). It would also be located approximately 14 metres from the rear boundary of this property. As Block A would be set over 5 storeys at the south-western corner and would incorporate balconies and windows in the southern elevation, it is acknowledged that there would be a degree of overlooking of the existing properties situated to the south of the site. However, given the distance of 14 metres to the rear boundary of the closest residential property to the south (no.12 Albain Close), it is considered that the degree of overlooking would be to an acceptable level.
- 7.56 Block A would breach the Council's 25 degree guide when measured from the rear elevation of the closest residential property to the south (no.12 Albain Crescent). However, this breach is considered to be to an acceptable level and would occur at a distance of 18.5 metres from the rear elevation of this dwelling. Moreover, as there would be a distance of 14 metres between Block A and the rear boundary of the closest property to the south, it is not considered that Block A would have an overbearing impact upon any of the properties located to the south of the site.
- 7.57 Block A would be four storeys at the northern elevation. The northern elevation would contain windows serving habitable rooms as well as balconies. Block A would be located approximately 7.5 metres from the rear garden of the nearest property to the north of the site (no.83 Viola Avenue), although this property contains a relatively long rear garden. As a result of this garden length, Block A would be located some 30 metres from the rear elevation of the dwelling occupying this plot. Given that there would be such a distance between Block A and the closest dwelling to the north of the site, it is considered that Block A would have an acceptable impact upon the light, privacy and amenity of all residential properties in Viola Avenue located to the north of the site. It is also considered that Block A would have an acceptable impact upon Queen Mary Court, a flatted development also located to the north of the site. Moreover, it is considered that Block A would have an acceptable impact upon the amenity of all further surrounding dwellings.

Block B

- 7.58 Block B, which would be set over three storeys, would incorporate second floor windows in the eastern flank serving bedrooms and living rooms. In the case of flat '2101', these windows would be within 7 metres of the flank boundary of the rear garden of no. 18 Victory Close, which is the closest residential property to the east. The LPA raised concerns with the applicant that this could have resulted in opportunities for overlooking. In response, the applicant submitted a plan showing planting along the boundary, which would partially mitigate the possibility for overlooking by providing a degree of

screening. However, this planting could get damaged or be removed over time and this in itself would not overcome overlooking concerns.

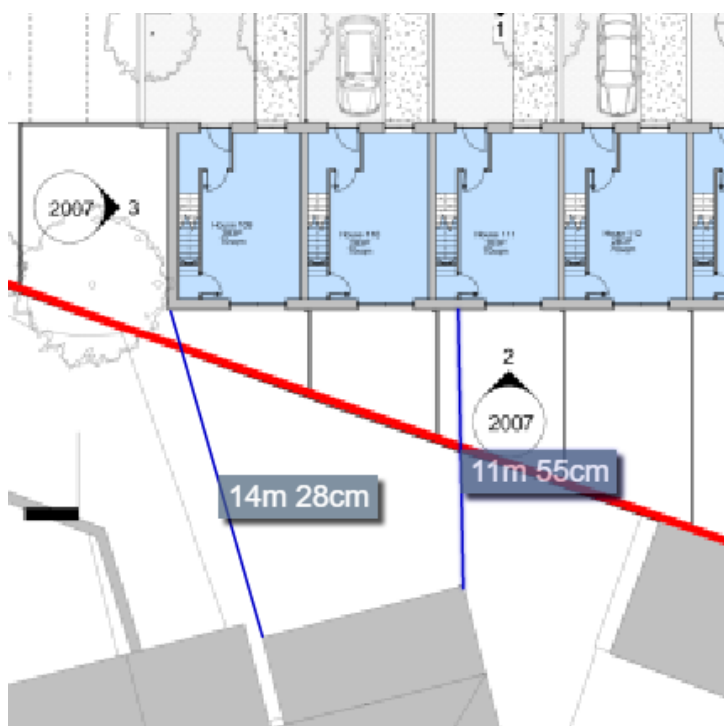
- 7.59 The LPA must undertake a planning balance exercise. The LPA cannot demonstrate a 5 year housing supply and the construction of 115 residential units would make a significant contribution towards increasing housing supply. The NPPF states that planning decisions should apply a presumption in favour of sustainable development, and where a Local Authority cannot demonstrate a 5 year housing supply, planning permission should be granted unless the impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.
- 7.60 In this instance, it is acknowledged that the incorporation of second floor windows and a three storey building within 7 metres of the boundary does not meet the guidance. However, on balance, the harm this would cause is not considered to significantly and demonstrably outweigh the benefits of the contribution of 115 additional residential units to the Council's 5 year housing supply. On balance, the relationship of Block B with 18 Victory Close is therefore considered to be an acceptable compromise.
- 7.61 It was established during the site visit that the rear elevation of no.18 Victory Close contains windows and a set of double doors. When measured from the centre of the double doors, Block B is not considered to breach the Council's 45° vertical guide. On planning balance, the impact of Block B upon properties to the east of the site is therefore considered to be acceptable.
- 7.62 At the closest point Queen Mary Court would be situated approximately 10 metres from the north-western corner of Block B falling short of the Council's guideline separation distances. However, Queen Mary Court would not be situated perpendicularly to Block B and would be set at an angle. There would also be no window openings in the northern elevation of Block B. Given the orientation and layout of Queen Mary Court, and distance to Block B, on planning balance there is considered to be a satisfactory relationship
- 7.63 There is also considered to be an acceptable relationship between Block A and Block B because of the distance between them.

Block C

- 7.64 Block C would contain a row of 5 x 2 bed terraced dwellings that would be set over two storeys. This block would also contain 2 x 2 bed apartments that would be located at the east of the block.
- 7.65 At the closest point, the rear elevation of Block C would be situated approximately 1.6 metres from the rear boundary of the nearest residential dwelling (40 Willowbrook Road). However, this property has an irregular rear boundary, and its rear elevation is not orientated perpendicularly to the rear elevation of Block C.
- 7.66 At the closest 'back-to-back' point, the rear elevation of Block C would be situated approximately 11.55 metres from the rear elevation of 40

Willowbrook Road. This separation distance would fall significantly short of the Local Planning Authority's 21 metre 'back-to-back' guidance.

- 7.67 At the point where the rear elevation of Block C would be located 1.6 metres from the boundary, Block C would be situated 14.28 metres from the rear elevation of 40 Willowbrook Road, as illustrated below.



- 7.68 Block C would partially breach the Council's 25 degree guide, when measured from the rear elevation of the nearest residential dwelling at 40 Willowbrook Road. However, this breach is marginal and is not considered to be to an unacceptable level.
- 7.69 In terms of overlooking, all of the first floor rear windows to the terraced dwellings in Block C, would serve either bathrooms or landings, which do not constitute habitable rooms. A condition is therefore recommended to be attached to the decision notice, which requires these windows to contain obscure glazing. This would prevent opportunities for overlooking.
- 7.70 As a result of the 11.55 metre 'back-to-back' separation distance to the nearest residential property, it is not considered that Block C would have an overbearing impact on properties to the south of the site.
- 7.71 As noted above, the LPA cannot demonstrate a 5 year housing supply and a the NPPF states that a 'titled balance' approach must be adopted, where planning permission should be granted unless the harm of doing so would significantly and demonstrably outweigh the benefits of the scheme.
- 7.72 The relationship between Block C and the no.40 Willowbrook Road would not be ideal and would fall significantly short of the Council's 21 metre 'back-to-back' guidance. However, given the 11.55 metre separation distance to the rear elevation of 40 Willowbrook Road, and on the basis that an obscure

glazing condition is attached to the decision notice, it is not considered that the harm of the shortfall in the back-to-back separation distance, would significantly and demonstrably outweigh the benefits of the provision of 115 residential units in this location.

- 7.73 The first floor apartment at the east of Block C would contain two first floor windows in the rear elevation that would serve a combined kitchen and living room. The windows would be located some 7.5 metres from the rear boundary of no.27 Willowbrook Road. On balance it is not considered that this would result in unacceptable opportunities for overlooking, particularly as an outbuilding is situated at the rear of no.27 Willowbrook Road, alongside the boundary, which would mitigate any adverse impacts.
- 7.74 Block C is considered to have an acceptable impact upon the amenity of all further neighbouring and adjoining properties and would be in accordance with policy EN1 in this regard.

Parking

- 7.75 Under the requirements of the Councils Parking Standards SPD (2011), a total of 167.5 parking spaces (rounded up to 168) would normally be required to serve the development, 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 (under 80 m ²)	2.25	1.75

- 7.76 Policy CC3 of the CS&P DPD requires adequate provision of off-street parking.
- 7.77 The development would provide 117 off street car parking spaces, which would result in a parking ratio of just over 1 car parking space per dwelling. This would fall 51 spaces short of the minimum requirements set out in the Local Planning Authority's Parking Standards SPD.
- 7.78 The Parking Standards SPD states that a reduction in the minimum standards will be allowed in the Borough's 4 town centres where transport accessibility is generally high. It further indicates that any reduction will need to be assessed against the relevant factors such as distance from public transport modes, frequency and quality of bus and train services, the availability and quality of cycle and pedestrian routes and the range of facilities supportive of residential development within a reasonable walking distance.
- 7.79 It is acknowledged that the site is not located within any of the Boroughs 4 town centres. However, the applicant's submission documents state that the site is located between 375 and 475 metres from bus stops in Town Lane, with additional bus stops in Stanwell Road, which are some 600-640 metres from the site. The site is also located approximately 1350 metres from Ashford Train Station, which is considered to be in reasonable walking distance (approximately 20 minutes).

- 7.80 The applicant has also listed a number of amenities within close proximity of the site, which include the Tesco Superstore and Ashford Hospital, which adjoin the site, as well as a community centre and a number of education facilities.
- 7.81 The applicant has used census data to estimate car ownership for the development and to provide a justification for the shortfall against the LPA's requirements, which is based on typical car ownership of similarly sized houses and apartments within the same ward as the development site. On the basis of census data for similarly sized dwellings, it was calculated that there would demand to be for 117 car parking spaces. This was based on the following average car ownership per unit:

1 x bed apartment	2 x bed apartment	3 x bed apartment	2 x bed dwelling house
0.84 cars per dwelling	1.10 cars per dwelling	1.19 cars per dwelling	0.94 cars per dwelling

- 7.82 The Local Planning Authority has consulted the County Highway Authority, which noted that the applicant had used census data to justify the shortfall against the Parking Standards SPD. The CHA further commented that assuming none of the parking spaces are allocated (the applicant has confirmed they would not be allocated), the parking provision should be sufficient to accommodate parking demand. However, the CHA also commented that Greenway Terrace and other roads around Victory Close do not have capacity to accommodate additional parking should the demand exceed the number of spaces.
- 7.83 As the Council cannot demonstrate a 5 year housing supply, the NPPF states that a 'tilted balance' approach must be adopted, where planning permission should be granted unless the harm of doing so would significantly and demonstrably outweigh the benefits of the scheme. Whilst the development would fall 51 car parking spaces short when assessed against the LPA's Parking Standards SPD, the scheme would add 115 units to the Council's 5 year housing supply, would be a short distance from nearby amenities including Ashford Hospital and the Tesco Superstore, and would be within reasonable walking distance of bus stops in Town Lane and Stanwell Road as well as Ashford Train Station. When weighing the planning balance of the scheme, it is considered that the parking ratio would be acceptable in this instance, particularly when taking into account the applicant's census data on car ownership in the surrounding ward.
- 7.84 The applicant's submission states that there would be 115 cycle parking spaces. This would be in accordance with the Council's Parking Standards SPD, which requires 1 space per dwelling.
- 7.85 It is noted that the development would result in a loss of 113 staff parking spaces serving Ashford Hospital. As Ashford Hospital falls outside the applicant's ownership and the submission documents indicate that the car park is surplus to the NHS's requirements, it is not considered that a an

objection could be sustained on the basis of the displacement of staff parking for the hospital.

- 7.86 The applicant's submission documents state that a maximum of 69 staff vehicles were observed presently using the car park. The applicant has further stated that the NHS is reconfiguring the main hospital car park to accommodate 79 additional spaces, with a plan submitted showing the layout. As this falls outside of the application site, the LPA would have no planning control over reconfiguration of the main car park. In any event, it is not considered that an objection could be sustained on the car parking arrangements of the existing hospital, as the application site no longer falls within the ownership of the hospital and is in effect now a separate site.

Electric Vehicle Charing Points (EV points)

- 7.87 The County Highway Authority, through its document entitled '*Surrey Vehicular and Cycle Parking*' (January 2018), recommend that in new developments, 1 fast EV charging socket should be provided per house, and that 20% of all spaces available to flats are fitted with a fast charge socket, with a further 20% being provided with a power supply to provide additional fast charging points.
- 7.88 The County Highway Authority and the Council's Environmental Health Department (Air Quality) both recommended that 1 EV space is provided per house (5 EV points), and 20% of the spaces available to the flats should contain EV charging points (22 EV points).
- 7.89 The applicant has agreed to provide all 27 of the EV charging points upon occupation (5 for the houses and 22 for the flats). This is considered to be in accordance with the objectives of the Surrey guidance.
- 7.90 The applicant has also agreed to 'future proof' a further 22 spaces, in accordance with the Surrey guidance to provide a power supply to a further 20% of the spaces.

Transportation Issues

- 7.91 Policy CC2 of the CS&P DPD states that the Local Planning Authority will seek to secure more sustainable travel by amongst other things, only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account the capacity of the local transport network, the cumulative impact, access and egress to the public highway and highway safety.
- 7.92 The NPPF also states that development should only be refused or prevented on highway grounds if there would be an unacceptable impact upon highway safety or the residual cumulative impacts on the road network would be severe.
- 7.93 The applicant submitted a Transport Assessment, which contained traffic generation details of the existing car park and nursery, as well as projections for the proposed development.

- 7.94 The LPA consulted Highways England, which initially required further details on how the development would impact the M25 and A30 during the AM and PM peak hours. Highways England also requested further details on how the development would impact a mini-bus service operating between Ashford and St Peter's Hospital's, as it was agreed as part of a planning permission in Runnymede at St Peter's Hospital (RU.17/1815) that staff at St Peter's Hospital would utilise parking at Ashford Hospital, with a mini-bus being used to transport staff back to Chertsey. However, as the application site has now been sold and is no longer owned by Ashford Hospital, the LPA advised Highways England that it was unlikely that an objection could be sustained on the basis of a mini-bus service and parking at the hospital, which falls outside of the ownership of the applicant.
- 7.95 To address Highways England's concerns the applicant submitted an addendum to the Transport Assessment, which states when calculated using TRICs data, the 115 proposed units would generate 30 two way vehicle movements in the AM peak hour and 27 two way vehicle movements in the PM peak hour. The Addendum also detailed the predicted impact of the development on surrounding roads, including the A30, A308 and M25. It suggests in the AM peak, 8 additional vehicles would use the Crooked Billet Junction as a result of the development, and 7 additional vehicles would use this junction in the PM peak. It further suggests that 4 additional vehicles would use both Junction 13 and Junction 14 of the M25 in the AM peak and 3 vehicles additional vehicles would use both of these junctions in the PM peak.
- 7.96 The applicant also submitted a Technical Note on the mini-bus arrangements. This stated that a maximum of 69 vehicles had been observed using the car park (subject to the present application). The Technical Note further stated that these spaces could be accommodated within the main Ashford Hospital Car Park (note the applicant has since indicated that 79 additional spaces are being provided in the main car park). In any event, as the application site is no longer under the ownership of Ashford Hospital, it is not considered that the application could reasonably be recommended for refusal on the basis of the car parking arrangements for a site that falls outside of the ownership of the applicant.
- 7.97 Highways England accepted that its initial concerns over car parking generated by planning permission RU.17/1815 (in Runnymede), could not be taken into account, as Ashford Hospital falls outside of the applicant's ownership. Highways England further stated that based on the TRICs data in the Transport Addendum, the proposal would have a negligible impact upon Junction 13 and 14 of the M25. Highways England was therefore satisfied that the proposal would have negligible impact upon the strategic road network and stated that there are no objections to the proposal.
- 7.98 The County Highway Authority considered that based upon survey data from the West Plaza Development, the development was likely to generate 31 AM peak vehicle movements and 22 PM peak vehicle movements. The CHA commented that this may increase queueing on Town Lane, although the CHA did not object to the proposal on this basis.

- 7.99 The CHA also requested that condition is attached to the decision notice requiring improvements to pedestrian facilities to and from the development in Town Lane. It was further noted that the section of Town Lane immediately adjoining the site is a private road. The LPA therefore required the applicant to include this section of Town Lane within the red site boundary to the point where Town Lane is a public road, and further required the applicant to serve notice with anyone with an interest in this land. As such an amended site location plan was submitted.
- 7.100 Given the comments of Highways England and the County Highway Authority, it is considered that the proposal would be in accordance with the requirements of Policy CC2 and the NPPF in highways terms.

Waste & Recycling

- 7.101 Policy EN1 of the CS&P DPD, states that proposals for new development will need to demonstrate that they will incorporate provision for the storage of waste and recyclable materials.
- 7.102 The Spelthorne document entitled 'Guidance on the storage and collection of Household Waste' states that communal wheeled bins should be provided for refuse and recycling and should have a total capacity based on 2 x 240 litres per property. On this basis the development would normally be required to have a minimum bin storage capacity of 55,200 litres.
- 7.103 The applicant has stated that the development would be provided with 26 x 1100 litre 'Eurobins'. This would equate to a capacity 28,600 litres falling short of the minimum requirements. However, the Council would normally undertake bin collections on a fortnightly basis. The applicant has stated in order to overcome the shortfall in bin storage capacity, an additional fortnightly collection would need to be arranged by a commercial company on alternate weeks to the Council's collection dates. This would mean that bin storage capacity on site could be halved.
- 7.104 The LPA consulted the Council's Head of Neighbourhood Services who commented:

"The developers accept that an alternate weekly collection will be carried on this site by Spelthorne as part of its statutory requirement and in line with the Councils waste policy. Due to the reduced number of bins being made available for use by residents the developer undertakes to carry out an additional alternate weekly collection at their own cost.

*Week 1 Spelthorne BC rubbish & recycling, plus food textiles & WEE
Week 2 Developers contractor rubbish & recycling, plus food textiles & WEE*

On this basis I accept the proposals"

- 7.87 The applicant agreed that collections would be undertaken by Spelthorne fortnightly and by their contractor on alternate weeks and has submitted plan 1345/PL/0105 to demonstrate this. On this basis the proposal is considered to be satisfactory in terms of refuse and recycling.

Air Quality

- 7.105 Policy EN3 of the CS&P DPD seeks to improve air quality within the Borough and minimise harm from poor air quality.
- 7.106 The applicant has submitted an Air Quality Assessment to assess the air quality implications of the proposed development. The assessment considers that there would be no significant effects at any existing sensitive receptors.
- 7.107 The Council's Pollution Control Officer has assessed the application and has recommended that a financial contribution of £ 14,800 is sought from the developer for local off-site air quality mitigation.
- 7.108 The Pollution Control Officer also stated that the development is likely to generate high amounts of dust and dust management plan should therefore be secured by condition.

Archaeology

- 7.109 The County Archaeology Officer was consulted and initially requested further information.
- 7.110 A Heritage Impact Assessment was later submitted by the applicant, which indicated a need for further investigative work. However, as the assessment identified that it is unlikely that any archaeological assets of national significance requiring preservation would be present, the Officer did not consider that this work was necessary prior to determination and could be secured by condition. The applicant submitted a further written scheme of investigation, although the Archaeology Officer advised that the condition would still be necessary. It is therefore recommended that a condition is attached to the decision notice.

Flooding

- 7.111 The site is not located in a flood zone. The Local Planning Authority Consulted the Environment Agency, who raised no objections.

Renewable Energy

- 7.112 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.
- 7.113 The applicant has submitted an Energy Statement with the submission. This considers a number of measures for meeting renewable energy demand, including wind, photovoltaics, solar thermal systems, biomass heating, ground and air source heat pumps and combined heat and power. The report

proposes the use of photovoltaic panels. A 65kWp array (equating to approximately 250 panels), is proposed to ensure that over 10% of the development's energy demand is met by on site renewable energy sources.

- 7.114 The Council's Sustainability Officer was consulted and stated that they are satisfied that the renewable energy requirement would be met. It is recommended that this is secured by condition.

Biodiversity

- 7.115 Policy EN8 of the CS&P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by safeguarding Sites of international and national importance, ensuring that new development wherever possible contributes to an improvement in biodiversity avoiding harm to features of nature conservation interest. The policy further states that permission will be refused where development will have significant harmful impacts on features of nature conservation interest.

- 7.116 The applicant has undertaken an Ecological Appraisal, which has included a Desk Study and Phase 1 Habitat Survey. The report concludes that the development would not significantly impact nearby Natura 2000 Sites, Sites of Special Scientific Interest, or Sites of Nature Conservation Importance. It further stated that the site presently contains urban habitats with low ecological value.

- 7.117 The applicant has also submitted a Bat Survey Report, which recorded no bats leaving the site.

- 7.118 The Local Planning Authority Consulted Natural England, which considered that the application would not have an adverse effect on the integrity of Staines Moor Site of Special Scientific Interest (SSSI), which forms part of South West London Waterbodies Special Protection Area (SPA). Natural England therefore had no comments to make.

- 7.119 The Local Planning Authority also consulted the Surrey Wildlife Trust, which commented that the LPA should consult Natural England for advice on whether the application would comply with European Legislation, and whether the scheme would impact Staines Moor SSSI. Given the comments of Natural England noted above, the proposal is considered to be acceptable in this regard.

Other Matters

- 7.120 The Council has notified Heathrow Safeguarding who has raised no objections, although two informatives have been requested in relation to cranes and wind turbines.

- 7.121 It should be noted that the applicant made a presentation to members on 19 February 2020 outlining their proposals.

Equalities Act 2010

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

7.123 The elimination of discrimination, harassment and victimisation;
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights Act 1998

7.124 This planning application has been considered against the provisions of the Human Rights Act 1998.

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

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

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

Finance Considerations

7.128 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.

7.129 As the application site is located in CIL Zone 1 and as the scheme is providing in excess of 15 units and is subject to assessment against policy HO3, the application would not be liable to any CIL charges.

7.130 In consideration of S155 of the Housing and Planning Act 2016, the proposal would result in the following financial contributions:

- £14,800 be used as a contribution towards the provision of public electric vehicle (EV) charging infrastructure.
- £35,000 be sought to improvements to existing off-site open spaces.

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

It is considered that the proposal makes effective use of urban land in a sustainable location. It would have an acceptable impact on the highway network and the level of parking is considered to be appropriate for this location with amenities and public transport opportunities within reasonable walking distance of the site. 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.

9. Recommendation

(A) To GRANT planning permission subject to the completion of a Section 106 Legal Agreement to secure the following Heads of Terms, delegated to the Planning Development Manager:

1. To provide at least 6 on site affordable rented units (2 x 1 bedroom x 2 person, 4 x 2 bedroom x 4 person) upon occupation of 50 of the units;
2. A Commuted Sum of £1,778 index-linked from completion of the S106 agreement with payment due on first occupation;
3. A financial contribution of £14,800 be sought towards local off-site air quality mitigation with payment due on first occupation.
4. A financial contribution of £35,000 be sought towards off-site open space improvements within Spelthorne.

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 satisfactory mitigation for the air quality impacts resulting from the development, contrary to policy EN3 of the Core Strategy and Policies DPD 2009, and the principles set out in the National Planning Policy Framework.
3. The development would provide an inadequate level of open space contrary to Policy CO3 of Policy CO3 of the Core Strategy and Policies DPD 2009.

(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 two years from the date of this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1345/PL/0001 1345/PL/0002 1345/PL/1006 1345/PL/1007 1345/PL/1008 1345/PL/1009 1345/PL/1010 1345/PL/1011 1345/PL/1019 1345/PL/1012 1345/PL/1013 1345/PL/1014 1345/PL/1015 1345/PL/1016 1345/PL/1017 1345/PL/1018 1345/PL/1020 1345/PL/1021 1345/PL/1023 1345/PL/2002 1345/PL/2003 1345/PL/2004 1345/PL/2005 1345/PL/2006 1345/PL/2007 1345/PL/2000 1345/PL/2001 1345/PL/3000 (Received 26.07.2019) 1345/PL/0105 (Received 04.12.2020) 1345/PL/1022 REV A (Received 11.02.2020) 1345/PL/1000 1345/PL/1001 REV D 1345/PL/1002 REV D 1345/PL/1003 REV D 1345/PL/1004 REV D (Received 19.02.2020)

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 Details of the layout of the Play Areas and the equipment to be installed shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved details prior to the first occupation.

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 The development hereby permitted with the exception of demolition to slab level, 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. Tests should be completed in the location of the proposed soakaways.

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 (Pre, Post and during), associated storage volumes shall be provided using an infiltration based strategy.

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 features (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.

- 8 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.

- 9 No development, with the exception of demolition to slab level, shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interests of the archaeological potential of the site in accordance with Saved Policy BE26.

- 10 The development shall not be occupied until window glazing is installed to the elevations facing Tesco's service yard in accordance with the following table:

Minimum Acoustic Performance for Glazing Systems (SRI, dB)						Rw (Ctr), dB
@ Octave Band Centre Frequency (Hz)						
125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	
23	26	35	43	48	55	39 (-6)

Reason: To ensure that future occupiers of the premises do not suffer a loss of amenity by reason of noise nuisance.

- 11 The development hereby approved shall be carried out in accordance with the mitigation and biodiversity recommendations as set out in paragraph 5.4 of the Ecological Appraisal 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.

- 12 There shall be no direct access for vehicles (other than emergency vehicles) between the site and Greenaway Terrace, unless otherwise agreed in writing by the Local Planning Authority.

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

- 13 A waste management strategy shall be submitted to and approved in writing by the Local Planning Authority and 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.

- 14 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 †.

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.

- 15 Following construction of any groundwork and foundations, no construction of development above damp 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 each 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.

- 16 Prior to the occupation of the development hereby permitted the first floor windows on the southern elevation(s) of the units labelled House 109, House 110, House 111, House 112 and House 113 in Block C, as shown in plan 1345/PL/1021 and 1345/PL/1022, shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. These windows shall thereafter be permanently retained as installed.

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

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

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

- 18 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 said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: in order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2019, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 19 Prior to the occupation 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". Thereafter the approved Travel Plan shall be implemented upon first occupation of the site 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: In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2019, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 20 The development hereby approved shall not be first occupied unless and until pedestrian and cyclist facilities shown on drawings 19008-01-006 Rev A, and AH-CP-19-P1 Rev A03, have been constructed, and shall be permanently available to residents of the development and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2019, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 21 The development hereby approved shall not be occupied unless and until at least 27 of the available parking spaces, including one for each of the proposed terraced houses in Block C and 22 for the occupiers of the apartments, are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme must also detail how 22 of the additional spaces will be provided with electricity for the future provision of EV charging points.

Reason: In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2019, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 22 No development, with the exception of demolition to slab level, shall take place until a written method statement for the remediation of land and/or groundwater contamination affecting the site has been 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.

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

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

NOTE

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

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

- 24 No part of the development shall begin until a Dust Mitigation Plan providing a programme for the suppression of dust during the construction of that part (including demolition of existing buildings) and including a dust monitoring strategy, has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of demolition and construction unless any variation has been approved by the Local Planning Authority.

Reason: in the interests of residential amenity and in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 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 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.
- 4 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.
- 5 **Cranes**
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/>)
- Wind Turbines**
Wind Turbines can impact on the safe operation of aircraft through interference with aviation radar and/or due to their height. Any proposal that incorporates wind turbines must be assessed in more detail to determine the potential impacts on aviation interests. This is explained further in Advice Note 7, 'Wind Turbines and Aviation' available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>
- 6 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.
- 7 Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works

do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

- 8 The energy plant installed within the development should meet the specifications set out in Technical Guidance Note D1 (Dispersion) (1993), including the guidance set out at paragraph 7.9 of the AQC, June 2019, Air Quality Assessment
- 9 Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILE) Guidance for the Reduction of Obtrusive Light (January 2012)