

Planning Committee

10 November 2021



Application No.	21/00614/OUT
Site Address	36 & 38 Minsterley Avenue, Shepperton, TW17 8QT
Applicant	Goodall & Painter
Proposal	Outline Planning permission with appearance and landscaping reserved for the erection of 5 detached dwellings, comprising 4 x 4 bedroom dwellings and 1 x 5 bedroom dwelling, with associated parking and amenity space following the demolition of 36 Minsterley Avenue.
Case Officer	Matthew Churchill
Ward	Halliford and Sunbury West
Called-in	The application has been called in by Councillor Fidler as a result of the impact of the proposal upon the character of the area and the impact upon the street scene and profile of the road.

Application Dates	Valid:07.05.2021	Expiry:02.07.2021	Target: Extension of Time Agreed 30.11.2021
Executive Summary	<p>This planning application seeks outline planning permission for the erection of 5 detached dwellings, which would be constructed following the demolition of no.36 Minsterley Avenue. The site would also encompass part of the garden area of no.38 Minsterley Avenue.</p> <p>The application site is located in the north-eastern corner of Minsterley Avenue. There are a number of Trees subject to Tree Preservation Orders at the northern and eastern site boundaries. The eastern site boundary also adjoins land situated within the Green Belt. However, the application site is situated wholly outside of the Green Belt, and none of the proposed dwellings would be situated within the Green Belt.</p> <p>The application is considering the access, layout and scale of the development, with appearance and landscaping reserved for subsequent approval. As such, if the applicant were to receive outline planning permission following the determination of the current application, a further reserved matters application would need to be submitted and approved before works could commence, in which the Local Planning Authority (LPA) would consider the acceptability of the appearance and landscaping of the scheme.</p> <p>The application proposes the construction of 4 detached x 4-bedroom dwellings that would be similar in design and would be set over two</p>		

	<p>storeys, with a habitable third storey situated in the roof space. A further 5 x bedroom detached dwelling would be located at the north of the site, which would also be set over three storeys, with the third storey also set in the roof space.</p> <p>The dwellings would each be served by a garden at the rear, which would all be in adherence to the Council's minimum garden space requirements. The development also proposes 10-off street parking spaces to serve the new dwellings, and 2 off-street parking spaces to serve the existing dwelling at no.38 Minsterley Avenue, which would be retained following construction of the proposed dwellings, albeit with a smaller garden area. It is acknowledged that the proposal would have a different character to the prevailing pattern of development, as the proposed car parking spaces would not be situated directly in front of the new dwellings and the four smaller houses would be smaller in width than other properties in the street scene. However, the proposed density and layout is not considered to result in a cramped or overdeveloped appearance and this is regarded to be acceptable.</p> <p>The application proposes the removal of a number of trees located to the rear of the site including 1 x Horse Chestnut and 1 x Common Lime that are subject to a Tree Preservation Order. The Council's Tree Officer has reviewed the applicant's Arboricultural Report and has raised no objections.</p> <p>The applicant has also submitted a preliminary ecological report, which confirms that the existing buildings that would be demolished do not offer bat roosting potential. The LPA consulted the Surrey Wildlife Trust, which commented that the LPA should seek a Construction Environment Management Plan, which is recommended to be attached to the decision notice, alongside a condition requiring biodiversity mitigation measures.</p> <p>The 5 dwellings would each comply with the minimum floor space requirements stipulated in the Governments nationally described Technical Housing Standards (March 2015). The development would have a density of approximately 31 dwellings per hectare and is not considered to represent an over-development of the site.</p> <p>On planning balance, the access, scale and layout of the development is considered to have an acceptable impact upon the character and appearance of the area, future occupiers, the amenity of neighbouring and adjoining dwellings, trees and biodiversity and parking provision, and officers recommend the application for approval subject to conditions.</p>
Recommended Decision	Approve the application subject to conditions as set out at Paragraph 8 of the Report.

MAIN REPORT

1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- SP1 - Location of Development.
 - HO1 – Providing for New Housing Development.
 - HO4 – Housing Size and Type.
 - HO5 – Density of Housing Development.
 - EN1 – Design of New Development.
 - EN7 – Tree Protection.
 - EN8 – Protecting the Landscape and Biodiversity.
 - 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, (April 2011), and the National Planning Policy Framework (NPPF) (July 2021).

2. Relevant Planning History

- 2.1 The LPA holds records of the following planning history at no.36 Minsterley Avenue:

SUN/FUL/5796B	Erection of 58 detached houses with garages.	Grant Conditional 09.11.1959
PLAN C/FUL/79/253	Erection of a single-storey rear extension measuring overall 12 ft (3.65 m) by 33 ft 7 ins (10.23 m) to provide additional kitchen and living room accommodation.	Grant Conditional 16.05.1979
PLAN E/FUL/82/707	Erection of a single-storey front extension measuring approximately 13 ft. 10 ins. (4.2 m) by 20 ft. 9 ins. (6.3 m) overall to form a double garage and lobby.	Grant Conditional 15.12.1982

SPE/FUL/87/448	Erection of first floor rear extension measuring 4.3 m (14 ft 1 in) by 4 m (13 ft 2ins) to form enlarged bedroom.	Grant Conditional 01.07.1987
98/00207/FUL	Erection of a two storey rear extension and single storey side extension.	Grant Conditional 01.06.1998

As the site encompasses the garden area of no.38 Minsterley Avenue, the planning history of this property is also considered to be relevant to the current application and is listed below:

PLAN C/FUL/75/278	Erection of a part one and part two-storey rear extension for an extra bedroom, kitchen and dining room space measuring 15 ft (4.57 m) by 24 ft (7.32 m) overall on the ground floor and 8 ft (2.44 m) by 24 ft (7.32 m) overall on the first floor	Grant Conditional 30.06.1975
PLAN E/TPO/83/23	3 Horse Chestnuts (T79, T80, T81) - Lift to 3 metres and thin by 25%.	Grant TPO Consent 06.10.1983
SPE/FUL/85/418	Erection of a rear and side extensions to garage measuring 8 ft 10 ins (2.7 m) x 11 ft 2 ins (3.4 m) and 2 ft (0.6 m) x 17 ft 9 ins (5.4 m) respectively and a front porch measuring 12 ft 2 ins (3.7 m) x 3 ft 6 ins (1.05 m).	Grant Conditional 03.07.1985
05/00630/TPO	Horse Chestnut (T76) - Reduce down to 10 metre stump.	Grant TPO Consent 28.06.2005
05/00690/FUL	Erection of a single storey side extension and rear balcony at first floor level over existing flat roofed extension	Grant Conditional 15.09.2005

3. Description of Current Proposal

- 3.1 The application site is located in the north-eastern corner of Minsterley Avenue in Shepperton. The site forms part of the Minsterley Avenue and Chestnut Walk street scene, which is occupied by dwellings that were constructed in the 1950s and 1960s, which are generally detached and situated upon generous and spacious plots.
- 3.2 The properties in Minsterley Avenue and Chestnut Walk generally contain front gardens and/or driveways, which front the street and also contain generous gardens at the rear. There are also a number of mature trees present within the street scene, many of which are subject to a Tree Preservation Order.

- 3.3 The application site relates to two relatively large plots and is currently occupied by no.36 and no.38 Minsterley Avenue. No.38 incorporates a 2 storey, 4 x bedroom detached dwelling, which would be retained as part of the current proposals, although would have a reduced garden area. No.36 is occupied by a 2 storey, 5 x bedroom dwelling which would be demolished.
- 3.4 The application seeks outline planning permission with appearance and landscaping reserved, for the erection of 5 x detached dwellings, comprising 4 x 4-bedroom dwellings, and 1 x 5-bedroom dwelling, following the demolition of no.36 Minsterley Avenue.
- 3.5 The plans show that the proposed 4-bedroom dwellings would each have a similar layout and would be set over two storeys, with an additional third storey located in the roof space. The proposed 5-bedroom dwelling would also be set over 3 storeys with the habitable third storey located in the roof space.
- 3.6 The matters under consideration during this outline planning application relate to the access, layout and scale of the development. If outline planning permission were to be granted for the current application, a further Reserved Matters application would be required before the scheme could be constructed, which would consider the appearance and landscaping of the scheme.
- 3.7 The site layout plan shows that there would be 10 off-street parking spaces serving the 5 proposed dwellings, as well as 2 off-street parking spaces for the occupiers of no.38 Minsterley Avenue. Each of the dwellings would contain a garden area at the rear, and inclusive of no.38, the development would have a density of approximately 31 dwellings per hectare.

4. Consultations

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

Consultee	Comment
County Highway Authority	No objections subject to conditions and informatives.
Environmental Health	No objections subject to conditions and informatives.
Tree Officer	No objections.
Surrey Wildlife Trust	No objections.
Head of Neighbourhood Services	No objections subject to conditions.

5. Public Consultation

- 5.1 The Council has consulted the occupiers of 13 neighbouring properties. A total of 72 letters of representation have been received, which object to the proposal on the following grounds:
- The proposal will not be in keeping with the rest of the road.

- The amount of green space to the front and rear of the dwellings will be reduced.
- A similar application was refused at a nearby site a number of years ago.
- The development will add to the current shortage of parking spaces.
- There would be unacceptable disruption during the construction process.
- Concerns over access and the impact upon highway safety.
- The scheme will generate noise, pollution and congestion.
- On street parking will cause problems for emergency vehicles.
- The application site is located in a flood area (Officer Note: The Council's records show that the site is not situated within the flood zone).
- Concerns over the impact upon trees and the environment.
- The development will make the road undesirable.
- There is an inadequate number of parking spaces proposed.
- There is not sufficient space for the development.
- The scheme amounts to overdevelopment of the site.
- Concerns over drainage.
- The proposal would have an adverse impact upon the environment.
- The value of other properties on the estate would be impacted (Officer Note: This is not a planning matter).
- The layout and density will alter the surrounding character.
- The development would bring new people and traffic, which were not envisaged when Minsterley Avenue was constructed.
- There would be a loss of bio-diversity in the area.
- The density would be unacceptable and the development is not sustainable.
- Two houses may be more acceptable.
- Concerns over dust and debris resulting from the demolition of the demolition of the existing dwelling (Officer Note: It is recommended that a demolition statement is secured by condition).
- The area is badly served by public transport.
- The development would not be similar in size and shape to the rest of the street.
- The proposal would negatively impact the well-being of the occupiers of surrounding properties.
- Concerns over the absence of a site notice. (Officer note: a site notice is not a statutory requirement)
- Vacant land should be developed rather than the application site.
- The semi-rural character of the road will be negatively impacted.
- Concern over the impact upon wildlife including bats.
- There are no other similar dwellings on the estate.
- The proposal will have an adverse impact upon outlook.
- The development would appear cramped.
- The proposal is of poor design.
- The proposed dwellings will cause overlooking.
- There is no space for storage in the proposed dwellings (Officer Note: this is not considered to be a planning requirement).

- The site is not necessary or significant for the Council's housing objectives.
- The application will set a precedent for other proposals.
- Title deeds and covenants may restrict the construction (Officer Note: This is not a planning matter).

6. Planning Issues

- Need For Housing.
- Design, Character and Appearance.
- Density.
- Housing Type.
- Future Occupiers.
- Amenity Space for Residents.
- The Impact Upon Existing Dwellings.
- Parking Provision and Highways.
- Tree Preservation Orders.
- Waste And Recycling.
- Renewable Energy.
- Contaminated Land.
- Local Finance Considerations.
- Human Rights Act.
- Equality Act.

7. Planning Considerations

Outline Planning Permission

- 7.1 This application seeks outline planning permission with appearance and landscaping reserved. The matters currently under consideration relate to access, layout and scale. Should outline planning permission be granted when the current application is determined, the appearance and landscaping would need to be approved in a reserved matters application, before the dwellings could be constructed.
- 7.2 The Development Management Procedure Order (DMPO) 2015 (As amended) contains the definitions of access, layout and scale.
- 7.3 Access is defined as *“the accessibility to and within a site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how this fit into the surrounding network”*.

- 7.4 Layout is defined as “*the way in which buildings, routes and open spaces and routes within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development*”.
- 7.5 Scale is defined as “*the height, width and length of each building proposed within the development in relation to its surroundings*”.
- 7.6 The Local Planning Authority (LPA) must consider whether the access, layout and scale of the development would be acceptable when assessed against the relevant planning policies and guidance and any other material planning considerations. This is considered below.

Housing Supply

- 7.7 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) 2021.
- 7.8 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. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 611 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.
- 7.9 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.
- 7.10 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 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.
- 7.11 The sites identified in the SLAA as being deliverable within the first five years and subsequent updates from landowners have been used as the basis for a revised five year housing land supply figure. Spelthorne has identified sites to deliver approximately 3263 dwellings in the five year period.

- 7.12 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.5 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.
- 7.13 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”. 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
- 7.14 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’.

Design, Character and Appearance

- 7.15 Whilst the appearance of the development is a reserved matter and would be considered in a later application should permission be granted, officers consider that the scale and layout of the development, which are both matters currently under consideration, would impact the character and appearance of the surrounding area.
- 7.16 Policy EN1 of the CS&P DPD states that the Council will require a high standard in the design and layout of new development. The policy further states that developments should create buildings and places that are attractive with their own distinct identity, and that respect and make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, heights, proportions, building lines, layouts, materials and other characteristics of adjoining buildings and land.
- 7.17 The NPPF states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The framework further advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The

framework also states that development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- 7.18 The NPPF further sets out a number of design requirements, stating that planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to the local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 7.19 The street scene of Minsterley Avenue and Chestnut Walk is generally characterised by two storey detached dwellings that are situated within spacious plots, which generally contain front gardens and driveways fronting onto the street and generous gardens at the rear. The dwellings in Minsterley Avenue and Chestnut Walk appear to have been constructed in the late 1950s and early 1960s and there are a number of mature trees throughout the estate, many of which are subject to a Tree Preservation Order.
- 7.20 The application site is located in the north-eastern corner of Minsterley Avenue and is set behind a grassed verge area and access, which serves no.36, no.38 and no.40 Minsterley Avenue. There are also a number of mature trees subject to a Tree Preservation Order to the north and rear of the site.
- 7.21 The Council's SPD on the *Design of Residential Extensions and New Residential Development* (April 2011) which amplifies policy EN1, states that building plots must be of sufficient size to provide garden space appropriate to the size of the dwellings proposed. The guidance further states that plots should normally be similar in size and shape to other plots in the street. Additionally for houses and flats alike, the SPD advises that the height, depth, width and form of the proposed buildings should be similar to those within the prevailing street frontage.
- 7.22 At paragraph 4.41 the SPD contains a checklist for the development of one or more dwellings with access via a gap in the street frontage. This states that amongst other things:
- The resultant form of development and garden sizes should respect the character of the area.
 - There should be sufficient size for both the new and retained plots to ensure an adequate garden size that would avoid the development appearing cramped.
 - The proposal should preserve appropriate privacy and amenity by sufficient separation between buildings.
 - Provide access of sufficient width to ensure adequate separation from adjoining properties and ensures the development can be adequately served by larger vehicles.
- 7.23 The application proposes 4 x 4-bedroom dwellings. The 4-bedroom dwellings would each be similar in scale and layout and would be set over two storeys,

with an additional storey of accommodation in the roof space. The 4-bedroom dwellings would measure a height of 9.250 metres and would incorporate rear garden areas ranging between 78m²-114m², exceeding the Council's 70m² minimum garden space requirements for a detached dwelling. The plans indicate that the 4-bedroom dwellings would measure a depth of 10.3 metres, and a width of 5.734 metres. The indicative plans also show that the 4 dwellings would incorporate gable features although it is noted that appearance would be a reserved matter.

- 7.24 The application also proposes a 5-bedroom dwelling that would be located at the north of the site. This would be set over 3 storeys, with the third storey located in the roof space. The 5-bedroom dwelling would measure a height of 9 metres, a width of 8.73 metres and a depth of 9.3 metres. It would contain a crown roof at the ridge and would contain a garden area measuring some 261m².
- 7.25 As highlighted above, Minsterley Avenue and Chestnut Walk are generally characterised by two storey detached dwellings. As each of the proposed dwellings would be detached, the proposed layout is considered to be in keeping with the character of the surrounding area in this regard.
- 7.26 In terms of scale, it is noted that at 5.734 metres in width the 4 x 4-bedroom dwellings would be smaller in width than most other properties in Minsterley Avenue. However, there is a variety of widths in the street scene as some dwellings have been extended. Moreover, given the overall plot sizes, which all contain gardens in excess of the Council's minimum 70m² requirements, this is not considered to result in a cramped appearance.
- 7.27 In addition, Policy HO5 states that within existing residential areas that are characterised predominantly by family housing rather than flats, new residential development should generally be in the range of 35 to 55 dwellings per hectare. The development, including the retained dwelling at no.38 Minsterley Avenue, would have a density of approximately 31 dwellings per hectare. As such, whilst the dwellings would be smaller in width than other properties in Minsterley Avenue, this is not considered to contribute towards a cramped appearance. The width of the 5-bedroom dwelling is also considered to be acceptable.
- 7.28 The application proposes that 10 parking spaces would be provided to the occupiers of the proposed dwellings, which is considered further in the parking and highways section of this report. In terms of layout, it is acknowledged that the parking spaces would not be sited directly in front of the dwellings and in this regard would not fully reflect the layout and pattern of other properties in Minsterley Avenue, which generally contain driveways and parking spaces directly in front of the dwellings. However, the parking spaces would be set away from the highway of Minsterley Avenue, as the development would be located behind the grass verge and the access and would to a degree be screened from the street scene by the dwelling at no.38 Minsterley Avenue. Therefore, whilst not fully compliant with the layout of other dwellings in Minsterley Avenue and Chestnut Walk, there is considered to be an acceptable visual impact upon the surrounding locality.

- 7.29 The street scene of Minsterley Avenue is characterised by two storey detached dwellings situated on generous plots. The application proposes the construction of 5 detached dwellings following the demolition of the existing dwelling, which would each contain garden areas exceeding the Council's minimum guidance. The density of the development at approximately 31 dwellings per hectare, would also fall below what would be expected of a family scale dwelling and as such it is not considered that the development would have a cramped appearance. It is acknowledged that the 4-bedroom dwellings would appear narrower in width in the context of other properties in Minsterley Avenue and that the proposal would not fully reflect the building pattern of the surrounding area given the proposed widths and layout of the parking spaces. However, given the proposed density and overall plot size and layout, this is not considered to result in a cramped appearance. Additionally, whilst the car parking spaces would not be situated in front of the dwellings, this is considered to be mitigated through the set back from the highway of Minsterley Avenue and the siting of the grassed verge and access.
- 7.30 On balance, the scale and layout of the development is therefore considered to have an acceptable impact upon the character and appearance of the area and the scale, layout and access of the proposal is considered to be in accordance with the objectives of policy EN1 and the NPPF in design terms.

Housing Type

- 7.31 Policy HO4 of the CS&P DPD and the Council's Supplementary Planning Document (SPD) on Housing Size and Type (July 2012), seeks for 80% of units in developments of 4 or more dwellings, to contain 1 or 2 bedrooms. This is to ensure that the overall dwelling stock meets the demand that existing within borough, including a greater demand for smaller dwellings.
- 7.32 The application proposes five dwellings, four of which would contain 4 x bedrooms and one of which would contain 5 x bedrooms. Whilst this would not be complaint with the objectives of policy HO4, given the character of the surrounding locality, which is occupied by lower density more traditional scale family housing, it is considered that the proposed housing type and numbers of bedrooms would be appropriate and acceptable in this instance.

Future Occupiers

- 7.33 The Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development (April 2011) sets out minimum floor space standards for new dwellings.
- 7.34 The Government has also published national minimum dwelling size standards in their "Technical Housing Standards – nationally described 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 standards set out in the Technical Housing Standards is illustrated in the table below:

Dwelling Size (Three Storey)	Minimum Floor Space Requirement
4 bed x 6 person	112m ²

5 bed x 8 person	134m ²
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- 7.35 All of proposed units would meet the minimum internal floor space requirements outlined above. The proposed dwellings would also each contain a garden area in excess of the 70m² minimum requirement set out in the Council's SPD on design. The layout and scale of the proposal is therefore considered to provide an acceptable level of amenity to its future occupants.
- 7.36 It is noted that the front bedroom in the roof space of the four smaller dwellings would not be served by a window. However, two roof lights would provide natural light to the occupiers of these rooms, which is considered to be satisfactory. The appearance of the dwelling would also be considered at the reserved matters stage, should the application receive outline planning consent and the design may be subject to change.

Impact Upon the Occupiers of Existing dwellings

- 7.37 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.38 The NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standards of amenity for existing and future users.
- 7.39 At paragraph 3.6 the Councils SPD on Design states 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.
- 7.40 It is considered that the scale, layout and access to the proposal would result in an acceptable impact upon the light, privacy and amenity of the occupiers of no.34 Minsterley Avenue situated to the south of the application site.
- 7.41 When measured from the plans, the most southerly dwelling (labelled as dwelling 01) would be set in approximately 2 metres from the southern site boundary, which adjoins the garden of no.34 Minsterley Avenue. The southern dwelling would also be set back approximately 12 metres from the rear elevation of no.34, albeit not directly to the rear of this property. As a result of such a distance, together with the 2-metre set in distance from the boundary, it is not considered that the proposed dwelling would have an overbearing impact upon the occupiers of this property or an adverse impact upon light, particularly as no.34 is located to the south of the application site.
- 7.42 In terms of privacy, a first-floor window would be situated within the southern flank elevation of the most southerly dwelling. However, this would serve a bathroom rather than a habitable room and it is recommended that a condition is attached to the decision notice requiring this window to incorporate obscure glazing. A roof light would also be incorporated in the southern flank, although given that this would be at high level, it is not considered to provide

opportunities for overlooking into the garden on no.34. All other first floor windows would be at an oblique angle to no.34 and are not considered to have an adverse impact upon privacy.

- 7.43 It is acknowledged that the parking spaces labelled P01A, P01B and P38B would be located in close proximity to the boundary with no.34, and whilst this would create occasional noise and disturbance, this is not considered to be to an extent that would cause undue harm. It is also noted that the current driveway and garage serving no.36 is situated within close proximity to the northern flank elevation of no.34, partially mitigating any adverse impacts. The proposal is therefore considered to have an acceptable impact upon the occupiers of no.34.
- 7.44 There would be a separation distance of approximately 15 metres between the side elevation of the existing dwelling at no.38 Minsterley Avenue and the front elevation of the proposed 4-bedroom dwellings. This would be in adherence to the Council's 13.5 metre back-to-side guidance, which is also applied to the front and side elevations of proposed dwellings and is considered to be acceptable. There would also be a distance of approximately 12.6 metres between the front elevation of the proposed 5-bedroom dwelling and the side boundary of no.38. At such a distance it is not considered that the proposed dwellings would cause harm to the light, privacy or amenity of the occupiers of no.38.
- 7.45 It is noted that 8 of the proposed car parking spaces would be situated alongside the boundary with no.38. Whilst this would cause occasional noise and disturbance to the occupiers of no.38, this is not considered to generate unacceptable harm to an extent that is considered to outweigh the benefits of the contribution of 5 additional dwellings to the Council's 5 year housing supply. The proposal is therefore on balance, considered to have an acceptable impact upon the residential amenity of the occupiers of no.38.
- 7.46 The proposal is further considered to have an acceptable impact upon the light, privacy and amenity of all neighbouring and adjoining dwellings in the surrounding locality including those in The Crofts located to the north of the site and all other dwellings.

Parking and Highways

- 7.47 Policy CC2 of the CS&P DPD states that the Local Planning Authority will seek to secure more sustainable travel by 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.
- 7.48 Policy CC3 also states that appropriate provision should be made for off street parking in accordance with the Council's Parking Standards.
- 7.49 The NPPF 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.

- 7.50 The plans show that each of the proposed dwellings would be served by 2 off-street parking spaces (10 in total). The plans further show that the existing dwelling at no.38 Minsterley Avenue would be served by 2 parking spaces.
- 7.51 The Council's Parking Standards SPD states that a 4-bedroom dwelling should be served by a minimum of 2.5 off-street parking spaces. On this basis the Council would normally expect the 5 proposed dwellings and no.38 Minsterley Avenue, to be served by 15 off street parking spaces. The application proposes 12 off-street parking spaces, 2 serving the existing dwelling no.38 and 10 serving the proposed dwellings, falling 3 spaces short of the Council's guidelines.
- 7.52 It is acknowledged that the Local Planning Authority has received a number of letters of representation, which object to the proposal on parking and highway safety grounds. The County Highway Authority (CHA) has been consulted who acknowledged that concerns have been raised by residents in regards to parking overspill and the intensification of the site in transport terms. The CHA also noted that there was a shortfall against the Spelthorne Parking Standards. However, the CHA considered that where there is excess parking demand, or where visitors arrive at the site by car, this would not result in a highway safety issue, and significant additional on-street parking is unlikely to result from this proposal.
- 7.53 Whilst there would be a shortfall of 3 off-street parking spaces when assessed against the Council's Parking Standards and the concerns raised in the letters of representation are acknowledged, officers consider that the cumulative impacts upon the highway as a result of the level of parking provision, are not considered to be severe to the extent that an objection could reasonably be sustained on such grounds. The proposal is therefore considered to accord with the objectives of policy CC2 and the NPPF in this regard.

Trees

- 7.54 Policy EN7 of the CS&P DPD states that the Council will promote Tree Preservation Orders wherever appropriate to safeguard healthy trees of amenity value, giving priority to the protection of those known to be under threat. The policy further states that permission will not normally be granted to fell preserved trees, but where such trees are felled replacement planting will be required.
- 7.55 The NPPF states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. The framework further states that planning decisions should ensure that existing trees are retained wherever possible.
- 7.56 The application has been accompanied by an Arboricultural Method Statement. This states that a number of trees would be removed including two that are subject to a Tree Preservation Order; one Horse Chestnut and a Common Lime. The report identifies that all of the trees that are to be

removed are either Category C trees, which the report explains are trees of low quality and value, or Category U trees which are in such a condition that any existing value would be lost within 10 years.

- 7.57 The applicant's report has been reviewed by the Council's Tree Officer, who initially requested further information on the location of the proposed soakaways, which the Officer considered should be located outside of the Root Protection Areas of the retained trees. The applicant subsequently submitted a plan confirming that the soakaways would be located outside of the trees Root Protection Areas and the Tree Officer confirmed that there would be no objections.
- 7.58 Whilst the proposal would result in the removal of a number of trees including three subject to a Tree Preservation Order, given that the trees are of low quality and the Council's Tree Officer has raised no objections, it is considered that the removal of the trees to facilitate the development would be acceptable in this instance. Additionally, the applicant would be required to submit details of the proposed landscaping at reserved matters stage, should the current proposal granted outline planning consent.

Biodiversity

- 7.59 Policy EN8 states that the Council will seek to protect and improve the landscape and biodiversity of the borough by amongst other things, refusing permission where development would have a significant harmful impact upon the landscape or features of nature conservation value.
- 7.60 The NPPF states that planning decision should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and site of biodiversity and minimising and providing net gains for biodiversity.
- 7.61 It is also acknowledged that the Council has received a number of letters of representation raising concerns over the biodiversity impacts of the scheme and the impact upon protected species, notably bats.
- 7.62 The Surrey Wildlife Trust (SWT) has been consulted on these proposals during the application process. The SWT initially recommended that the applicant should submit an ecological survey so that the ecological impacts of the proposal could be determined prior to determination. The SWT's comments were drawn to the applicant's attention and an ecological information was submitted.
- 7.63 The applicant's submission included a Bat Presence/Likely Absence Survey. The report acknowledges that the scheme proposes the demolition of the existing dwelling at no.36 and other outbuildings. These buildings were considered negligible for roosting bats. The report identified that two trees within the site had potential bat roosting suitability but the applicant has confirmed that both trees would be retained. The Surrey Wildlife Trust reviewed the applicant's additional information and recommended that a Construction Environment Management Plan was sought by condition. It is also recommended that biological enhancements, including bird and bat boxes are secured by condition.

Other Matters

- 7.64 It is recommended that a condition is attached to the decision notice requiring that 10% of the developments energy demand is secured from on-site renewable energy sources. The proposal would then be in accordance with the requirements of policy CC1.
- 7.65 It is noted that the Council has received a number of letters of representation raising concerns that the proposal would have an adverse impact upon the Green Belt. Whilst land to the rear of the site is situated within the Green Belt, the application site is situated wholly outside of the Green Belt and as such, it is not considered that there is an objection on the impact of the proposal upon the Green Belt or its openness.
- 7.66 A number of letters of representation have also raised concerns over the impact of the development upon the flood event area. The Council's records and Environment Agency maps show that the site is not located within the flood zone. Moreover, the Council is satisfied that there is a dry means of escape away from the site outside of the 1% annual exceedance probability.
- 7.67 The Council's Head of Neighbourhood Services has been consulted in relation to the storage of waste and refuse. The Head of Neighbourhood Services has recommended that details of bin storage and siting on collection days is secured by condition.

Equalities Act 2010

- 7.68 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:
- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) Advance equality of opportunity between person who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.69 The question in every case is whether the decision maker has in substance had due regard to the relevant statutory need to see whether the duty has been performed.

The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means having such regard as is appropriate in all the circumstances. The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effects on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental

health needs. It is considered that it would be possible for individuals with disabilities to access the proposed development. However, it must also be noted that appearance and landscaping are reserved matters at this stage.

Human Rights Act 1998

- 7.70 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.71 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.
- 7.72 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.
- 7.73 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

- 7.74 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.
- 7.75 In consideration of S155 of the Housing and Planning Act 2016, the proposal would result in the following financial contributions:
- The Community Infrastructure Levy for Zone 3 (£160 per sq m of net additional residential floorspace indexed) will be payable on this site.

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.

Planning Balance

- 7.76 Policy HO1 states that the Council will ensure that provision is made for housing by encouraging housing including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing on all sites suitable for that purpose taking into account other policy objectives.
- 7.77 The Council cannot currently demonstrate a 5-year housing supply and can only demonstrate a supply of 4.5 years. Where a 5 year housing supply cannot be demonstrated the NPPF states that a 'tilted balance' approach must be adopted where development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of doing so.
- 7.78 The four proposed 4 x bedroom dwellings would appear smaller in width than other dwellings in Minsterley Avenue and Chestnut Walk. However, dwelling widths vary across the estate and some properties have been extended to the side. The development including no.38 Minsterley Avenue would have a density of approximately 31 dwellings per hectare and is not considered to have a cramped or overdeveloped appearance. It is acknowledged that the proposed site layout would be different to the surrounding building pattern, as the proposed parking spaces would not be located directly to the front of the dwelling. However, given the proposed density and compliance with minimum garden space requirements, the development is not considered to have a cramped appearance and is not considered to lead to harm to the character and appearance of the area.
- 7.79 The proposed parking spaces would also not be located directly in front of the dwellings and there would be a 3-space shortfall against the requirements of the Council's Parking Standards SPD. Some of the parking spaces would be screened from the street scene by the existing dwelling at no.38 Minsterley Avenue, which would be retained. The remainder of the spaces would be set behind the grassed verge area and access road. Whilst this layout does not directly replicate other dwellings in Minsterley Avenue and Chestnut Walk, which generally contain parking spaces directly in front of the dwellings, officers do not consider that this layout would cause significant harm to the street scene. Moreover, the shortfall in 3 parking spaces is not considered to cause severe harm to the highway.
- 7.80 The application would also result in the loss of 2 trees subject to a Tree Preservation Order (1 x Horse Chestnut, 1 x Common Lime). However, these are of low quality and the Council's Tree Officer has not raised any objections and landscaping is a reserved matter that would be considered at the reserved matters stage.

On balance, officers do not consider that adverse impacts of the layout, scale and access to the development would significantly and demonstrably outweigh the benefits of the addition of 5 dwellings to the Council's 5 year housing land supply.

Conclusion

- 7.81 This application seeks outline planning permission with appearance and landscaping reserved for the erection of 5 detached dwellings, following the demolition of no.36 Minsterley Avenue. It is considered that the scale, layout and access to the development would have an acceptable impact upon the character and appearance of the area, future occupiers, the residential amenity of neighbouring and adjoining dwellings, parking provision, trees and the landscape and biodiversity.

8. Recommendation

To GRANT planning permission subject to following conditions:

1. That in the case of those matters in respect of which details have not been given in the application and which concern the:-
 - (a) appearance and landscaping; hereinafter called "the reserved matters", and which are hereby reserved for subsequent approval by the Local Planning Authority, application for such approval shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 - (b) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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: 626 PL100 B, 626 PL002, 626 PL200 Revision C, 626 PL101 Revision C, 626 PL020 Revision A, 626 PL020 Revision A

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

3. 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 parking areas 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.

4. 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.

5. Prior to the occupation of the development hereby permitted the first floor window(s) on the southern elevation(s) of dwelling 01 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. The(se) window(s) shall thereafter be permanently retained as installed.

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

6. Facilities within the curtilage of the site for the storage of refuse and recycling materials shall be submitted to and approved by the Local Planning Authority. A waste management strategy shall also be submitted and approved prior to occupation detailing arrangements of bin collections days. The agreed details shall be implemented prior to the occupation of the development hereby approved and retained thereafter.

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

7. No part of the development shall be first occupied unless and until the access arrangements as shown on the drawings are provided.

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.

8. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles and cycles 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: 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

9. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) measures to prevent the deposit of materials on the highway
- (f) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused 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.

10. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter 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.

11. No development shall take place until:-

- (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.
- (ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.
- (iii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The

method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

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

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

NOTE

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

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

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

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.

13. No demolition work shall take place until a Demolition Method Statement, incorporating a Dust Management Plan (DMS) and pre-demolition asbestos survey, has been submitted to and approved in writing by the Local Planning Authority. The agreed methodology and mitigation measures shall be implemented in accordance with the approved details.

Reason: To protect the future site users and neighbours from harmful substances.

14. Prior to the occupation of the development, or such longer period as may be approved by the Local Planning Authority, a biodiversity enhancement scheme shall be submitted and approved in writing by the Local Planning

Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme prior to occupation and maintained thereafter.

Reason: In the interests of biodiversity and wildlife

- 15 Prior to the commencement of the development, a Construction Environment Management Plan shall be submitted and approved in writing by the Local Planning Authority. This will include details of a precautionary approach for working with regard to birds, reptiles, mammals and amphibians.

Reason: In the interests of biodiversity and wildlife

Informatives

1. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
2. 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.

3. The developer is advised that as part of the detailed design of the highway works required by the above conditions, 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.
4. 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. Please see <https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs>
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. 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).

7. 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.
8. 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 (<https://www.ccscheme.org.uk/site-registration/site-registration-257/>).

9. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:
 - (a) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
 - (b) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
 - (c) the arrangements that will be in place to ensure a reasonable telephone response during working hours;
 - (d) the name and contact details of the site manager who will be able to deal with complaints; and
 - (e) how those who are interested in or affected will be routinely advised regarding the progress of the work.

Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

Appendices: