

Planning Committee

23 August 2023



Application No.	23/00058/FUL
Site Address	Vacant Land adjacent to the White House Kingston Road Ashford TW15 3SE
Applicant	Spelthorne Borough Council
Proposal	Erection of a residential Block for 17 residential units, with associated parking, servicing, and landscaping / amenity provision
Case Officer	Russ Mounty
Ward	Staines South
Called-in	N/A

Application Dates	Valid: 03.01.2023	Expiry: 04.04.2023	Target: Extension of Time 31.08.2023
Executive Summary	<p>The proposal seeks planning permission to provide a residential block comprising 17 units on an area of land adjacent to the White House, Kingston Road. This area was previously the residential curtilage of the White House, before it was demolished to construct the hostel, and has most recently been used as a construction compound for the White House hostel development. It would include associated car parking, landscaping, servicing, and access arrangements.</p> <p>The proposed use is Class C3 residential as per the Town and Country Planning (Use Classes) Order 2020.</p> <p>At present the site is considered vacant, however it previously served the original White House dwelling, before it was demolished, as a residential garden. Being in such close proximity to Green Belt land, and with approximately 8m² of the shared access from The White House Hostel within the Green Belt, the site has very minimal history of development.</p> <p>The proposed site boundary would not encroach into the designated Green Belt land; however, the existing access was previously approved under 19/00815/FUL and did encroach into the Green Belt.</p> <p>Spelthorne's Core Strategy and Policies Development Plan Document</p>		

	<p>(CS&P DPD) 2009 (the Local Plan), acknowledges the requirement for additional housing in the Borough to meet its needs. It also states that new developments should be reflecting the needs of the community by providing 80% one and two-bedroom units. As such, the scheme addresses this by proposing 100% one-and-two-bedroom units. The CS&P DPD also draws attention to the provision of accessible dwellings, stating that new developments should have a proportion of either adaptable, or fully accessible units. The scheme proposes more than 10% accessible units, which exceeds the requirements set out in Policy H04 of the Local Plan.</p> <p>The design reflects that of the existing White House Hostel on the site with red brick facades and linear block design. Ashford Road and Kingston Road are not defined by a dominant architectural style, therefore providing the proposed development with a degree of flexibility in terms of its design.</p> <p>The applicant has demonstrated that the provision of Affordable Housing is not viable in this particular case and the LPA's independent review has confirmed this position.</p> <p>The proposed parking provision falls short of the minimum requirements as identified in the Council's SPG by 8 spaces, however there are public transport services within a short distance of the site.</p> <p>On balance, the proposal addresses the planning requirements set out in the national and local policies, and as such is recommended for approval subject to conditions.</p>
Recommended Decision	Approve the application subject to conditions and a Legal Agreement as set out in Section 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
- LO1 Flooding
- SP2 Housing Provision
- HO1 Providing for New Housing Development
- HO3 Affordable Housing
- HO4 Housing Size and Type
- HO5 Density of Housing Development
- CO2 Provision of Infrastructure for New Development
- CO3 Provision of Open Space for New Development
- SP6 Maintaining and Improving the Environment
- EN1 Design of New Development
- EN3 Air Quality
- EN11 Development and Noise
- EN15 Development affecting Contaminated Land
- 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 the Design of Residential Extensions and New Residential Development 2011
- SPD on Flooding 2012
- SPG on Parking Standards 2011

1.3 The National Planning Policy Framework (NPPF) 2021 is also relevant.

1.4 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as

amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022. The Local Plan was submitted for examination in November 2022 and the examination commenced on 23 May 2023.

1.5 However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.*

1.6 At the meeting of the Council on 19 July 2023, it was agreed that Catriona Riddell & Associates be appointed to provide 'critical friend' support to inform the options for taking the plan process forward. A final report setting out the conclusions from the critical friend review will be referred to the Council on 14 September 2023.

1.7 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:

- ST1: Presumption in Favour of Sustainable Development
- ST2: Planning for the Borough
- PS1: Responding to the climate emergency
- PS2: Designing places and spaces
- SP4: Green Belt
- H1: Homes for All
- H2: Affordable Housing
- E2: Biodiversity
- E3: Managing Flood Risk
- E4: Environmental Protection
- E5: Open Space and Recreation

1.6 The policies carry limited weight in the decision-making process of this current planning application.

2. Relevant Planning History

2.1 The site has the following planning history:

19/00815/AMD	Amendment to 19/00815/FUL: Above ground bins store omitted and replaced with 3 parking spaces, provision of underground bins,	Granted 11.05.2020
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	provision of additional communal space, substation size reduced, road/pedestrian entrance updated to reflect Section 278 and gate access to cycle store and bins.	
19/00815/FUL	Erection of 27 bed and 4 flat homeless hostel (sui generis) with associated parking, servicing and landscaping.	Granted 20.09.2019
18/00061/DEM	The building to be demolished is an early 19th century detached cottage {known as the White House}..	Granted 08.02.2018

3. Description of Current Proposal

The proposed development site is situated immediately to the south of the existing White House Hostel on Ashford Road. The site covers approximately 0.19Ha (0.48 acres) hectares and borders the Green Belt on its Southern perimeter. The site is situated at the junction of Kingston Road and Ashford Road and is within approximately 1.5kmm from Ashford High Street and 2km from Ashford Railway Station which has good connections to London and Reading.

- 3.1 The application proposes the redevelopment of the site to the South of the White House Hostel with a block of 17 residential units. These units would be a mix of 3 x 1 bed-2 persons, 11 x 2 bed-3 persons, and 3 x 2 bed-4 persons.
- 3.2 The proposed layout has been designed to avoid encroaching into the Green Belt. However, approximately 8m² of the shared access granted by the White House Hostel (ref. 19/00815/FUL) does encroach into the Green Belt. This was carefully considered under the White House Hostel application, and as such, the Green Belt encroachment is relevant to this application.
- 3.3 However, the southern boundary defines the Green Belt boundary and particular consideration is required to ensure that no encroachment would occur as a result of this proposal.
- 3.4 The application proposes 17 allocated car spaces, all of which would be served by electric vehicle charging points, 18 cycle spaces, and 260 sqm of amenity space.
- 3.5 The application states that the proposed development would be 100% discounted market rent. However, the applicant has confirmed that for the purposes of this planning application, the viability should be considered on the basis of open market sales.
- 3.6 Nevertheless, the application states that the intention would be to develop the proposal as affordable rented property for Spelthorne Borough Council in order to target local people on the Housing Waiting Register.

- 3.7 The design concept comprises of red brick facades and a double pitched roof; in-keeping with the design and appearance of the existing White House Hostel.

4. Consultations

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

Consultee	Comment
Surrey Police (Crime Prevention Design Advisor)	No objection subject to conditions.
Environment Agency	No objection subject to condition.
Environmental Health (Noise)	No objection subject to conditions.
Environmental Health (Contaminated Land)	No objection subject to conditions.
Environmental Health (Air Quality)	No objection subject to conditions.
Strategic Lead, Housing	Supportive of application but requested that 10% of the units are fully disability adapted from day 1 to reflect the need in the community.
NHS	No comments.
Surrey County Council Education	No comments.
Surrey County Council Highways	No objections subject to the implementation of a dropped kerb at the access of the site. Secured by a condition.
Group Head of Neighbourhood Services	Satisfied with waste disposal arrangements.
Thames Water	No comments.
Lead Local Flood Authority (SUDS)	Originally objected to the proposal, however, has since requested conditions to secure drainage details prior to the works commencing following additional information being provided.
Sustainability	No objection subject to condition.

5. Public Consultation

- 5.1 The NPPF seeks to encourage pre-application engagement and front loading and advises that *“early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties.*

Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.”.

- 5.2 The Council’s own Statement of Community Involvement states that the *“Council will encourage applicants and developers to undertake pre-application consultation and discuss their proposals with their neighbours or the community before submitting their formal application.”.*
- 5.3 In addition to pre-application discussions which took place between the applicant and the planning officers, the applicant also undertook pre-application engagement with the public. The applicant engaged by way of a public exhibition held over 10th-11th June 2022. This took place in the White House Hostel resident’s lounge. In the submitted Statement of Community Involvement, the applicant has indicated that revisions were made to the proposals following consultation. These included:
- Removal of Green Belt land from the application site
 - Increased car parking
 - Increased amenity for proposed residents
 - Restoration of Green Belt land to the rear of the proposed residential block
 - Improved approach to Green Energy
- 5.4 The proposed development was publicised by a planning site notice on a lamp post adjacent to the site entrance, and in the Surrey Advertiser on 18 January 2023. Additionally, despite there being no immediate adjoining properties, with the exception of the Hostel, neighbour notification letters have been sent to nearby properties.
- 5.5 A total of 23 letters of representation have been received objecting to the proposal on the following grounds:
- Insufficient infrastructure to support additional residents
 - Increased traffic
 - Inadequate parking
 - Encroachment on Green Belt
 - Frequent road accidents
 - Inappropriate location adjacent to the Hostel
 - Inappropriate design
 - Proximity to reservoir & Brett Aggregates Quarry
 - Proximity to Esso Pipeline works, causing more disruption
 - Lack of accessible units
 - Dangerous Access
 - Inadequate transport links
 - Inappropriate height
 - Precedent
 - Potential for flooding
 - Overdevelopment
 - Loss of open space
 - Noise
 - Units will not be affordable

- Increased anti-social behaviour and crime
- Lack of communication with residents

6. Planning Issues

- Principle of Development
- Housing Land Supply
- Affordable Housing
- Design, Height, and Appearance
- Impact on Existing Residential Dwellings
- Amenity Space
- Unit Size & Density
- Traffic, Parking & Sustainable Travel
- Flooding
- Waste and Recycling
- Accessibility
- Contaminated Land
- Air Quality
- Crime and Design (Surrey Police)
- Renewable Energy
- Noise
- Lighting
- Other Issues

7. Planning Considerations

Principle of Development

- 7.1 Policy HO1 is concerned with new housing development in the Borough. HO1(c) encourages housing development on all sustainable sites, taking into account other 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.”

- 7.2 This is also reflected in the National Planning Policy Framework 2021 (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. In addition, paragraph 60 refers to the government's objective of significantly boosting the supply of homes.

- 7.3 The site is located within the urban area and constitutes previously developed land as defined in the NPPF. It is an accessible location, within a reasonable distance of facilities, services and public transport links.
- 7.4 It is therefore considered that subject to meeting other relevant policies of the Local Plan, the principle of development on the site is acceptable.

Housing Land supply

- 7.5 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.
- 7.6 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 method¹. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 618 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.
- 7.7 The Council has considered its supply of deliverable sites, in line with the NPPF definition, as set out in Annex 2. The five-year time period runs from 1 April 2023 to 31 March 2028. A 20% buffer is required to be added for Spelthorne in accordance with Government requirements and this should be applied to this full period. A 20% buffer applied to 618 results in a figure of 742 dwellings per annum, or 3,708 over five years.
- 7.8 In using the objectively assessed need figure of 742 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.
- 7.9 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 2,615 dwellings in the five-year period.

¹ Planning Practice Guidance Reference ID: 68-005-20190722

- 7.10 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 3.52-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.
- 7.11 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 2022, with a score of 69%. 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 69% is less than the 75% specified in the regulations. The figure of 69% compares with 50% last year and 60% in 2020. 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.
- 7.12 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 (2021). 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.’*

Affordable Housing

- 7.13 Policy HO3 of the CS&P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. The Council seeks to maximise the contribution of affordable housing from each site having regard to the individual circumstances and viability, with negotiation conducted on an ‘open book’ basis.
- 7.14 The NPPF seeks to deliver a sufficient supply of homes that meet the needs of the population. Paragraph 62 of the NPPF states that “*where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site.*”.
- 7.15 The viability assessment submitted by the applicant states in the executive summary that the applicant is seeking to provide the proposed development as 100% intermediate affordable dwellings, to be marketed as a discounted rent product. However, the applicant has confirmed that for the purposes of

this planning application the viability should be considered on the basis of open market sales.

- 7.16 Were a positive decision to be secured in respect of the planning application, the applicant states that the proposal would only be deliverable as qualifying 100% affordable homes in the current market by accessing Homes England grant funding.
- 7.17 The LPA has no way to secure this intention as part of the planning process were planning permission approved and the applicant's intention should not carry any weight in the planning assessment and determination of this application.
- 7.18 The applicant's viability assessment presents four options:
- 100% private sales;
 - private sales with 30% affordable housing;
 - 100% private rented; and
 - 100% discount market rent

and concludes that based on current values and costs, the proposal cannot viably support any affordable housing through any of the options.

- 7.19 The viability assessment also indicates a negative land value of approx. £1 million for a private sale scheme and a negative land value of approx. £2 million for the 100% discount market rent tenure, preferred by the applicant, although this does include a 12% profit.
- 7.20 The LPA officers sought an independent review of the viability assessment which challenged the private rental values, build costs, finance costs and car parking values. However, it has agreed that all four options put forward by the applicant result in a residual land value of negative £1m - £2m and could not currently come forward without grant funding.
- 7.21 This independent review also notes that the applicant's intention is to bring the proposal forward as 100% discounted market rent regardless of the viability position, and as a local authority accept that it is a genuine intention.
- 7.22 On the basis that the tenure cannot be guaranteed by the LPA through the planning process, it is recommended that a late-stage review mechanism is provided through a legal agreement to secure any potential uplift in the situation once the building is complete.
- 7.23 Policy H03 seeks to secure affordable housing to meet the needs of the borough, having regard to circumstances and viability. The submitted viability assessment has demonstrated that the development of the land is not viable, and the LPA's independent review has confirmed this position.

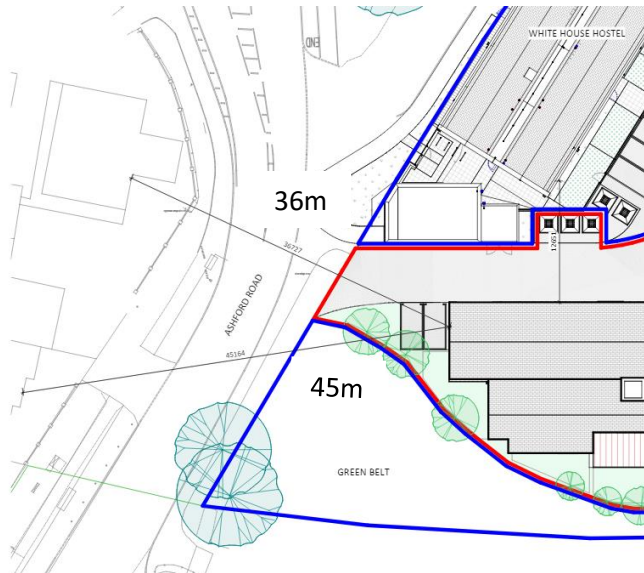
Design, Height, and Appearance

- 7.24 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will 'create buildings and places that are attractive with their own distinct identity,' contributing to the character of the area, whilst also being sympathetic to the height, scale, materials, and other elements of design of nearby buildings. They should also be designed in an inclusive way to be accessible to all members of the community, create a safe environment, and incorporate landscaping and waste facilities, as well as providing for renewable energy generation.
- 7.25 Paragraph 126 of the NPPF refers to the importance of well-designed places and how this is a fundamental element of what development should achieve. It notes that good design is also a key aspect of sustainable development as it can help to create thriving communities suitable for living and working.
- 7.26 The National Design Guide (NDG) produced by the former Ministry of Housing, Communities and Local Government (MHCLG) in 2021, also details what makes well designed places. Part 2, section C1 notes that these places should enhance existing positive qualities and improve negative ones. Well-designed new developments should effectively integrate with their surroundings, though equally, this section highlights that 'well-designed places do not need to copy their surroundings in every way.'
- 7.27 The submitted Design and Access Statement (DAS) explains the design, scale and general appearance of the development, whilst also assessing local character and surrounding properties.
- 7.28 The DAS considers the character of the surrounding streets is defined by a variety of early 20th Century and post war housing developments. It also references the area being characterised by residential properties with a range of different dwelling types.
- 7.29 As was the case with the White House Hostel, this site is physically dislocated from the properties in both Ashford Road and Kingston Road. It is not immediately adjacent to any properties; therefore it can be more closely associated with the Hostel and the Council Depot, allowing for a degree of flexibility in terms of both height and design.
- 7.30 The DAS notes that the design of the development would somewhat mirror that of the existing hostel development. The single linear block design, the four storeys and brick facades are considered to reflect the Hostel and its design, so as to not create too much contrast with existing buildings in this area.
- 7.31 The DAS also notes that the double pitched roof design reflects that of the Hostel building and has been introduced to avoid an overbearing apex.
- 7.32 The proposed materials would comprise of a mixture of red multi brickwork on the upper floors, and a darker red multi on the ground floor, which is considered to be acceptable for this location.

- 7.33 The height of the proposed development, at 4 storeys, would make it taller than properties on Ashford and Kingston Road, however the site is removed from these contexts, and therefore can reasonably be considered as an independent development with its own distinct identity more closely related to the hostel.
- 7.34 The overall design, whilst having little regard to the properties in Ashford Road and Kingston Road, does, however, form a strong connection to the White House Hostel by taking positive elements of its design. As such, on balance, it is considered that the design, height, and appearance are appropriate for this particular building in this specific location.

Impact on Existing Residential Dwellings

- 7.35 Policy EN1 (b) of the CS&P DPD requires that all new developments achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight, sunlight, or overbearing effect due to bulk proximity or outlook.
- 7.36 Further to this, paragraph 4.15 of the SPD on the 'Design of Residential Extensions and New Residential Development' notes that the "*scale and position of buildings, including window positions, should not create any unacceptable impact on the amenity enjoyed by adjoining occupiers*". Whilst this refers more specifically to adjoining properties, the guidance still stands, and recommends the new development should not have a negative impact on those existing properties nearby.
- 7.37 The SPD recognises that "*most developments will have some sort of impact on neighbours. The aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.*" Developments should mitigate against these negative impacts and try and reduce them or offset them as much as possible.
- 7.38 The SPD also refers to a distance criterion to assess the effects on privacy and daylight on nearby residential properties. As shown on the Block Plan extract below, the distance from the closest Western facing window to Little Dreams Day Nursery is 36 metres. From the same window to No. 391 Ashford Road is 45 metres. These distances exceed the minimum requirements set out in the SPD, although it is acknowledged that this refers to up to 3 storey dwellings. It is considered that the proposed distances avoid significant harm in terms of privacy, and overlooking, overbearing effect, and daylight and sunlight.



Amenity Space

- 7.39 Policy C03 of the CS&P DPD seeks to ensure that adequate provision for open space is provided in new developments.
- 7.40 The Council's SPD 'Design of New Residential Extensions and New Residential Developments' sets out minimum garden sizes for residential amenity. It states that for flats, where amenity space is shared, the requirement will be 35sqm per unit for the first 5 units, 10sqm for the following 5 units and 5sqm for each unit thereafter. Usable balcony floorspace may also be counted in this provision. This proposal for 17 units would therefore require 260m².
- 7.41 The Planning Statement indicates that the development would be supported by 260sqm of amenity space. This figure is inclusive of all green areas as shown on plan 1423-DNA-ZZ-GF-DR-A-1000 Rev P2, the first-floor amenity deck, and all first, second and third floor balconies.
- 7.42 At ground level Flat 01, an accessible unit, would have approx. 61sqm of outside space, although only 25sqm would be available to the occupant. Flat 02, another accessible unit would have approximately 50sqm, although only 36.5sqm would be usable. This reduction relates to the locations and accessibility of parts of the outside space.
- 7.43 At the first to third floors units 3, 4, 6, 7, 8, 9, 11,12,13,14,16 and 17 would have private balconies of between 5.5sqm - 6.5sqm.
- 7.44 Units 5, 10 and 15 would have no private outside space.
- 7.45 There would be shared amenity space on the ground floor of approximately 49.5sqm and an amenity deck on the first floor of 24sqm.
- 7.46 Using the minimum garden space figures, the amenity space is considered appropriate and meets the requirements as set out in the SPD. It should be noted that some areas of amenity space that the applicant has included in this calculation cannot reasonably be considered usable because of its location

and accessibility, and some units have no private amenity space (units 5, 10 and 15), and are entirely reliant on the shared amenity space.

- 7.47 However, Fordbridge Park is located opposite the site, on the northern side of Kingston Road. This area of adequate public open space, available for occupants in close proximity. The applicant has agreed to a financial contribution of £25,000 towards improvements/enhancements to this park. Consequently, the amenity space available to residents is considered appropriate in this particular case.

Unit Size & Density

- 7.48 The Technical Housing Standards – nationally described space standards denote the minimum gross internal floor area (GIA) for new dwellings. Further to this, the Council also has its own standards, set out in the SPD for Residential Extensions and New Residential Developments. These figures mirror those of the National Technical Housing Standards. Notwithstanding that these are minimum requirements, the proposed units all meet or exceed these standards.

- 7.49 Policy HO5 in the Core Strategy Policies Development Plan Document 2009 (CS&P DPD) sets out density ranges for specific contexts, 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.’

- 7.50 The policy states that:

‘within existing residential areas that are characterised by predominantly family housing rather than flats, new development should generally be in the range of 35 to 55 dwellings per hectare.’

- 7.51 The proposal is for 17 units and is situated on an area of 0.19 ha, therefore equating to approximately 89 dwellings per hectare. Whilst the scheme proposes a higher density of units than Policy HO5 recommends, it nonetheless notes that *‘Higher density developments may be acceptable where it is demonstrated that the development complies with EN1 on design, particularly in terms of its compatibility with the character of the area and is in a location that is acceptable by non-car-based modes of travel.’*

- 7.52 In this instance the site is located on the edge of the area characterised by predominantly family housing and has defined its own characteristics.

- 7.53 As referred to in the design section above the proposal is considered to meet the requirements of policy EN1 and be in a location which is close to local services and non-car-based modes of travel. It is therefore considered that higher density development on the site is acceptable.

Traffic, Parking and Sustainable Travel

- 7.54 Policy CC3 of the CS&P DPD requires that appropriate provision is made for off street parking on development proposals. In considering the level of provision, regard needs to be given to various criteria such as anticipated demand arising from the development, encouraging alternative transport methods, the developments impact on highway safety, and sufficient disabled parking.
- 7.55 The Council's SPG for Parking Standards provides greater detail regarding parking provision and details the appropriate number of spaces per unit, dependent on the type of housing being provided, and the location of the development. These standards would require 1.25 spaces for 1 bed units and 1.5 spaces for 2 bed units. This would generate a requirement for 25 spaces for 14 x 2 bed and Three x 1 bed units. The development would provide 17 spaces and is therefore 8 spaces short of the SPG.
- 7.56 Policy CC2 seeks to encourage more sustainable travel patterns and requires:
- Regard to be had to specific criteria for traffic generating development;
 - The number and nature of additional traffic movements;
 - The capacity of the local transport network;
 - It's cumulative impact including other developments;
 - Access and egress onto the public highway; and
 - Highway safety.
- 7.57 The NPPF advises at paragraphs 110 and 111 that:
"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- *Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
 - *Safe and suitable access to the site can be achieved for all users;*
 - *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance; and*
 - *Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

And that:

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

- 7.58 The submitted Transport Statement (TS) concludes that the description of the proposed development demonstrates how the development provides car and

cycle parking in accordance with relevant standards. It also indicates that reference to relevant car ownership data and experience of similar developments has demonstrated how the level of car parking provision is considered appropriate and in accordance with the sustainable travel opportunities which exist in proximity to the site.

- 7.59 Whilst the proposal does not provide space in accordance with the relevant standards and no evidence has been provided to support the experience of similar developments referenced, the census data on car ownership does support a reduced level of parking for properties of this type.
- 7.60 The TS indicates that the proposed development will operate as an affordable rented property, to cater for local people on the Housing Register. However, this does not reflect the submitted planning application, which is for market housing, or the parking levels associated with affordable housing, which would require the provision of 21 spaces. The conclusions of the TS are therefore considered to carry little weight in the assessment of the planning application.
- 7.61 Whilst the proposal provides for 1 space per unit, which is below the level set out in the Council's SPG on Parking Standards, the 2021 Census data for this ward supports reduced parking for this type of development. In addition, there are options for alternative modal choices. The County Highway Authority considers that the traffic generated by the 17 additional vehicles, approximately 45 vehicle movements, would not have a material impact on highway safety. The parking provision proposed is therefore considered to be appropriate for this development.
- 7.62 The proposal has opportunities to promote sustainable transport modes, has a safe and suitable access, reflects national guidance and would not give rise to any significant impacts. The proposal is therefore broadly in accordance with Policy C33 and the NPPF 2021.
- 7.63 The Travel Plan initiatives proposed in the TS incorporate the provision of cycle parking and a noticeboard within the communal entrance to the building providing:
- A map showing local facilities and public transport nodes, including Ashford Town Centre;
 - Details of bus and train timetables;
 - Contact details of public transport operators and details of other sustainable transport-related contacts and initiatives.

The TS also refers to Surrey County Council's Vehicle, Cycle and Electric Vehicle Parking Guidance for New Developments (2021) requiring 100% provision of electric vehicle charging points, which the proposal would provide.

- 7.64 Notwithstanding that both the cycle parking provision and electric vehicle charging are requirements for the application, and the noticeboard offers a minimal contribution to encouraging alternative modal choices, the proposal incorporates alternatives modal choices. However, a Travel Plan is not

required for a development of this scale and given the location and scale of this particular proposal, these initiatives provide some consideration of addressing sustainable travel.

- 7.65 The TS references the TRICS database which assesses predicted traffic movements through modelled trip generation. Whilst the data refers to affordable units, which does not reflect the submitted application, the additional traffic movements would not be material to the network.
- 7.66 The TS provides the past 5 years road collision data from Sussex Safer Roads Partnership showing a total of 8 accidents recorded over the period. The data does not appear to indicate a fundamental safety issue with the road layout and the County Highway Authority has raised no concerns.
- 7.67 The County Highway Authority has reviewed the TS and has raised no concerns over the additional traffic generation produced by the site. The County did, however, raise concerns that no dropped kerb had been provided at the access to the site, therefore limiting its accessibility. This has since been addressed and the dropped kerb will be incorporated into the scheme and secured by a condition.

Flooding

- 7.68 Policy LO1 of the CS&P DPD states that the Council must seek to reduce flood risk and its associated adverse effects on people. It lists a number of different ways in which developments can help achieve this, most notably by avoiding residential development in Flood Zone 3a.
- 7.69 The submitted Flood Risk Assessment states that the site is situated within Flood Zone 2.
- 7.70 The FRA concludes that the site sits within Flood Zone 2 and is classified as a 'more vulnerable' use, according to the NPPF's flood risk vulnerability classification table, and the exceptions test is not required and the sequential test was passed. All other sources of flood risk were considered and found to be low.
- 7.71 The Lead Local Flood Authority (LLFA) raised concerns that the surface water drainage scheme did not accurately reflect the requirements set out in the NPPF, PPG and the Non-Statutory Technical Standards for drainage systems. The LLFA has therefore recommended a condition to provide a detailed drainage strategy, covering surface water drainage and sustainable drainage systems. The objection has therefore been removed.
- 7.72 The Environment Agency reviewed the proposal and is satisfied that the proposal would be acceptable in respect of flood issues subject to no raising of the existing land levels.

Waste and Recycling

- 7.73 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will incorporate provision for the storage of waste and recyclable materials.
- 7.74 The applicant is proposing to use the existing refuse and recycling facilities as already provided at the White House Hostel. These facilities comprise 1 x 7000 litre bin for general waste, 1 x 7000 litre bin for recycling and 1 x 3000 litre bin for food waste. The DAS notes that recycling and general waste will be collected on alternate weeks and food waste weekly. These facilities are accessible, situated just opposite the development, to the rear of the White House Hostel.
- 7.75 The Council's Group Head Neighbourhood Services was consulted and has confirmed that the existing bin capacity at the White House Hostel is sufficient to provide adequate waste disposal for the additional 17 units. However, this is reliant on a weekly collection and therefore there would be an additional charge to occupants of the proposal for this. An informative has been recommended to address this requirement.

Accessibility

- 7.76 Policy HO4 of the CS&P DPD seeks to ensure that the size and type of housing reflects the needs of the community and encourages the provision of units that are capable of meeting the needs of people with disabilities.
- 7.77 The Design and Access Statement states that the aim is to ensure that appropriate standards for accessibility can be met, within the reasonable expectations for inclusive design, and to ensure that the aims of the Disability Discrimination Act 1995 (as amended 2005) are met.
- 7.78 The proposed floor plans illustrate that Flat 01 would be an accessible unit under Part M4(2) of the Building Regulations and Flat 02 would be a wheelchair accessible unit, under Part M4(3).
- 7.79 The Council's Strategic Lead, Housing noted that whilst supportive of the application, considers that 10% of the units should be accessible. This has since been addressed by the applicant through the submission which provide 2 of the 17 units as accessible.

Contaminated Land

- 7.80 The applicant has submitted a Ground Investigation Report which details the potential of contamination, and as a result, provides mitigation measures and strategies to reduce possible contamination risk.
- 7.81 The Phase 1 Desk Study concluded that the risk of contamination was of low to medium risk. Following this, further testing was carried out, revealing no significant remedial works were required.

- 7.82 The Council's Pollution Control Officer has reviewed the information provided and determined that the report has not fully establish ground conditions in the southern part of the site. Since the proposal is for residential units on a site that has potential for land contamination conditions to provide further information, any necessary mitigation work and validation have been recommended.

Air Quality

- 7.83 The submitted Air Quality Assessment studies the air quality in the local area and details methods of air quality management to mitigate against possible effects the development may have on existing air quality.
- 7.84 The Councils Pollution Control Officer has determined that the impact on air quality created by the operation of the development would not be significant.
- 7.85 However, to mitigate against potential impacts on air quality during the construction phase, the Council's Pollution Control Officer has requested that conditions are attached to the planning permission to secure mitigation measures prior to works commencing on the site.

Crime and Design (Surrey Police)

- 7.86 New developments should comply with the principles as set out within Secured by Design; a police security initiative aimed at creating safe developments.
- 7.87 The Crime Prevention Officer has noted that the layout provides an element of natural surveillance across the development from active rooms and increased use of the new environment. Equally, there are areas that could benefit from control systems to help prevent criminal activity. The Crime Prevention Officer has requested that a condition be imposed demonstrating that the development achieves the principles of Secured by Design.
- 7.88 Since the requirements of Secure by Design relate to issues of detail that go beyond the scope of the planning system, an informative is therefore recommended and this accords with the guidance on the use of planning conditions.

Renewable Energy

- 7.89 Policy CC1 of the CS&P DPD states that the Council will support the provision of renewable energy by requiring residential development of one or more dwellings and other development involving new building to include measures to provide at least 10% of the developments energy demand from on-site renewable energy sources, unless it can otherwise demonstrate that it would threaten the viability of the development.

- 7.90 The submitted Energy and Sustainability Assessment sets out the ways in which sustainability policies will be achieved throughout the development, focusing on the reduction of CO₂ emissions and limiting energy consumption. These can be controlled through adopting design measures such as low energy lighting, variable speed fans and pumps, and ensuring a low building air leakage rate.
- 7.91 The Energy and Sustainability Assessment concluded that the development would reduce CO₂ emissions through implementing renewable and low carbon technologies by at least 10%.
- 7.92 The proposed renewable provision would incorporate an Air Source Heat Pump (ASHP) communal heat network and solar Photovoltaic microgeneration and would provide 31% of the development's energy demand.
- 7.93 The Council's Sustainability Officer has reviewed the Assessment and is satisfied that the renewable energy requirements would be met.

Noise

- 7.94 Policy EN11 of the CS&P DPD states that the Council should seek to minimise the adverse impact of noise by requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels.
- 7.95 The submitted Acoustic Report states that those units on the side of the development towards Ashford Road will experience noise levels that would be in excess of 55dB, therefore not complying with the requirements as set out in BS 8233:2014.
- 7.96 The Report notes that a scheme of mitigation (in the form of double glazing and ventilation acoustic performance requirements) has been recommended to target these higher noise levels. The Report concludes that the proposed noise levels are not considered significant, and therefore the site is appropriate for residential development.
- 7.97 The Council's Noise Officer has been consulted and has requested that a number of conditions be attached to secure noise reduction, mitigation and validation.

Lighting

- 7.98 The submitted DAS refers to a proposed lighting strategy that would serve the development. The strategy does not detail the specific lighting units that would be used, but states that the lighting would be placed in a way to improve legibility and mitigate against potential crime.
- 7.99 A lighting condition is recommended to secure the provision of lighting details prior to the commencement of works on site.

Other Issues

- 7.100 Concerns have been raised through public representations regarding the pressures the development may add to existing infrastructure. The development is CIL Liable therefore a payment would be required as a contribution to existing and proposed infrastructure services.
- 7.101 The proximity of the site to the reservoir and the quarry would have no material impact on the proposed development.
- 7.102 The ongoing pipeline works on Ashford Road have been raised as a cause for concern. Ashford Road is currently operating a one-way traffic system, which in turn limits the possibility of congestion occurring at the site's access. These works are acknowledged as being disruptive to the community but have no connection to the submitted application and do not represent a material objection to the proposal.
- 7.103 Whilst concern has been raised by residents who believe the Council, as applicant, had indicated, at the public meeting for the White House Hostel, that there was no immediate interest in developing the site, the LPA must determine this planning application as submitted.

Financial Considerations

- 7.104 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 would generate New Home Bonus which is an economic benefit. It is a CIL chargeable development and will generate a CIL Payment. This is a mitigation against the development. The proposal will also generate Council Tax payments which is not a material consideration in the determination of this proposal.

Equalities Act 2010

- 7.105 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 to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons 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.

- 7.106 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.
- 7.107 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.
- 7.108 The development has been designed to incorporate so that over 10% of the units are accessible and adaptable for disabled people (i.e. M4(2) of the Building Regulations). The proposal would implement a dropped kerb at the access to accommodate wheelchair users.
- 7.109 The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effect 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 development.

Human Rights Act 1998

- 7.110 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.
- 7.111 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.

Conclusions

- 7.112 Policy HO1 seeks to ensure that provision is made for housing by encouraging housing development on all sites suitable for that purpose taking into account other policy objectives.

- 7.113 The Council cannot currently demonstrate a 5-year housing supply and its Housing Delivery Test result is just 69%. Consequently the 'tilted balance' is engaged for housing schemes and the NPPF states planning permission should be granted unless "*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the framework taken as whole*".
- 7.114 The proposal is considered to be appropriate and in accordance with the objectives of the CS&P DPD and the NPPF and is therefore recommended for approval.

8. Recommendation

- 8.1 (A) To GRANT planning permission subject to the completion of an appropriate agreement between Knowle Green Estates Limited being a developer/party with sufficient interest in the land and Spelthorne Borough Council being the Local Planning Authority to secure the following Heads of Terms, delegated to the Planning Development Manager:
- The provision of a late-stage review mechanism to secure any potential affordable housing at the time the development is constructed and occupied.
 - A financial contribution of £25,000 towards off-site open space improvements within Spelthorne.

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

REFUSE the planning application for the following reasons:

- The development fails to provide a satisfactory mechanism to secure affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009 and Section 5 of the NPPF 2021.
- The proposal fails to secure the upgrade to the Fordbridge Park to mitigate the additional residents at the site contrary to Policy CO3 of the Core Strategy and Policies DPD 2009 and Section 12 of the NPPF 2021.

(B) In the event that the legal agreement is completed to the satisfaction of the Local Planning Authority; GRANT subject to the following conditions: -

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1423-DNA-ZZ-00-DR-A-0001 Rev P1, 1423-DNA-ZZ-00-DR-A-0003 Rev P1, 1423-DNA-ZZ-XX-DR-A-2000 Rev P1, 1423-DNA-ZZ-XX-DR-A-2002 Rev P1, received 30/12/22 and 1423 - DNA - ZZ - 00 - DR - A – 0002 Rev P2, 1423-DNA-ZZ-01-DR-A-1001 Rev P2, 1423-DNA-ZZ-RF-DR-A-1006 Rev P2, received 29/03/23 and 1423-DNA-ZZ-GF-DR-A-1000 Rev P3 received 24/05/23.

Reason:: For the avoidance of doubt and to ensure the development is completed as approved.

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. 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 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) 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.

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.

NOTE

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

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. Prior to the occupation of the building hereby permitted, details including a technical specification of all proposed external lighting and locations 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 building and shall at all times accord with the approved details.

Reason: To safeguard the amenity of neighbouring residential properties and in the interest of security within the site.

7. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme has been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge to be agreed with SCC as LLFA. Including evidence that the receiving system has capacity to accommodate flows from Phase 2.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

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

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

8. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water 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), and confirm any defects have been rectified.

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

9. Prior to occupation of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise rating level emitted from plant, machinery/ equipment shall be 10dB(A) or more below the lowest relevant LA90(15 min) 1M from the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment, and to guard against creeping background noise levels in accordance with Policies.

10. The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:

Bedrooms - 35dB LAeqT T *, 30 dB LAeqT T † , 45dB LAFmax T *

Living rooms- 35dB LAeq T †

Dining room - 40 dB LAeq T †

* - Night-time 8 hours between 23:00-07:00

† - Daytime 16 hours between 07:00-23:00.

Prior to commencement of the development, a report shall be submitted in writing to and approved by the LPA. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter. The development shall be carried out in accordance with the approval given. Following completion of the

development and prior to occupation, a validation test shall be carried out on a relevant sample (usual minimum of 10%) of premises. The results shall be submitted to the LPA for approval in writing.

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

11. The parking spaces shown on the approved plan shall be constructed and made available for the development prior to occupation and thereafter the approved facilities together with the means of access thereto shall be maintained as approved and be reserved for the benefit of the development hereby permitted.

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

12. The development hereby approved shall not be occupied unless and until all of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of improving air quality and promoting sustainable transport in accordance with Section 8 (Promoting healthy and safe communities) and Section 9 (Promoting Sustainable Transport) of the NPPF 2021.

13. No demolition, site clearance or building operations shall commence until protective fencing consisting of weld mesh panels on a scaffold framework as shown in Figure 2 of BS 5837 2012 has been erected around each tree or tree group to be retained on the site in accordance with details hereby approved and no trenches, pipe runs for services and drains shall be sited within that area around the trunk of any tree which is to be protected by fencing unless in accordance with details hereby approved. Such fencing shall be maintained during the course of the development and no storage of materials or erection of buildings shall take place within the fenced area.

The destruction by burning of materials shall not take place within 6 m (19 ft 8 ins) of the canopy of any tree or tree group to be retained on the site or on land adjoining.

Reason: To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

14. The development hereby approved shall not be first occupied until a pedestrian dropped kerb, including tactile paving, from the existing footway at the sites entrance has been implemented in accordance with the approved plans. Thereafter the said approved facilities shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development does not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy Framework 2019 and Policy CC2 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

15. No development shall take place until a written Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- a) A detailed specification construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- b) Site perimeter automated noise and dust monitoring;
- c) Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
- d) Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
- e) A commitment to adopt and implement the Considerate Contractor Scheme;
- f) To follow current best construction practice BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites', BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration, BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting, Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999, Relevant CIRIA practice notes, and BRE practice notes.
- g) Site traffic – Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- h) Site waste Management – Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.

All construction work shall be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with policy.

16. No development shall take place until a Dust Management Plan (DMP) for the site has been submitted and approved by the Local Planning Authority. This should be in accordance with Table 11 'Mitigation Measures' of the Air Quality Assessment (Hoare Lea, Rev. 3, November 22). All of the construction work shall then be undertaken in strict accordance with this approved plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of residential amenity in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

17. Prior to the occupation of the development, details of an appropriate means of enclosure, separating the development from the adjoining Green Belt shall be submitted to and approved in writing by the Local Planning Authority indicating the position, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is 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.

18. Details of a scheme of both soft and hard landscaping works, including restoration and enhancement of the Green Belt land adjoining the development site (edged blue on the approved site plan), shall be submitted to and approved by the Local Planning Authority prior to first occupation of the development hereby approved. The approved scheme of tree and shrub planting shall be carried out prior to first occupation of the buildings. The planting provided shall be maintained as approved for a minimum period of 5 years, such maintenance to include the replacement in the current or next planning 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 resulting from the development, restore the Green Belt land and define the residential site from the adjoining Green Belt, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

19. The development shall be carried out in accordance with the submitted flood risk assessment (ref: White House Hostel, Flood Risk Assessment & Drainage Strategy Report, Dated Dec 2022, Rev A) and the following mitigation measures it details:

- There should be no land raising across the site.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: This condition is in accordance with Policy E3 of the emerging Spelthorne Local Plan 2022-2037 (dated June 2022) and paragraph 167 of the NPPF and seeks to ensure the risk of flooding to the proposed development and future occupants is not increased.

INFORMATIVES TO APPLICANT

1. In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This includes the following -
 - a. Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development
 - b. Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered
 - c. Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.
2. Access by the Fire Brigade
Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or County Hal. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings.

There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).
3. 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 application/organisation responsible for the damage.
4. The permission hereby granted shall not be constructed as authority to carry out 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 the 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 month 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.

5. 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).
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Transportation Service.
7. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Construction Transport management Plan 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 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.
8. The applicant is advised that all gas fired boilers should meet a minimum emissions standard of 50mgNOx/Nm3 for gas turbines, 250mgNOx/Nm3 for spark ignition engines and 400mgNOx/Nm3 compression ignition engines.

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).

9. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality."
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. Please use our reference number in any future correspondence.

11. The machinery, plant/equipment and extract/ventilation system and ducting should be mounted with proprietary anti-vibration isolators and fan motors should be vibration isolated from the casing and adequately silenced.

12. 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.
13. The applicant is advised that machinery, plant/equipment and extract/ventilation system and ducting should be mounted with proprietary anti-vibration isolators and fan motors should be vibration isolated from the casing and adequately silenced. The reason for this is to ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by vibration.
14. In accordance with Approved Document S of the Building Regulations, you will be required to install electric vehicle charging facilities.
15. 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.
16. 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.
17. Sub ground structures should be designed so they do not have an adverse effect on groundwater.