

# Planning Committee

21 July 2021



<b>Application No.</b>	20/01483/FUL		
<b>Site Address</b>	487 - 491 Staines Road West Ashford TW15 2AB		
<b>Applicant</b>	Mrs L O'Rourke on behalf of Herons Rest Developments Limited		
<b>Proposal</b>	Planning application for the erection of 11 no. apartments comprising 8 no. 2 bed units, 1 no. one bed units and 2 no. studio apartments with associated car parking, landscaping and amenity space. following demolition of existing bungalows and outbuildings.		
<b>Officers</b>	Kelly Walker		
<b>Ward</b>	Ashford East		
<b>Call in details</b>	N/A		
<b>Application Dates</b>	Valid: 07/12/2020	Expiry: 08/03/2021	Target: Extension of time agreed
<b>Executive Summary</b>	<p>This planning application seeks the demolition of the existing dwellings and outbuildings on the site and the erection of 11 no. apartments comprising 8 no. 2 bed units, 1 no. one bed units and 2 no. studio apartments with associated car parking, landscaping and amenity space. The proposal is considered to pay due regard to the design, scale and character of the area, making a positive contribution to the street scene. It will be a sustainable form of development, meeting a need for housing on a brownfield site. The proposal provides 19 parking spaces and a generous sized area of amenity space to the rear of the site. The proposal is considered to provide a good standard of amenity for future occupants and will have an acceptable impact on existing residential properties. As such, there are no adverse impacts that would significantly and demonstrably outweigh the benefits when taking the 'tilted balance' into account. The application is considered to be acceptable and is recommended for approval.</p>		
<b>Recommended Decision</b>	The application is recommended for approval subject to conditions.		

# MAIN REPORT

## 1. Development Plan

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

- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO4 (Housing Size and Type)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (Development and Noise)
  
- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

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

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

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

## 2. Planning History

2.1 There is no relevant planning history.

## 3. Description of Current Proposal

3.1 The application site is located on the northern side of Staines Road West and is a large rectangular plot occupied by 3 detached bungalows. Although the individual plots are relatively narrow, they are deep, all in excess of 50m in length as there are long rear gardens behind the dwellings. There are some

outbuildings located to the rear adjacent on the rear boundary and all properties have hardstanding to the front for off street parking. The bungalows themselves each has a pitched roof.

- 3.2 Adjacent to the application site, on Staines Road West, are other detached modest bungalows and 2 storey dwellings. To the east is No. 485 which is a 2 storey detached dwelling with a single storey garage jutting forward closer to the road. There is a row of 2 storey terraced dwellings beyond, set further back from the road. To the west is No. 493 which is a low level bungalow with a window in the first floor front gable. Adjacent to this are a pair of semi-detached houses and then the high-density small units on the corner of Staines Road West and Pippins Court. This type of small residential unit is also contained within Pippins Court, to the west of the application site. To the north are the rear gardens and semi-detached dwellings at Caroline Court.
- 3.3 The road is a dual carriageway and as noted above, the plot is surrounded by residential properties, in the urban area. On the opposite side of the road is the Queen Mary Reservoir. The site comprises an area of 0.14 ha.
- 3.4 The proposal has been amended from the originally submitted scheme, at the officer's request, which was for 14 dwellings, by reducing the number of units and overall scale of the development and removing the under-croft access road, which went beneath part of the proposed building.
- 3.5 The proposal as amended is for the demolition of the existing buildings on site and the erection of a building over three floors to provide 11 flats (8 x two bed units, 1 x one bed unit and 2 x studio apartments). The building will front the highway, in a similar position to the existing bungalows and be set back from the road. It will have a pitched roof, sloping in from the front side and rear, with 2 gable features on the front elevation, with two balconies to the front. It will have a lower eaves height on the western side, where it adjoins the site of the existing bungalow.
- 3.6 Parking for 14 cars will be provided to the rear of the proposed flats, accessed via a new access road to the east side of the proposed building onto Staines Road West. There will also be 2 disabled car parking spaces provided at the front of the site, and some landscaping to help to soften the appearance of the built form and parking spaces. In addition, it will provide refuse and cycling parking facilities.
- 3.7 The proposed indicative site layout is provided as an Appendix.

#### 4 Consultations

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

Consultee	Comment
County Highway Authority	No objection recommends conditions
County Archaeological Officer	No objection
Environment Agency	Advised no comments to make
Head of Street Scene	No objection

(refuse)	
Tree Officer	No objection
Crime Prevention Officer	No objection makes a number of detailed security related comments.
Surrey Wildlife Trust	No objection, recommend conditions
Sustainability Officer	No objection
Thames Water	No objection
Local Lead Flood Authority (Surrey County Council)	No objection recommends condition
Environmental Health Officer (Air Quality)	No objection recommends condition
Environmental Health Officer (Contamination)	No objection recommends condition

## 5. Public Consultation

5.1 A total of 6 properties were notified of the planning application. Furthermore, a statutory site notice was displayed, and the application was advertised in the local press. Letters of representation have been received from 3 separate properties, 2 of which were not objecting but raising a number of questions about the scheme. It is important to note that no further letters were received following the submission of the amended plans and the re-notification of neighbours. The following issues were raised: -

- overdevelopment/too big/density too high
- overlooking
- security/anti-social behaviour
- proximity of car parking to fence – noise and pollution
- planting scheme concern cause loss of light but good for privacy
- concerns lighting will cause light pollution
- Position of bins obstructing sight lines
- Loss of sunlight due to height and scale of building.

5.2 In addition, SCAN has commented that the design and access statement claim the flats comply with Building Regulations M4(2) (Category 2 - accessible and adaptable dwellings) yet a lift has not been provided. There are various other unsatisfactory aspects of the design which are noted in relation to M4(2) (including the main entrance door arrangement, room layouts etc.). It is requested that a planning condition is imposed to ensure compliance with M4(2). This letter also considers that the proposal is inaccessible to wheelchair users, which is contrary to the Equality Act 2010 and contravenes Council policies in that regard.

5.3 It should be noted that the matters relating to M4(2) could be resolved at the Building Regulation stage. The Equality Act is considered in section 7 below.

## 6. Planning Issues

- Principle of the development
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Renewable energy
- Dwelling mix
- Flooding
- Trees/Ecology
- Air quality/contaminated land

## 7. Planning Considerations

### Housing Land Supply

7.1 When considering planning applications for housing, local planning authorities should have regard to the government's requirement that they significantly boost the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF) 2019.

7.2 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five year housing land supply should be measured against the area's local housing need calculated using the Government's standard method<sup>1</sup>. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 606 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.

7.3 The NPPF requires a local authority to demonstrate a full five year supply of deliverable sites at all times. For this reason, the base date for this assessment is the start of the current year 1 April 2021, but the full five year time period runs from the end of the current year, that is, 1 April 2022 to 31 March 2027. The 20% buffer will therefore be applied to this full period. National guidance sets out that the buffer should comprise sites moved forward from later in the plan period. A 20% buffer applied to 611 results in a figure of 733 dwellings per annum, or 3666 over five years.

7.4 In using the objectively assessed need figure of 733 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

---

<sup>1</sup> Planning Practice Guidance Reference ID: 68-005-20190722

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.

- 7.5 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised five year housing land supply figure. Spelthorne has identified sites to deliver approximately 3513 dwellings in the five year period.
- 7.6 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.79-year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.
- 7.7 Government guidance (NPPF para 73) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years". In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority's five year land supply and a presumption in favour of sustainable development if the figure is below 75%. The Housing Delivery Test result for Spelthorne Borough Council was published by the Secretary of State in January 2021, with a score of 50%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of sustainable development because the test score of 50% is less than the 75% specified in the regulations. The figure of 50% compares with 60% last year and 63% in 2019. The Council's Housing Delivery Test Action Plan will be updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.
- 7.8 As a result of the above position in Spelthorne relating to the five year housing land supply and the recent Housing Delivery Test, 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*'.

#### Principle of the development

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

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

- 7.10 This is also reflected in the NPPF paragraph 117 which emphasises the need for the effective use of land in meeting the need for homes, whilst safeguarding the environment and provides further relevant context at paragraph 122 in respect of achieving appropriate densities.
- 7.11 The site is located within Ashford, in the urban area on a previously developed site, on Staines Road West which has a number of bus routes. It is not located within a high flood risk area or the Green Belt. The site is occupied by dwellings currently and is also surrounded by residential uses, including flats to the east. Therefore, the principle of creating 11 new residential flats is considered acceptable. Furthermore, the proposal is considered to comply with the aims of National Planning Policy Framework (NPPF) and makes efficient use of urban land. The principle of the development is, therefore, acceptable, provided other policies requirements are met as discussed further below.

#### Housing density

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

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

- 7.13 Policy HO5 specifies densities for sites within existing residential areas that are characteristic of predominantly family housing rather than flats, new development should generally be in the range of 35 to 55 dwellings per hectare. It is important to emphasise that the density ranges are intended to represent broad guidelines and the policy also advises that higher density development may be acceptable where it is demonstrated that the development complies with policy EN1.
- 7.14 The NPPF and policy HO1 advises that planning decisions should make an effective use of land in meeting the need for homes. This should be on brownfield land in sustainable locations. Para 123 of the NPPF advises that ‘...Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.’ Further noting in part c) that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies
- 7.15 The proposal is for 11 flats. The site area is some 0.14 hectares and will therefore result in a density of 78 dwellings per hectare. Although above the recommended amount in policy HO5, this policy does permit higher densities where a development complies with policy EN1 on design particularly in terms of the character of the area and is in an accessible location.

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

Dwelling mix

- 7.17 Policy HO4 of the CS & P DPD (Housing Size and Type) states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments that propose four or more dwellings to include at least 80% of their total as one- or two-bedroom units. The Supplementary Planning Document "Housing Size and Type" 2012, notes that, '*...where there is a predominance of larger dwellings a mix with less than 80% one- and two-bedroom dwellings may be appropriate with a greater proportion of 3 bedroom dwellings. However, the majority should still have one and two bedrooms.*'
- 7.18 The application provides all units as studios or 1 and 2 bed. As such this equates to 100% of the units as small units and as such the proposal complies with the requirements of Policy HO4 and is acceptable.

Design and appearance

- 7.19 Policy EN1a of the CS & P DPD states that "*the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.*"
- 7.20 The existing buildings on the site consist of 3 no detached bungalows, all with pitched roofs but of no distinct design features. Staines Road West is a dual carriageway and at this point has the Queen Mary Reservoir located on the opposite side of the road. The locality consists of modest residential properties over single and two storeys. Further to the west is Ashford Manor Golf Course and to east the road becomes more varied in character, with commercial units interspersed between mostly residential and larger in scale. properties, including blocks of flats over three storeys, including that at Newman Court, to the east of the application site. Properties have no distinct design style; however, most have pitched roofs and contain a variety of materials.
- 7.21 The proposed replacement building consists of 1 building over 3 storeys fronting Staines Road West. It will have a pitched roof, sloping in from the sides, with 2 gable features on the main part of the building facing the road, projecting forward of the main built form to provide some interest in the front elevation. It will also provide roof lights in the roof at second floor level. The western side will have a lower eaves height, coming down to some 4m in height to take account of the low-level bungalow located adjacent to the west. There will be a gap of approx. 2.3m between the proposed building and the existing bungalow to the west at no 493. There will be an access road on the eastern side of the proposed building, with the building set in some 7.5m from

the eastern side boundary with a gap of some 9m between the proposed building and the adjacent 2 storey house to the east at no 485 Staines Road West. This helps to maintain the gaps between the built form which is characteristic of the street scene. Although taller than adjacent properties, the building is set in from the side boundaries and the roof slopes away from all sides. The road is wide, being a dual carriage way and contains a mix of styles of buildings including houses, flats and commercial uses. As such the amended scheme with a lower height width and overall scale, in particular when compared to the originally submitted scheme, is considered to integrate well with the street frontage along this part of Staines Road West. It is also important to note that there are flats, which are larger in scale and commercial uses further along Staines Road West to the east. In particular, Newman Court is a block of flats over 3 storeys of accommodation, is located approximately 45 m to the east of the application site. The proposed materials will include red and dark red brick and off-white render with grey plain tiles for the roof.

- 7.22 The design will display features of neighbouring properties, in particular the sloping roofs, traditional materials and the building line to the road frontage. Therefore, the proposed design, scale and layout will pay due regard to that of the neighbouring sites and is considered to be an acceptable development within the character of the area. Although there is a relatively large flat roofed section, the roof slopes in from all sides and this will not be particularly prominent from the street scene.
- 7.23 The proposed property will have a rear projecting element central to the site which will also have a gable feature to the roof. This element will be set well away from the side boundaries (4.5m to the western side boundary) and given the width and depth of the site, the built form will appear in proportion and will not result in an overdevelopment of the site. As such the proposed building is considered to accord with policy EN1 and provide a replacement building that pays due regard to neighbouring sites and will make a positive contribution to the street scene of Staines Road West.
- 7.24 Landscaping is to be provided which will complement the proposed built form. Parking has been provided at the rear of the site and will also include landscaping to soften its appearance. In addition, there will also be 2 car parking spaces at the front of the site, again with landscaping. This will help to soften the built form and provide a pleasant street scene elevation. As such the proposed development is considered to be acceptable in design terms and conforms to policy EN1.

Impact on neighbouring residential properties

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

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

- 7.26 The scale of the development and proximity to the boundaries with existing properties needs to be given consideration to ensure that there is an

acceptable relationship and that existing residential properties will not be significantly adversely affected by the proposal. The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policies requirements in order to ensure this is the case.

- 7.27 The SPD in para 3.6 acknowledges that '*most developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.*' It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for 2 storey development of 10.5m for back to boundary distance, and 21m for back to back development. Three storey development has a back to boundary distance of 15m and back to back distance of 30m. There is also a minimum distance for back to flank elevations of 13.5m (2 storey) and 21m (3 storey).
- 7.28 The proposed built form will be located some 32m from the rear boundary with the properties located along Caroline Court, in a similar position to the existing properties, however larger in scale and height. This distance to the rear boundary will substantially exceed the minimum requirement for back to boundary and back to back development and will ensure an acceptable relationship with the properties located at the rear along Caroline Court.
- 7.29 The proposed development will be set in from the side boundaries, 1m from the western boundary and 7.5m from the eastern boundary, and the roof slopes up and away from the sides. The rear projecting element is set well away from the side boundaries. It will be closest to the western boundary with a distance of 4.5m. The proposed built form will not cross a vertical or horizontal 45 degree line taken from the adjacent dwellings to the west or east of the site, as set out in the SPD on design. In addition, the proposal will not cross the 25 degree line when drawn from a point at 2m above ground level from the properties to the rear. This will ensure an appropriate level of daylight and a significant view of the sky is maintained, as set out in the SPD. As such the proposed development will have an acceptable relationship with, and impact on the amenity of existing neighbouring residential properties, and will not cause a significant loss of light, be overbearing or cause loss of outlook.
- 7.30 The proposed first floor side facing windows in the eastern side elevation are mostly high level and one is full height which will be obscurely glazed by a condition to ensure there is no overlooking or loss of privacy to neighbouring properties. The western side elevation has roof lights at first floor level, and these will be directed towards the sky. This will ensure that there is no overlooking or loss of privacy on the adjacent dwelling, in particular, given it is a bungalow at no. 493 adjacent to the west. In addition, the roof lights serving the accommodation in the roof at second floor level also look up towards the sky and will not cause a significant overlooking or loss of privacy issue, due to their angle and the distance from the boundaries. The proposal includes 2 balconies facing the front. The proposed building will be set well away and in front of the adjacent 2 storey house to the east at no. 483 and is considered to have an acceptable relationship with this property. The western balcony however is closer to the side boundary with the bungalow at 493 and in line

with its front elevation, as such a screen will be required to the western side of the proposed balcony, which can be secured by condition, to ensure that overlooking and loss of privacy is not an issue to this dwelling.

- 7.31 There is a 2m buffer of landscaping around the car park and most of the access road, which will provide some screening. The proposal is considered to have an acceptable relationship and therefore an acceptable impact on the amenity of existing neighbouring residential properties, conforming to the Design SPD and Policy EN1.

#### Amenity Space

- 7.32 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats, it requires 35 sq. m per unit for the first 5 units, 10 sq. m for the next 5 units and 5 sq. m per unit thereafter. On this basis, 230 sq. m would be required for the 11 flats. The proposal provides a communal area at the rear of the site, of some 220 sq. m, and also 2 balconies to the front with an additional 10 sq. m. As such the proposal meets the minimum amenity space requirement. In addition, there is an area to the front which includes a small private garden area for the front ground floor flats of some 30 sq. m. Therefore the provision of amenity space is considered acceptable and in keeping with the character of the area.

#### Proposed dwelling sizes

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

#### Highway and parking provision

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

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

7.37 Policy CC2 of the CS & P DPD states that:

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

7.38 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.

7.39 The proposed parking provision for the residential properties is 14 spaces, and in addition there are 2 disabled spaces. The Council’s residential Parking Standards would require 15.75 spaces, which is rounded up to 16. Therefore, the proposal meets this requirement. The County Highway Authority (CHA) was consulted on the planning application and has raised no objection to the proposed parking provision.

7.40 The CHA also has no objection to highway safety. The CHA notes that, *‘...the CHA initially raised concerns regarding the visibility illustrated from the proposed access, in regard to both inter-visibility between footway-cycleway users and the standard vehicular visibility splay being sub-standard. The CHA subsequently requested the Applicant demonstrate that the required visibility for both these elements can be achieved. Upon review of the updated plans, the CHA confirms that a sufficient vehicular visibility splay for a 40mph speed limit road can be achieved from the proposed access location, and this was measured to the nearside edge of the eastbound A308 carriageway, with any obstruction within the splay being 0.6m or below in height. Similarly, it is noted that the Applicant has demonstrated on the updated plans that the required 2m x 2m pedestrian inter-visibility splays are also achievable at the proposed access. The proposals are therefore considered acceptable on grounds of highway safety and the CHA raises no objections.’*

7.41 The CHA also noted that in regard to the emergency access for fire appliances, Manual for Streets (MfS) Guidance recommends an access route should be at least 3.7 m clearance kerb to kerb for fire appliances in order to reach a fire, and that this can be reduced to a minimum of 2.75 m if only for a short distance. The CHA notes that the proposed access falls to this minimum width for a short distance but recommend that due to the scale of the proposals, that the Local Fire Safety Officer should be consulted. The Local Fire Safety Officer has been consulted and any comments received will be reported verbally at the meeting. Nevertheless, it should be noted that sprinklers can be used to address fire issues, and this is covered by Building Regulation Control. The Building Control Service has been consulted and raise no concerns with the scheme in this regard.

7.42 Therefore the CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision. As such it is considered that the

scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

#### Electric Vehicle Charging Points (EV points)

- 7.43 The County Highway Authority, through its document entitled '*Surrey Vehicular and Cycle Parking*' (January 2018), recommends 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.
- 744 The County Highway Authority and the Council's Environmental Health Department (Air Quality) have both recommended that parking spaces are provided with electric vehicle charging points.
- 7.45 The applicant will be required to provide parking spaces with EV charging points upon occupation, by condition. This is considered to be in accordance with the objectives of the County guidance. and this can be dealt with by a planning condition

#### Renewable Energy

- 7.46 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sq. m to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.47 The applicant has submitted a renewable energy statement which advises that this requirement can be met with the preferred option being the use of Air Sourced heat pumps. The Council's Sustainability Officer has been consulted and raises no objection. Accordingly, the renewable energy proposals are acceptable and accords with Policy CC1, subject to a condition.

#### Flooding

- 7.48 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by not requiring all development proposal within Zones 2, 3a and 3b and development outside the area (Zone1) on sites of 0.5ha or of 10 dwellings or 1000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA).
- 7.49 The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded on flooding grounds. The applicant has submitted a Flood Risk Assessment, as is required by Policy LO1 of the CS & P DPD.
- 7.50 In terms of flood risk the development given the site is located outside of the high flood risk area and as displayed in the FRA there is no risk to the future occupants of the site from flooding. The Environment Agency (EA) has been consulted and has made no comment on the application.

7.51 With regard to surface water drainage, the applicant is proposing to implement infiltration drainage devices to discharge surface water to the underlying soil in the form of soakaways and permeable paving to provide much improved surface water drainage than currently on site. Furthermore, the Lead Local Flood Authority at Surrey County Council has raised no objection to the proposed sustainable drainage scheme, subject to conditions. Accordingly, the application complies with the requirements of Policy LO1 of the CS & P DPD.

#### Loss of Trees/Landscaping

7.52 The applicant has submitted an Arboriculture Report which includes details about trees to be removed from the site and how the proposal will impact on retained trees. This report notes that this will require the removal of a small number of relatively insignificant trees and shrubs, which will not significantly impact on the local or wider landscape and will result in the planting of new trees to enhance the site and local area for the future. The Council's Tree Officer has been consulted and raises no objection.

7.53 Landscaping will be provided to the front of the built form which will help to improve the streetscape which is currently mostly laid to hardstanding. The amenity space to the rear will be landscaped to provide an attractive and useable amenity space for future occupants. In addition, the planting will be used around the car park area to help break up hardstanding and add visual interest, as well as a buffer to the neighbouring gardens. Landscaping will help to enhance the proposed development and is considered to be acceptable.

#### Biodiversity/Ecology

7.54 The applicant has submitted a Preliminary Ecological Assessment with mitigation measures and sets out recommendations to achieve biodiversity net gains at the site. The site was surveyed in November 2020 to record the potential presence of any protected, rare or notable species. A specific survey was conducted in respect of bats, and the report recommends that further bat emergence surveys are carried out. This was carried out in June 2021 by the applicant. This report identifies that bats are likely to be absent from the development site and it is therefore appropriate to conclude that bats are not a constraint to this development. The site itself is not subject to any statutory or non-statutory ecological designations and largely comprises buildings and hardstanding, with gardens. The habitats within the site are not considered to form important ecological features and their loss to the proposals is of negligible significance. The site offers limited opportunities for protected species and no evidence of any such species was recorded during the survey work. The Surrey Wildlife Trust has raised no objection to the proposals.

7.55 However mitigation measures will be implemented to safeguard bats and nesting birds and roosting and nesting opportunities will be enhanced through the provision of bat and bird boxes and also the opportunity to secure a number of biodiversity net gains. In summary, the proposals have sought to minimise impacts on biodiversity and subject to the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm.

Consequently, no objections are raised subject to a condition recommending that the mitigations measures set out in the ecological report are adhered to.

#### Contaminated Land

- 7.56 The applicant has submitted a Phase 1 Geo-Environmental Investigation report as part of this application which acknowledges the former uses of the site located adjacent to the former Denman Drive landfill. The report concludes that there is a moderate level of risk, “basic ground investigation works” are required. The Council’s Pollution Control Officer has raised no objection but requested standard conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures. Subject to these conditions, the proposal is considered acceptable in accordance with Policy EN15 and the NPPF.

#### Air quality

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

#### Refuse Storage and Collection

- 7.58 Refuse storage area is located to the front of the application site, close to the road for easy access by waste vehicles. It will provide enough bins and recycling storage for 6600 litres of waste and food waste in addition. This is in excess of the requirement for the 11 residential units (5900 litres) The County Highway Authority has raised no objection on this particular issue. The Council’s Group Head Neighbourhood Services has been consulted and has raised no objection to the provision.

#### Equality Act 2010

- 7.59 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:

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.

- 7.60 The submission has been amended and the Design and Access Statement (DAS) updated, following comments from SCAN. The DAS notes that *...Accessible approaches and level thresholds have been incorporated to the new building to meet the requirements of Approved Document Part M4. External and internal circulation, including minimum door, corridor and stair dimensions, together with cloakroom requirements are all in compliance with Part M4(1) of the Approved Building Regulations Should it be required by the LPA, the ground floor flats can be adapted to be accessible and to comply with Part M4(2).*

However, a planning condition cannot be imposed to require the higher level of control at building regulation stage, as there is no policy requiring this.

However, an informative will be attached to this accord. As such the application has been considered in light of the Equality Act and the scheme is considered to have due regard to this. It is further considered that apart from a direct impact this proposal will have on disabled people, there is also going to be an indirect impact on number of people who share other protected characteristic. This impact will arise/derive mainly from construction works and may affect to a various but not significant degree pedestrians.

#### Human Rights Act report 1998

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

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.

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.

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 refusal 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.

#### Financial Considerations

- 7.62 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate a CIL payment based on a rate of £140 per sq. metre of net additional gross floor space of approximately £90,000 in total. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

## Conclusion

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

## **8. Recommendation**

### 8.1 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 and drawings

RG2175 01, 02, 03 and 04 received on 08.12 2020

Amended plans numbered

2685-RDJW-XX-XX-DR-A-0020-C07

2685-RDJW-XX-XX-DR-A-0025-C10

2685-RDJW-XX-XX-DR-A-0030-C07

2685-RDJW-XX-XX-DR-A-0040-C07 received on 23.03.2021

Amended plan numbered

2685-RDJWL-XX-XX-DR-A-0050 C3 received on 10.06.2021.

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

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

Reason: - To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and

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

- 4 No development shall take place until: -
- (i) A site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.
  - (ii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.
- The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

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

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

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

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

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

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

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

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

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

9. Prior to occupation of the units the proposed first floor windows in the eastern flank elevation of the building shall be obscure glazed and non-opening to a minimum of 1.7m above internal floor level. Details of glazing to be installed shall be submitted to and approved in writing by the Local Planning Authority. These windows will thereafter be permanently retained as installed.

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

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

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

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

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

12. The development hereby approved shall not be first occupied unless and until the existing access from the west of the site to Staines Road West has been permanently closed and any kerbs and footway, fully reinstated.

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.

13. No part of the development shall be first occupied unless and until the existing access at the east of the site to Staines Road West has been modified and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6 metres high.

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.

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

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

13. Prior to the occupation of the building, facilities within the curtilage of the site for the storage of refuse and recycling materials shall be

implemented in accordance with the approved plans and retained thereafter.

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

14. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include: Network Asset Management Highways Laboratory and Information Centre Merrow Lane Guildford Surrey GU4 7BQ 2
- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
  - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1 l/s.
  - 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.

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

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

16. The development shall not be occupied until a minimum of 3 parking spaces, have been fitted with a fast charge socket (7kw Mode 3 with Type 2 connector), and a further 3 spaces are provided with power supply (through feeder pillar or equivalent) to provide additional fast charge sockets

Reason: For the improvement of sustainable transport in order to improve local air quality and public health, in accordance with paragraphs 103, 170e, and Section 9 (Promoting Sustainable Transport) of the NPPF.

17. The precautionary measures to safeguard wildlife at the site including bats, shall be carried out strictly in accordance with the recommended mitigation measures in the submitted Preliminary Ecological Assessment by ASW Ecology dated 2020 and bat Emergence Survey also by ASW Ecology dated June 2021.

Reason: - In the interest of safeguarding bats and other wildlife on the site

18. Prior to the construction of the building, a biodiversity enhancement scheme to be implemented on the site including the installation of bird and bat boxes, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented before the occupation of the building in accordance with the approved scheme and thereafter maintained.

Reason: - To encourage wildlife on the site

#### Informatives to be attached to the planning permission

1) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see <https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs>.

2) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and->

transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

3) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

4) The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

5) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

6) A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

7) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

8) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

9) As removal of asbestos containing materials is required appropriate removal (without significant damage), handling and disposal by competent persons is required. The Health & Safety Executive (HSE) have produced a guide to safe removal of asbestos containing materials, which outlines good practice, how to prepare and what equipment is needed, how to remove it and how to deal with the waste once removed. There is also information on the HSE website about how to comply with the regulations, including a more

generic guide to working safely with asbestos -  
<http://www.hse.gov.uk/asbestos/protect.htm>.]

10. 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 Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.

11) The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at [www.securedbydesign.com](http://www.securedbydesign.com).

12) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

13) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

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

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

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

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

- (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
- (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
- (c) Deliveries should only be received within the hours detailed in (a) above;
- (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
- (e) There should be no burning on site;
- (f) Only minimal security lighting should be used outside the hours stated above; and
- (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

16) The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:

- (a) How those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
- (b) How neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
- (c) The arrangements that will be in place to ensure a reasonable telephone response during working hours;
- (d) The name and contact details of the site manager who will be able to deal with complaints; and
- (e) How those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.



