

Planning Committee

29 April 2026



Application No.	24/01452/OUT		
Site Address	Bugle Nurseries Upper Halliford Road, Shepperton, TW17 8SN		
Applicant	Mr Good on behalf of Angle Property (RLP Shepperton) LLP		
Proposal	Outline application with approval sought for partial approval of access (highway access and primary estate road), with details of access (secondary estate roads), scale, layout, appearance and landscaping reserved, for the demolition of existing buildings and structures and the redevelopment of the site for up to 80 residential units and the provision of open space and a play area, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.		
Officer	Paul Tomson/ Kelly Walker		
Ward	Halliford and Sunbury West		
Call in details	N/A		
Application Dates	Valid: 06.12.2024	Expiry: 07.03.2025	Target: Extension of Time agreed 01/05/2026
Executive Summary	<p>This application is for Outline consent for the redevelopment of the site for a residential development comprising up to 80 dwellings, provision of open space, and other associated works. The housing would consist of 18 no. 1 bed flats, 17 no. 2 bed units (6 flats and 11 houses), 34 no. 3 bed houses and 11 no. 4 bed houses, of which 50% will be affordable. The site is an Allocation in the newly adopted Spelthorne Local Plan. The part of the site subject to development for housing has been removed from the Green Belt. Given the Outline nature of the application, only part 'access' is under consideration. Parameter plans have been submitted showing these details. Although access is a reserved matter, the applicant has submitted details showing part of the access, onto the site itself, and the main roadway into the site to be under consideration at this Outline stage. Whereas the other internal access roads within the site will be assessed at the Reserved Matters stage.</p> <p>Matters reserved for a further planning application are access (part), scale, layout, appearance and landscaping. However, indicative plans have been submitted to show how the site could potentially be laid out and designed.</p> <p>The Council has received a number of planning applications for residential development on the site over the last few years Most of these</p>		

	<p>were refused on Green Belt grounds. Since then, the southern half of the site has been removed from the Green Belt in the new Local Plan.</p> <p>The current proposal is considered to be acceptable in principle given it has been identified as an Allocation for housing in the Local Plan. It will contribute to the Council's five year housing land supply and provide much needed housing, including affordable housing. The scheme will have an appropriate mix of units. It is considered to be acceptable on flooding grounds and ecology and will accord with the Biodiversity Net Gain (BNG) requirement. Highway matters, contaminated land, air quality and archaeology issues are considered to be acceptable. Furthermore, the layout of the proposed open space in the northern and western part of the site is also considered acceptable.</p> <p>The scale which restricts the height of the development to 8.7m, which is 2 storey, is acceptable. The access into the site and the main access road, which are under consideration at this stage, are also considered acceptable.</p> <p>The indicative plans, which show how the site could potentially be developed shows that the scheme could be acceptable in relation to design and appearance, impact on the amenity of neighbouring properties, amenity of future occupants and landscaping. However, the final design would be subject to a further application at the Reserved Matters stage.</p> <p>As such, this Outline scheme is considered acceptable in relation to part 'access', subject to a completed Section 106 legal agreement to secure open space provision, affordable housing and a monetary contribution toward Police infrastructure in the area.</p>
<p>Recommended Decision</p>	<p>The application is recommended for approval subject to the conditions and Section 106 agreement set out in Section 9 below.</p>

1. Local Plan

1.1 The following policies in the Council's Local Plan (March 2026) are considered relevant to this proposal: -

- ST1: Presumption in Favour of Sustainable Development
- ST2: Planning for the Borough
- PS1: Responding to the Climate Emergency
- PS2: Designing Places and Spaces
- PS3: Heritage, Conservation and Landscape
- SP4: Green Belt
- H1: Homes for All
- H2: Affordable Housing
- E1: Green and Blue Infrastructure
- E2: Biodiversity
- E3: Managing Flood Risk
- E4 Environmental Protection
- E5: Open Space and Recreation
- ID1: Infrastructure and Delivery
- ID2: Sustainable Transport for New Developments

1.2 The National Planning Policy Framework (NPPF) December 2024 is also relevant.

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

- Spelthorne Design Code

2. Relevant Planning History

Reference	Description	Date/decision
C/80/702	Residential development at a density of 19.35 units per acres (47.82 units per hectare).	Refused 14.01.1981 Appeal Dismissed 16.12.1981

01/00816/FUL	Demolition of existing bungalow and erection of detached bungalow	Approved 15.12.2001
11/00101/CLD	Certificate of lawfulness for the retention of site buildings and hardstanding, together with the commercial uses of the land and buildings comprising a mix of parking and storage of motor vehicles, vehicle bodies and containers, industrial/workshop purposes with ancillary storage, general storage purposes, offices with ancillary storage, and use of hardstanding for access and parking.	Refused 01.10.2013
12/01060/SCC	Surrey County Council consultation for a certificate of lawfulness to use 0.91 hectares of land at Bugle Nurseries for importation, deposit and sorting of waste materials comprising soil, hardcore, concrete and timber together with the export of such processed materials.	No objection 18.09.2012
15/01528/FUL	Alterations to existing access onto Upper Halliford Road.	Refused 21.01.2016 Appeal Dismissed 06.01.2017
16/00320/FUL	Proposed six month temporary planning application extension for the retention of a 30m high mast with associated equipment	Approved 20.04.2016
16/01982/FUL	Temporary permission for the retention of a 30m high mast with associated equipment	Approved 09.02.2017
18/00591/OUT	Outline application with all matters reserved other than 'Access' for the demolition of existing buildings and structures and the redevelopment of the site for a residential led development including comprising up to 57 residential homes and a 72 bed care home plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes	Refused 30/07/2018
18/01561/OUT	Outline application with all matters reserved other than 'Access' for the demolition of the existing buildings and structures and the redevelopment of the site for a residential led development comprising up to 51 residential homes, a 72-bed care home and the provision of open space, plus associated works for	Withdrawn 05/02/2019

	landscaping, parking areas, pedestrian, cycle and vehicular routes	
19/01022/OUT	Outline application with all matters reserved other than 'Access' for the demolition of the existing buildings and structures and the redevelopment of the site for a residential led development comprising up to 43 residential homes, a 62-bed care home and the provision of open space, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes	Refused 13/11/2019 Appeal Dismissed 15/07/2021
20/00123/OUT	Outline planning application with all matters reserved other than 'Access' for the retention of existing dwelling and demolition of all other existing buildings and structures and the redevelopment of the site for up to 31 dwellings along with the provision of public open space and other associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.	Refused 13.11.2020 Appeal Allowed 15/07/2021
22/01615/OUT	Outline application with approval sought for scale, access and siting, with details of layout, appearance and landscaping reserved, for the demolition of existing buildings and structures, removal of waste transfer facility and the redevelopment of the site for up to 80 residential units and the provision of open space and a play area, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes	Appeal against Non- determination Appeal Dismissed 18 December 2023

3.0 **Background**

- 3.1 With regard to planning application C/80/702, this proposal involved the creation of a new residential development on the whole of the Bugle Nurseries site, comprising 243 dwellings. The application was refused due to the impact on Green Belt, loss of agricultural land and a lack of evidence on housing need at the time.
- 3.2 With regard to planning application 15/01528/FUL for alterations to the existing access road onto Upper Halliford Road, this was refused on the grounds that the development would constitute inappropriate development in the Green Belt for which no very special circumstances had been demonstrated. The subsequent appeal was dismissed for this reason.

- 3.3 With regard to planning applications 19/01022/OUT and 20/00123/OUT these were both refused on Green Belt grounds
- 3.4 Both of these were appealed against. Application ref 19/01022/OUT, (Appeal A) for 43 residential homes and a 62-bed care home was dismissed. However, the smaller scheme ref 20/00123/OUT for 31 dwellings (Appeal B) was allowed. The Inspector considered that this smaller scheme would not constitute inappropriate development within the Green Belt and that it would fit into the exceptions test (Paragraph 145(g) of the NPPF which refers to limited infilling or the partial or complete redevelopment of previously developed land. The Inspector noted that *'The proposed development would contribute 31 dwellings towards the existing housing stock within the Borough, where there is no 5-year land supply. The proposal would also deliver a policy compliant level of affordable housing provision, along with other benefits in terms of the use of previously developed land and short-term economic benefits from the construction phase and longer-term economic impacts from the reliance of new residents on local facilities.'*
- 3.5 The allowed scheme was only for 31 units and the development was located only on the Previously Developed Land (PDL).
- 3.6 With regard to the most recent decision at the site, application 22/01615/OUT, for Outline consent for up to 80 residential units and the provision of open space and a play area, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes, this was appealed against Non-Determination and was dismissed on Green Belt grounds and the lack of a flooding sequential test, in December 2023.
- 3.7 This current planning application for residential development, is the sixth planning application to be submitted over the last few years. The planning history above shows that three of these were appealed against following refusal, and the smaller scheme was allowed by the Planning Inspector. Also, as noted above, a scheme very similar to the current application was also dismissed at appeal on Green Belt and flooding grounds in December 2023. That scheme was an Outline proposal, as is the current application. However, 'scale, layout' and 'access were considered.

4.0 Description of current proposal

- 4.1 The application site comprises an area of land of 4.84 ha and is located to the west of Upper Halliford Road. The site comprises open fields with paddocks, a residential bungalow and its garden, old nursery structures and other buildings and hardstanding in commercial use, including parking and access roads. The application includes the land to the west up to the railway line. There is a large bund on the western boundary with the railway. The applicant has provided details to provide an open area accessible to the public. The submitted plans also show a pedestrian crossing on Upper Halliford Road.
- 4.2 Currently, the site consists of shrubs and trees lining Upper Halliford Road and the remains of old nursery buildings/poly-tunnels to the front of the site. There is an Oak tree in the north-eastern corner of the site which has a Tree Preservation Order on it and will not be affected by the proposed

development. There is an access road located centrally from Upper Halliford Road into the site and also one adjacent to northern boundary. There is a detached bungalow on its own large plot surrounded by a garden and outbuildings. Centrally within the application site are areas of hardstanding and a number of buildings (accessed via the road) which have been used as various commercial uses over recent years, with parking of many commercial vehicles. Further to the north is open grass land with paddocks and a number of trees both individual and in groups.

- 4.3 The site has been designated as Allocation HS1/009 in the newly adopted Spelthorne Local Plan for approximately 79 units with a mix of dwellinghouses and apartments on Part A (land towards the south and east) and provision of a publicly accessible open space on the remainder of the site (Part B). Part A of the site where the proposal housing is to be located, is no longer located within the Green Belt

Surrounding area

- 4.4 To the south on Upper Halliford Road are developments which are domestic in scale, with two storey semi-detached houses located along Halliford Close and No. 137 and 139 being bungalows. Immediately to the south east of the site are residential properties positioned at right angles within Halliford Close, whose rear gardens adjoin the application site. Further to the west, the garages of properties at Bramble Close and allotments adjoin the application site to the south. Directly to the north of the site is a public footpath and the site of the former Bugle Public House which has been rebuilt as a block of eight apartments. Further to the north are other dwellings fronting Upper Halliford Road, with open grass land behind and a large fishing lake to the north west of the site. Most of the existing dwellings are relatively small in scale, are mostly two storey and have gaps in the street scene between the built form providing views of the open land behind.
- 4.5 To the north-east, on the other side of Upper Halliford Road is Halliford Park, which comprises open grass land and mature trees. It also has a play area, and a car park.
- 4.6 There are many trees within the site, mostly close to the boundaries. The Council has previously issued a Tree Preservation Order on an Oak tree located in the north-eastern corner of the site.

Proposal

- 4.7 This Outline planning application is very similar to the most recent appeal scheme. However, the Local Plan has now been adopted and as such, the developable part of the site has been removed from the Green Belt and is designated as a housing Allocation. It is worth noting however that the southern part of the site proposed for redevelopment, does not strictly follow the line shown on the Allocation. There is a small portion to the west of the site that goes into the Green Belt land, but also a small portion to the north which will continue to be open and not developed which will be removed from the Green Belt. As such, it is considered that this is very much a like for like basis and has no implications for the Allocation itself. It broadly accords with the requirements of the Allocation.

- 4.8 The proposal is for the demolition of the existing buildings and structures and the redevelopment of the site for a residential development comprising up to 80 dwellings, provision of open space, and other associated works. Matters to be assessed at this stage have been amended since submission. This is now only 'access' (part), with scale,' layout, 'appearance' and 'landscaping' reserved and not being assessed at this stage (although there is a maximum height of 8.7m under assessment). Although the proposed description has been changed to this effect, the application has not been re advertised as it is not considered that It would prejudice neighbouring properties. It should be noted that although 'access' is a Reserved Matter, the applicant has submitted details showing part of the access, (that of the access and egress into the site and the main roadway within the site only) which is to be under consideration at this Outline stage. Whereas the other internal access roads within the site will be assessed at the Reserved Matters stage.

The following matters are for approval at outline stage:

- *Access (part – main access road only)*

The following matters would be determined as a reserved matter:

- *Access (part)*
- *Scale*
- *Layout*
- *Appearance*
- *Landscaping*

- 4.9 Three parameter plans showing the site access/egress, land use and development zone heights, have been submitted for assessment. In addition, indicative plans have been submitted showing details of the layout, design of the buildings, as well as the proposed parking provision and landscaping. These indicative plans are illustrative only and indicate one way in which the site could be developed.

- 4.10 The Town and Country Planning (Development Management Procedure) Order 2015 provides definition of “scale” “access”, “layout”, “appearance” and “landscaping” in relation to reserved matters associated with outline planning applications: -:

Access - ‘...the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network...’.

Scale – ‘...except in the term ‘identified scale’, means the height, width and length of each building proposed within the development in relation to its surroundings...’

Layout- ‘...the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development...’

Appearance – ‘...the aspects of a building or place within the development which determine the visual impression the building or place makes, including

the external built form of the development, its architecture, materials, decoration, lighting, colour and texture...'

Landscaping – '... the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features..'

- 4.11 As noted above, parameter plans have been submitted to agree certain detail, with indicative plans used to inform the layout, design and landscaping (which are not currently under assessment). The submitted parameter plans, under assessment, show limited detail including the scale parameter plan which provides a maximum height of 8.7m, which is two storeys. The proposal includes 80 dwellings, providing 18 no. 1 bed flats, 17 no. 2 bed units (6 flats and 11 houses), 34 no. 3 bed houses and 11 no. 4 bed houses. There is also shown to be a small play area to the north of the proposed dwellings, in the open space, which will be accessible by residents of the proposed scheme and members of the public.
- 4.12 The indicative plans show that a total of 158 parking spaces will be provided. Parking layout is illustrative and to be provided mainly to the front and side of the buildings. The proposal also includes areas of landscaping, refuse and cycling parking facilities. Some of the existing trees on site appear to be removed/affected by the proposal.
- 4.13 The application also includes the land to the west up to the railway line and land to the north up to the public footpath. The proposal includes the removal of the existing bungalow fronting Upper Halliford Road along with indicative details of landscaping to provide an open area accessible to the public, keeping a link to existing Green Belt land to the west and east.
- 4.14 The proposed site layout is provided as an Appendix.

Residential

- 4.15 A total of 80 dwellings are shown to be provided, comprising 18 no. 1 bed flats, 17 no. 2 bed units (6 flats and 11 houses) 34 no. 3 bed houses and 11 no. 4 bed houses. The applicant is also proposing that 40 units will be affordable (30 affordable rent and 10 shared ownership). See table below: -

Unit Type	Market Housing (40 units)	Affordable Housing - affordable rent (30 units)	Affordable Housing - shared ownership (10 units)	Total
1 bed	7	10	1	18
2 bed	4	9	4	17

3 bed	21	9	4	34
4 bed	8	2	1	11
Total	40	30	10	80

5 Consultations

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

Consultee	Comment
County Highway Authority	No objection. Recommends conditions
Environment Agency	No comments
Group Head-Neighbourhood Services	No objection to Outline application but will need to be consulted at Reserved Matters stage.
Surrey County Council (Minerals and Waste)	No objection. Recommends conditions
Sustainability Officer	Raised concerns as the proposal currently no details have been submitted to show how the 10% renewable energy requirement will be met. (Officer note: as the application is an Outline this can be agreed at Reserved Matters stage)
Lead Local Flood Authority (Surrey County Council)	No objection subject to conditions.
County Archaeologist	No objection. Recommends a condition
Crime Prevention Officer	No comments received. However, no objection to the previous application
Countryside Access Officer (Surrey County Council)	No comments received. However, no objection to the previous application.
Natural England	No comments received. Also, no comments were received with the previous application.
Surrey Wildlife Trust	No objection subject to conditions

Network Rail	Objects based on the intensification of the use of the railway crossing as a result of the proposal. This was the same as with the previous appeal application however this was not a reason for refusal or a reason to dismiss the appeal.
Thames Water	No objection
Tree Officer	No objection
Surrey Police	No objection. Requests a monetary contribution of £52,682.72 towards police infrastructure in the area.
Surrey Fire and Rescue Service	No objection as meets Building Regulation requirements
National Grid	No comments received. Also, no comments were received with the previous application
Environmental Health (Contaminated land)	No objection subject to conditions
Environmental Health (Air Quality)	No objection subject to conditions

6. Public Consultation

- 6.1 A total of 78 properties were notified of the planning application. Furthermore, a statutory site notice was displayed, and the application was advertised in the local press. Letters of representation were received from 4 properties (including one from Shepperton Residents Association and one from SCAN, objecting to the application). One of these letters was in support of the application and 3 were objecting to the application.
- 6.2 Reasons for support include: -
- Will remove industrial eyesore and dumping
 - Provide badly needed local housing
 - Retains most of the existing green space with landscape enhancement
 - Currently no access to the green space.
 - Overall a good scheme that deserves support.
- 6.3 Reasons for objecting include: -
- Substantially larger than previously approved scheme
 - Strongly performing Green Belt preventing urban sprawl
 - More pressure on infrastructure such as doctors' surgeries
 - Flooding
 - Overdevelopment
 - Parking and traffic congestion access and egress
 - Lack of infrastructure
 - Too many houses support 54 but not 80
 - Density out of character

- No reference to needs of disabled people
- Substation should not be in open area, near park but in built up area.

7. Planning Issues

- Principle of the development
- Housing land supply
- Housing density
- Design and appearance
- Neighbouring residential amenity
- Amenity space provision
- Proposed dwelling sizes
- Highway issues
- Parking provision
- Affordable housing
- Flooding
- Climate change/Renewable energy
- Ecology
- Open space
- Dwelling mix
- Archaeology
- Impact on trees
- Contaminated land
- Air quality
- Crime and design

8. Planning Considerations

Background

- 8.1 The Spelthorne Local Plan has now been adopted. The spatial strategy is centred on efficient use of brownfield land in the urban area and a small amount of Green Belt release to meet specific needs of the community. The Bugle Nurseries site has been designated as an Allocation (HS1/009) for approximately 79 units along with the provision of a publicly accessible open space.
- 8,2 As noted previously, an application for a similar scheme was dismissed at appeal on Green Belt grounds. However, now that the Local Plan has been adopted, the Allocation has now removed the relevant part of the site from the Green Belt. Therefore, the development site is no longer in the Green Belt

Principle of the development

- 8.3 Policy ST1: Presumption in Favour of Sustainable Development notes that when determining development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It further notes that *'...planning applications that accord with the policies in this Local Plan...will be approved without delay, unless material considerations indicate otherwise.*

- 8.4 Policy H1: Homes for All, Housing Need states that ‘...*The Council will make provision for at least an additional 61826 homes per annum in Spelthorne Borough over the plan period.*’
- 8.5 The NPPF paragraph 117 emphasises the need for the effective use of land in meeting the need for homes, whilst safeguarding the environment. In addition, the site is an Allocation in the new Local Plan where the part to be developed has been removed from the Green Belt. The site is not at a high risk from flooding. Therefore, the principle of development for housing on the site is acceptable.

Housing land supply

- 8.6 The NPPF sets out the objective of significantly boosting the supply of housing, and Local Planning Authority (LPA) is required to provide a minimum of five year’s housing land supply (5YHLS). The Council adopted the Spelthorne Local Plan 2024–2039/40 on 17 March 2026, and the 5YHLS must now be measured against the housing requirement set out in the adopted Local Plan, in accordance with NPPF paragraph 78 and the Planning Practice Guidance (PPG, ID: 68 002 20241212).
- 8.7 The Council has assessed deliverable supply in accordance with the NPPF definition. The Council is therefore able to demonstrate a deliverable five-year housing land supply against the adopted Local Plan requirement. However, it should be noted that the ‘titled balance’ with the presumption in favour of sustainable development nevertheless continues to apply due to the Housing Delivery Test (HDT) consequence, with the historic lack of delivery of housing in the borough.

Housing density

- 8.8 As noted above the principle of a high density development on urban land is the focus of the NPPF in order to make efficient use of land of previously developed and brownfield land, providing sustainable developments. The Council’s Local Plan does not specify density ranges. However, the Allocation itself sets out a possible housing number that could potentially be provided on the site. In this case, the indicative provision is 79 units including dwelling houses and apartments.
- 8.9 Notwithstanding this, the proposal involves the creation of up to 80 residential properties and the proposed housing density is approximately 38 dwellings per hectare (dph) on the developed part of the site. It is noted that the previously permitted scheme for the creation of 31 residential properties had a proposed housing density of approximately 30 dwellings per hectare (dph) on the developed part of the site, which was all on the PDL. As such, the proposed density is considered to be acceptable.

Design and appearance (Scale)

- 8.10 Policy PS2 of the New Local Plan refers to ‘Designing places and spaces’ and states that: -
- 1) *‘The Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will:*

- *create buildings and places that are attractive with their own distinct identity;*
- *respect and make a positive contribution to the street scene and the character of the area in which they are situated; and*
- *pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land'.*

- 8.11 The existing commercial buildings on site vary in size and design but all are single storey, with a large area of hardstanding also in existence. The bungalow is also single storey in nature and is currently surrounded on all sides by a large garden.
- 8.12 To the south on Upper Halliford Road are other dwellings, with two storey semi-detached houses located along Halliford Close and No. 137 and 139 being bungalows. To the north is the former Bugle Public House site, which has been redeveloped to provide flats over 3 storeys, with the second floor set within the roof space. Other dwellings along Upper Halliford Road to the north are generally two storey in appearance. Opposite is open land and the public park and many trees. Currently the application site appears relatively green and open and has planting on the road frontage which shields the uses behind and provides a pleasant street scene.
- 8,14 As such, the area consists of residential development, generally two storey in height, and open land with many trees, shrubs and natural features, appearing relatively green. The building lines to the north are closer to the highway than those to the south of the site, which are set back substantially further from Upper Halliford Road. Most of these buildings are traditional in design, with tiled pitched roofs many with gable features fronting Upper Halliford Road.
- 8.15 Although the scale of the proposed buildings is not under consideration, the submitted height parameter plan notes a maximum Building Height of 8.7m, which is two storey. Appearance is not under consideration. The Council's Design Code sets out design requirements in order to ensure new development is in keeping with the character of the area. As noted above, the area is characterised by two storey development and given the proposed maximum height is two storey in nature, this will be in keeping and accords with Policy PS2 and the Design Code.
- 8.16 The position and size of the area for the proposed housing development is different to the previous appeal scheme which was allowed (for the 31 units). As noted previously, the current scheme is based on the Allocation site area and also proposes an open area to the north and west following the demolition of the existing bungalow on the site. Therefore, the development will be located to the south of the access road, as shown on the proposed land use parameter plan which is under consideration. The proposed dwellings are likely to be set back from the main street frontage of Upper Halliford Road, as shown on the indicative plans. This land is currently open and free from development.
- 8.17 As noted above, the existing small low level bungalow and garden will be removed to make way for an open piece of land, linking the Green Belt to the

west and east. This would serve as a break in the built development fronting Upper Halliford Road. The proposed development would extend back into the site past the existing houses on Bramble Close and the garage block. As such it would in effect line up with the existing development to the south of the application site. This is also required by the Allocation, as the rest of the site remains in the Green Belt. Therefore, from a design and visual amenity point of view, the proposed built form has been positioned adjacent to the existing development to the south. As such, it is considered that the proposal could be acceptable from a design point of view and could be considered to be in keeping with the character of the area. The scale, appearance, and layout are indicative at this stage. The proposed indicative layout plan, which shows one way in which the site could be developed, proposes detached, semi and terraced dwellings and apartments, fronting the indicative roadways with their gardens generally located behind and is considered to be acceptable.

- 8.18 Landscaping is also reserved at this stage, but an indicative plan has been provided. The landscaping will help to complement the proposed built form and play area. It will help to provide visual relief to the built form and soften the areas of hardstanding and parking. The scheme provides a usable play area including landscaping which is visible from public areas and will add to its visual amenity. Much of the indicative parking has been provided in front of and to the side of the dwellings, adjacent to the roadway, The land to the west and to the northern side of the site is proposed to be landscaped for use by the public and is shown to be open with landscape features and paths, which will provide valuable visual benefits and a usable asset for the local community. This land continues to be located within the Green Belt.
- 8.19 As such, the proposal is considered to be capable of being acceptable in terms of scale, design and appearance, and layout, within the parameter of a two storey building height of up to 8.7m, and likely to be able to conform to the Design Code and Policy PS2.

Impact on neighbouring residential properties

- 8.20 Policy PS2 on the impact on neighbours states that
'2) Proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding adverse and un-neighbourly impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.'
- 8.21 The submitted plans under assessment are only for (part) access, with the scale, layout, landscaping, appearance and part access being the Reserved Matters. The only detail currently under assessment which falls within scale, is that of the 8.7m maximum height. However, there are only indicative plans of the layout. As such, the maximum height of 8.7m under assessment, indicates two storey dwellings. However, the proximity of the proposed dwellings to the boundaries with existing properties is only indicative and not under assessment with this application. Notwithstanding this, it is considered that a proposal that has an acceptable relationship with the existing residential properties to ensure they are not significantly adversely affected by the proposal, is likely to be able to be designed and submitted at the Reserved Matters stage. The submitted plans, which are indicative show a possible way in which the proposed site layout could work The Council's

Design Code sets out policies requirements in order to ensure this is the case.

- 8.22 It is acknowledged that most developments will have some impact on neighbours. However, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed. The Design Code sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for two storey development of 10.5m for back to boundary distance, and 21m for back to back development. There is also a minimum distance for back to flank elevations of 13.5m.
- 8.23 The parameter plans show that the proposed houses will be 2 storey in nature. The parameter plans confirm that the Maximum Building Height will be 8.7m. The indicative plans show the proposed units to the south would adjoin the rear boundary with existing properties on Halliford Close and also with a car park further to the west. These existing dwellings have relatively long rear gardens. The indicative plans show the proposed dwellings to be set back from the common boundary by at least the minimum 10.5m separation distance as set out in the Design Code. In addition, they are shown to exceed the separation distance from back to back of some 21m. This would therefore meet the minimum two storey separation distance. As noted, the appearance is not known at this time, and the scale detail is limited. Although the proposed scale, appearance and layout is not under consideration, the maximum proposed height (at 8.7m) is under assessment. As such the submitted indicative plans, which show one way the site could be developed, show that the proposal could meet the requirements and consequently would have an acceptable relationship with the existing dwellings.
- 8.24 The existing dwellings located on Upper Halliford Road at Nos.137 and 139 are set in from the boundaries with the application site and have large outbuildings to the rear. There are currently no fixed layout plans under assessment. However, as noted above, the indicative plans show new dwellings to be set in from these boundaries with gardens and car parking, with some landscape buffers adjoining. These proposed indicative plans show a layout which will have an acceptable relationship with the existing properties on Upper Halliford Road. The proposed indicative plans show the dwellings to be set well back from the northern boundary with the existing flats at the former Bugle public house, as this forms part of the open space.
- 8.25 The proposal is considered to be capable of having an acceptable relationship with and therefore an acceptable impact on the amenity of existing neighbouring residential properties, Further detail would be assessed at the Reserved Matters stage when this detail will be submitted. Therefore, the proposal is considered to conform to the Design Code and Policy PS2

Amenity Space

- 8.26 The Council's Design Code at Appendix C provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats, it requires 35 sq. m per unit for the first 5 units and 10 sq. m for the next 5 units and 5 sq. m per each unit thereafter. Each of the proposed block of flats has

an indicative garden area which will ensure that there is an acceptable level of amenity space for the occupants, conforming to Policy SP2

- 8.27 On the indicative plans the proposed houses have their own private gardens, and the Design Code requires this to be a minimum of 70 sq. m for each of the 4 or 3 bed houses, or 60 sq. m for the 2 bed houses. The indicative proposal does meet this requirement and, in addition, all residents will have access to the open space to the rear of the site. Flats/maisonettes require a minimum amenity space provision of 35 sq. m per unit and the indicative layout plans show that this can be provided at this stage. As such, amenity space provision for future occupants could be acceptable and would be assessed at the Reserved Matters stage (where layout will be assessed).

Proposed dwelling sizes

- 8.28 The Government national minimum dwelling size standards in their "*Technical Housing Standards – nationally described space standard*" document dated March 2015 sets out minimum floor space standards. This is also noted in the Council's Design Code 2026.
- 8.29 All of the illustrative proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards. Therefore, it is considered their standard of amenity overall to be acceptable.

Highway and parking provision

- 8.30 Policy ID2 on Sustainable Transport for New Developments Development Proposals states that: -

1) The Council will require development proposals to incorporate opportunities to facilitate sustainable and active modes of travel.

- 8.31 In addition the NPPF refers to considering development proposals at para 115 and 116 noting that

'115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and d) 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 through a vision-led approach.

116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'

- 8.32 The County Highway Authority (CHA) was consulted and has raised no objection to the proposal. In terms of trip generation, the existing use of the site does generate a small number of vehicular movements. Surveys of the site access have demonstrated that there were 6 two-way vehicle movements across the site access in its busiest hour of the survey period (08:00-09:00). It is considered that there is some potential for the site to attract slightly more vehicular movements without requiring any further planning permissions, but it is not likely to be significant. The Transport Assessment provided includes an analysis of the likely trip generation of the proposed development using the TRICS database. The provided data shows that the peak hour departures would be approximately 30 vehicles between 08:00-09:00, and peak arrivals would be 31 between 17:00-18:00. It is unlikely that this scale of trip generation would cause any capacity issues at any of the junctions on Upper Halliford Road. Traffic modelling at the site access junction with Upper Halliford Road was undertaken. This modelling demonstrated that the junction would operate within capacity, without significant queuing. The modelling demonstrated that the impact on the flow of Upper Halliford Road would be very minor.
- 8.33 In relation to the access arrangement, the Transport Assessment states that the application proposes to modify the existing access to Upper Halliford Road in the centre of the site, which would be widened and provided with footways on either side. A drawing has been provided which demonstrates that visibility of 120m in either direction is achievable, and this is acceptable.
- 8.34 The CHA has noted that early discussions identified the local demand for a new crossing facility across Upper Halliford Road, in the vicinity of the development site. Upper Halliford Road is a busy road with a speed limit of 40mph. There is an existing controlled crossing approximately 650m south of the site access. To the north of the access, there is no formal pedestrian crossing provision. The proposed crossing would therefore provide a necessary pedestrian facility to enable pedestrian access to the bus stop and public park opposite the site. The proposed crossing will be provided with signal controls. As discussed in their pre-application meeting with the applicant, the CHA is not insistent that this type of crossing be provided and considers that pedestrian refuge islands could be sufficient. It is understood, however, that the applicant does wish to provide the signalised crossing, and this would provide a safer and more convenient facility to pedestrians. Feedback has been sought from the CHA colleagues in Road Safety, and the Police. They have raised no objections to the proposed crossing but have recommended that high friction surfacing be provided either side of it. These works would need a separate highways agreement with SCC.
- 8.35 Subject to the recommended conditions, the highway and access arrangements are considered to be acceptable and accord with Policy ID2 and the NPPF
- 8.36 In regard to parking provision, Policy ID2 requires: -
- ' (b) provision of vehicle parking standards, as set out in the Council's latest Parking SPD, and the provision of electric vehicle charging points which are set out in the latest Surrey County Council guidance;'*

- 8.37 The proposed parking provision for the residential properties is 158 spaces. Previously the Council's Parking Standards set out in the Supplementary Planning Guidance required 152 spaces for the proposed dwellings and flats, as this level of parking was considered to be acceptable in the previous application.
- 8.38 The submitted Transport Assessment has applied Spelthorne Borough Council's parking standards to identify acceptable parking provision levels for each use on site. Overall, 158 spaces have been provided for the residential development, 149 of these allocated to particular units. 3 spaces are available in the southwest corner of the site as unallocated parking, whilst 6 additional unallocated parking bays will be provided next to the play area / green space allowing access to it. SCC's 'Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development November 2021' notes a maximum parking provision of 1 space per 1 and 2 bed unit and 2 spaces for 3 and 4 bed houses in a suburban location such as this. The proposal would require a maximum of 125 spaces. The guidance does note that, '*Where space permits, it may be appropriate to consider increased provision*'. Therefore, the proposed parking provision is in accordance with the guidance.
- 8.39 The CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision noting that generally it is considered that the spaces are reasonably located with respect to the dwellings which they will serve.
- 8.40 Therefore the proposed parking provision is acceptable. It is considered that the scheme is acceptable in terms of policy ID2 and the NPPF on highway and parking issues.

Affordable housing

- 8.41 Policy H2 of the Local Plan requires at least 30% affordable housing units on all schemes of 10 units (net) or more. Greenfield sites will be expected to deliver at least 50% affordable housing. Policy H2 states that:-

2) '*Planning permission will be granted provided that satisfactory arrangements have been made to secure affordable housing as determined by the following principles:*

(a) The sizes, types and tenure of homes provided will be determined on the basis of local needs as identified in having regard to the Strategic Housing Market Assessment.

(d) Proposals for housing need to meet the need as identified in the most up to date housing needs assessment with particular regard to size, type and tenure of dwellings. The tenure and number of bedrooms of the affordable homes provided on each qualifying site must contribute towards meeting the mix of affordable housing needs identified in the Strategic Housing Market Assessment. This currently includes a tenure split of 75% affordable/social or subsequent affordable housing needs evidence (as previous) commissions or produced by the council

(f) Where provided within a market housing scheme, affordable housing will be well integrated with and appropriately designed to complement the market housing. Equal access to facilities and amenities (such as open spaces and play facilities) will be required for all groups of the community living within the development.'

- 8.42 The applicant is proposing to provide 40 affordable housing units, (comprising 11 no. 1 bed units, 13 no. 2 bed units, 13 no. 3 bed houses and 3 no. 4 bed houses). The 40 units represent an affordable housing provision of 50% and is therefore acceptable and accords with the requirements of Policy H2 and the allocation.
- 8.43 Policy H2 above, states that the provision within any one scheme may include social rented and intermediate units, subject to the proportion of social rented of at least 75% of the total affordable housing component. The proposal is to provide 30 as affordable rent and 10 as intermediate. Therefore, (30 out of the 40 units) 75% of the affordable units will be affordable rent, and the provision is considered acceptable. The affordable housing will be secured by way of a Section 106 agreement.

Flooding

- 8.44 The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded on flooding grounds. The applicant has submitted a Flood Risk Assessment (FRA) & Surface Water Drainage Strategy, as is required by Policy E3 of the Local Plan on Managing Flood Risk.
- 8.45 In terms of flood risk, the site is located outside of the high flood risk area and as displayed in the submitted FRA. It is therefore considered that there is no risk to the future occupants of the site from flooding.
- 8.46 The applicant has submitted a sequential test as paragraph 161 of the Framework explains that to avoid flood risk to people and property a sequential risk based approach to the location of development should be taken to flood risk from all sources. This was a reason for the previous appeal being dismissed as the Inspector noted that a sequential test had not been carried out, despite the EA flood maps having identified small areas of the site to be at a medium to high risk of surface water flooding. However, since the submission of this application the Government has relaxed the requirement for a sequential test in relation to surface water flooding. Furthermore, the sequential test is not required for Allocation sites in the Local Plan.
- 8.47 With regard to surface water drainage, the applicant is proposing to implement infiltration drainage devices to discharge surface water to the underlying soil in the form of permeable paving to provide improved surface water drainage than currently on parts of the site.
- 8.48 The Lead Local Flood Authority at Surrey County Council has been consulted on the proposed sustainable drainage scheme and raises no objection to the scheme, subject to conditions. The Environment Agency have been consulted but have made no comment on the current application. The application

complies with the requirements of Policy E3 of the Local Plan and is acceptable from a flooding point of view.

Climate Change and Renewable Energy

- 8.49 Policy PS1: Responding to the climate emergency states that all development must respond to the climate emergency by:

‘(a) Directing development towards locations that minimise the need to travel and maximise the ability to make trips by sustainable modes of transport including cycling, walking and public transport.

(b) Delivering an efficient use of land especially on the most accessible sites.

(c) Providing more walkable and cyclable neighbourhoods (Twenty Minute Neighbourhoods) that reduce demand for the use of private vehicles’.

- 8.50 Given the fact that this application is an Outline application, with the detailed matters such as appearance and layout reserved for later assessment, an energy statement has not been submitted with this application. However further details will be required to be submitted at a later date (i.e. at the Reserved Matters stage) which can be required by condition (as accepted with the previous proposals) and this is not a reason to refuse the scheme.

Ecology/Biodiversity Net Gain (BNG)

- 8.51 Policy EN2 of the Local Plan states that the Council will support development proposals which restore, maintain and enhance habitat connectivity and will seek opportunities for habitat creation particularly within Biodiversity Opportunity Areas. Development proposals will be expected to contribute to biodiversity through clearly demonstrating improvements when submitting a planning application as part of securing biodiversity net-gain.

Policy EN2 on Biodiversity Net Gain states that

‘5) The Council will seek net gains in biodiversity, through creation or expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species. All development will be expected to provide at least 10% net gain. Major development should calculate this through the most up-to date version of the Biodiversity Metric (or its equivalent). For development of nine 44 All development as set out in Environment Act 2021 84 Pre-submission Spelthorne Local Plan, 2022 – 2037: Environment dwellings or less, the latest small sites metric (or its equivalent) should be used to calculate net gain’.

- 8.52 As of 12th February 2024, Biodiversity Net Gain (BNG) became mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) for major applications. It aims to leave the natural environment in a measurably better state than beforehand. All developments required to adhere to the legislation must produce at least a 10% net gain, calculated by the Statutory Metric published by DEFRA.
- 8.53 The applicant has submitted a BNG report and metric. This includes a BNG assessment using the Statutory Biodiversity Metric, which calculates the biodiversity value of a site before and after development to establish the change in biodiversity attributable to a particular development project. The

submitted report concludes that there is a calculated net gain of +2.60 habitat units, equivalent to +10.90%; associated with the current development proposals. There is a calculated net gain of +0.44 hedgerow units, equivalent to +26.32%, associated with the current development proposals. This has been reviewed and accepted by Surrey Wildlife Trust (SWT) and therefore the proposal complies with the requirements to achieve net gain and accords with Policy E2.

- 8.54 The site includes a number of buildings and trees, which are capable of being used as a habitat for protected species (i.e. bats). A Preliminary Ecological Appraisal (PEA), Bat Roost potential Survey and a Bat Survey have been carried out, which recommends a number of measures to mitigate any adverse impacts. This can be covered by the imposition of a condition. Therefore, the proposal is acceptable in relation to Policy E2.
- 8.55 The site is located a considerable distance from any Site of Special Scientific Interest/Special Protection Area (SSSI/SPA). The nearest SSSI/SPA is the Knight and Bessborough Reservoirs which is at least 2.4km and is located across the river in Elmbridge. Taking into account the scale of the proposed development and the distance from the nearest SSSI/SPA, it is not considered necessary for a Habitats Regulations Assessment screening exercise to be carried out. Natural England was consulted. Although no response has been received, no objection was raised with the previous applications. Surrey Wildlife Trust had requested more detail, which has been provided and now raise no objection, subject to the imposition of a condition requiring the mitigation measures in the submitted reports to be followed. The applicant has submitted a landscape masterplan and it is considered that subject to conditions requiring its implementation together with other wildlife enhancement measures, the proposal will lead to an increase in wildlife on the site. Landscaping is a Reserved Matter which would be assessed in more detail at that stage. The proposal is considered to be acceptable in relation to Policy E2.

Open space

- 8.56 Policy E5 on Open Space and Recreation require proposals for new residential development to make on-site provision for open space, having regard to the standards as set out in the most up-to-date Open Space Assessment. Policy E5 on proposed open space states that: -
The Council will negotiate on site-by-site basis the typology of any open space provision.

(a) Proposals delivering on-site provision will ensure appropriate long-term stewardship arrangements are in place to secure the quality of the open space in perpetuity.

The site is in an area which does not require additional open space provision as there is no shortfall. In particular, there is an existing publicly accessible area of open space and a play park on the opposite side of the road at Halliford Park. However, the Allocation requires that the part of the site which continues to be in the Green Belt, to be accessible to the public. The proposal includes a children's play area and, in addition, a large area of open space of 2.55 ha for the public to access. Therefore, it is considered that the proposed

open space is acceptable and accords with the Allocation and Policy E5. Therefore, its provision is considered acceptable, and it and its ongoing maintenance will be secured by way of a Section 106 agreement.

Dwelling mix

8.57 Policy H1 in regard to Housing Mix and Standards requires new residential development to deliver a wide choice of homes to meet a range of accommodation needs. It goes on to note that new development should provide a mix of housing tenures, types and sizes appropriate to the size, characteristics and location: -.

‘3) Development proposals will be expected to contribute to meeting identified housing needs by having regard to the housing type and size mix as set out in the Strategic Housing Market Assessment or any similar evidence for market and affordable units.’

8.58 The Council’s Strategic Housing Market Assessment (SHMA) was last updated in October 2019. It recognises the role which delivery of larger family homes can play in releasing supply of smaller properties for other households and that a balance of dwellings is suggested that takes account of both the demand for homes and the changing demographic profile.

‘The identified housing mix should inform strategic planning and housing policies. In applying recommended housing mix to individual development sites, regard should be had to the nature of the development site and character of the area, and to up-to-date evidence of need as well as the existing mix and turnover of properties at the local level.’

8.59 The proposal includes 18 no. 1 bed, 17 no. 2 bed, 34 no, 3 bed and 11 no. 4 bed units. If the affordable units were taken out of the equation, the proposal would provide 7 no. 1 bed, 4 no. 2 bed, 21 no, 3 bed and 8 no. 4 bed units. The mix of units is shown in the table below, along with the percentages of the number of each of the types of housing, whether market, affordable rent and shared ownership.

Unit Type	Market Housing (40 units)		Affordable Housing - affordable rent (30 units)		Affordable Housing - shared ownership (10 units)		Total
1 bed	7	18%	10	33%	1	10%	18
2 bed	4	10%	9	30%	4	40%	17
3 bed	21	52%	9	30%	4	40%	34
4 bed	8	20%	2	7%	1	10%	11
Total	40		30		10		80

8.60 It should be noted that in the most recent appeal scheme for 80 dwellings included a very similar scheme to the current proposal, (ref 3325635). The Inspector considered that the most up to date evidence in the Council's most recent SHMA indicated that there was a growing need for larger family accommodation, including homes with three or more bedrooms. He went on to note that Policy H1 sets out a more flexible approach and requires the delivery of a wide choice of homes to meet a range of accommodation needs. Proposals will be expected to contribute to meeting identified housing needs by having regard to the housing types, sizes and mixes, as set out in the SHMA.

8.61 The Inspector at paragraph 75 stated it is important to note that the policy only requires that regard be given to the SHMA rather than adherence to the suggested mix, concluding for that scheme that:-

'...when taken as a whole the proposed mix of homes would have regard to the SHMA and deliver a wide choice. As a result there would be no conflict with the emerging policy H1. This is an important material consideration.... I therefore conclude by finding that the appeal scheme would provide an adequate mix of homes.'

8.62 The current proposal has a similar mix including for affordable rent and meets the suggested mix in the SHMA. In regard to shared ownership the mix is slightly short in respect of 1 bedroomed units on account of a greater proportion of 3 bedroomed homes and is only a small departure of 5%. There is a greater departure for the suggested mix with regard to market housing with a larger proportion of 1 bed units, 18 % instead of 0-5% suggested. This is as a result of a lower proportion of 2 bed units at 10% when the suggested mix is 20-25%. However, if both were taken together, the 1 and 2 bedroom units would provide a total of 28% and the combined suggested mix is between 20 and 30%, to which it complies. This would still result in a similar percentage of smaller units (1 and 2 bed combined), as the SHMA suggests. Therefore, it is considered that the proposal will provide an adequate mix, with a choice of homes to meet a range of accommodation needs in accordance with Policy H1 and the NPPF and is acceptable in this regard.

Archaeology

8.63 Whilst the site is not located within an Area of High Archaeological Potential the applicant has submitted an Archaeological Desk-Based Assessment as required by Policy PS3.

8.64 The County Archaeologist was consulted on the application and following the submission of a report, recommends a condition, therefore the impact of the development on archaeology is considered acceptable and the proposal accords with Policy PS3 and the NPPF.

Impact on Trees/Landscaping

8.65 The applicant has carried out a tree survey at the site which shows that a total of 12 trees and 28 tree groups are present. The indicative layout plans show the development is set back from Upper Halliford Road, and will ensure an

acceptable relationship with the preserved Oak Tree on the north eastern corner of the site which is still located within the Green Belt land.

- 8.66 An Arboricultural Survey and an indicative landscape masterplan have been submitted. The landscape plan shows some tree planting along the proposed roadways, some of the existing trees along the site boundaries will be retained to provide screening and complement the proposed buildings. Further planting in the form of focal trees, hedges and shrubs will also be provided.
- 8.67 The indicative plans show that the play area and private amenity spaces will also be landscaped. Hedgerows and tree planting will be used around hardstanding and car park areas to help break up hardstanding and add visual interest. Most of the car parking is provided along the road frontage in front and to the side of the dwellings, which is broken up by areas of landscaping to help to soften its appearance. The area to the rear and north of the site will be landscaped to provide footpaths and landscaping, along with the removal of the recycling facility and existing bungalow, which will provide an attractive outlook to the proposed development and also other local people using the land.
- 8.68 The proposed planting and landscaping will help to enhance the proposed development, in accordance with Policy E1 which seeks to protect and conserve the landscape and is considered to be acceptable.
- 8.69 The indicative landscape masterplan proposes changes to the existing land formations created by the old disused waste recycling facility in particular it states proposed new bund formation created from cleaned and consolidated existing soil, to create recreational and visual interest, which acting as a visual and acoustic barrier from the railway line. Whilst details of the design of the bund formation have not been provided for assessment at this stage, it is considered that a condition can be imposed to require full details to be submitted for approval. In addition, the landscaping details will be submitted and considered at the Reserved Matters Stage.

Contaminated Land

- 8.70 The applicant has submitted a *Preliminary Risk Assessment & Geo-Environmental Ground Investigation and Assessment* report to ascertain the level of contamination of the existing ground conditions and proposed remediation measures. This is particularly important as the proposal introduces new residential development onto the site which has existing commercial uses and reflects the Council's standard precautionary approach to contamination risk. The Council's Pollution Control Officer has raised no objection subject to conditions being imposed requiring a further investigation to be carried out to refine risks and remediation measures. As such, subject to these conditions, the proposal is considered acceptable and accord with Policy E4.

Air quality

- 8.71 The applicant has submitted an Air Quality Assessment (AQA), as is required by Policy E4: Environmental Protection Air Quality, which notes that the Council will seek to protect and improve the Borough's air quality and work

towards meeting the World Health Organisation Air Quality Guidelines by ensuring all development proposals prevent further deterioration of existing poor air quality and are “air quality neutral” as far as reasonably practicable. It states that: -

‘4) Planning permission will not be granted for proposals where adverse effects on air quality for existing receptors and/or future occupiers are of a significant scale, either individually or in combination with other proposals and/or the effects cannot be appropriately and effectively mitigated.’

- 8.72 The AQA assesses the impact of construction impacts of the proposed development and recommends that a Construction Method Statement be submitted.
- 8.73 The Council’s Pollution Control section was consulted on the application and raises no objection on air quality, subject to conditions. Therefore, the proposal accords with the NPPF and Policy E4 in this regard.

Refuse Storage and Collection

- 8.74 There is little detail on the layout of the site, and internal roads. Only the access and egress and main roadway are under assessment at this time. However, more details will be provided at the Reserved Matters stage to show refuse collection vehicles can enter and exit the site in a forward gear. Refuse storage areas will need to be provided for the flats. The County Highway Authority has raised no objection on this particular issue. The Council’s Group Head Neighbourhood Services has raised concerns about the lack of detail at this stage. However, as noted above more details will be submitted, consulted on and agreed at the Reserved Matters stage.

Crime and Design

- 8.75 With regard to the Crime Prevention Officer’s previous comments, (in the previous schemes) it is considered appropriate to impose an informative rather than a condition at this stage given the proposal is for Outline consent and details of the layout of the dwellings has not been provided at this stage. It will be reviewed at the Reserved Matters application stage when more detail has been provided to address this issue.

Other matters

- 8.76 Surrey County Councils Minerals and Waste Team were consulted and raised no objection subject to Spelthorne Borough Council being satisfied that the proposal would not prejudice the operations or future development of the Charlton Lane Community Recycling Centre (CRC), Waste Transfer Station (WTS) and Materials Recycling Facility (MRF), – the Eco Park, which is located approximately 0.25km west. Paragraph 200 of the NPPF notes that planning decisions should ensure that new development can be integrated effectively with existing businesses, which should not have unreasonable restrictions placed on them because of development permitted after they were established. However, the proposed houses will be located towards the eastern side of the application site and as such is set away from the western boundary which also has a railway line located along it between the proposed houses and the land on which the Eco Park is located. It should also be noted that this site is an Allocation in the newly adopted Local plan which sets aside

this part of the site for housing. As such, the Council is satisfied that the design of the development gives sufficient consideration to amenity impacts that may arise from local waste management site and is acceptable for housing development.

- 8.77 The allocation requires the provision or contribution to any infrastructure as set out in the Infrastructure Delivery Plan (IDP) and/or identified at the application stage which is necessary to make the site acceptable in planning terms. Policy ID1, refers to infrastructure and delivery and states that: -

'The Council will work with infrastructure providers, developers and other key stakeholders to support the delivery of the infrastructure necessary to enable the development set out in the Local Plan. To achieve this, the delivery of development may need to be phased to reflect the delivery of infrastructure'

- 8.78 Surrey Police were consulted as part of the application process and have requested a monetary contribution of £52,682.72 which they have calculated as the cost of policing new growth as a result of this major planning application. The applicant has agreed to pay this contribution, which will be subject to S106 agreement. This is considered to directly relate to the development in scale and kind and is necessary to make the development acceptable in planning terms.

- 8.78 As noted above, Network Rail raised an objection to the proposal based on the intensification of the use of the railway crossing to the west of the site, as a result of the proposal. This was the same response as with the previous planning application at the site, which went to appeal. However, the Council does not consider this to be a reason for refusal (and did not previously). This was also not a reason for which the Inspector dismissed the previous appeal. As such the application is not considered to significantly increase the use of the railway crossing and this is not considered to be a reason for refusal.

- 8.79 The application site is currently occupied by a variety of commercial operations. Because the uses have evolved over time, they are not subject to planning controls that would normally be applied to such uses. None of the properties are therefore restricted in terms of use, hours of operation, access arrangements or other environmental controls.

Equalities Act 2010

- 8.80 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.

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.

- 8.81 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.

It is considered that this proposal may affect individuals with protected characteristics specifically the impact of the development on disabled people. However, given the application is at outline stage and design is not under consideration.

Human Rights Act 1998

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

- 8.83 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.

- 8.84 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.

- 8.85 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.

Financial Considerations

- 8.86 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development (although not applicable at the Outline planning stage) and will generate a CIL Payment based on a rate of £60 per sq. metre of net additional gross floor space. This is a material consideration in the determination of this planning application. The proposal will also generate a

New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Legal Agreement

- 8.87 The applicant is proposing to provide, maintain and manage the on-site public open space as part of this proposal. In addition the scheme proposes 50% of the units as affordable homes. The applicant has also agreed to pay a financial contribution of £52,682.72 towards police infrastructure in the area. These elements will make the proposal policy compliant and are required by the Allocation. These elements will be secured by an appropriate Section 106 legal agreement

Conclusion

- 8.88 The current proposal is considered to be acceptable in principle given it has been identified as an Allocation for housing in the Local Plan. It will contribute to the Council's five year housing land supply and provide much needed housing and affordable housing. The scheme will have an appropriate mix of types of units, including social rented and shared ownership affordable units. It is considered to be acceptable on flooding grounds, ecology and will accord with the BNG requirement. Highway matters, contaminated land, air quality and archaeology issues are considered to be acceptable. The scale which restricts the height of the development to 8.7m, which is two storey is acceptable as is the access into the site and the main access roadway which are under consideration at this stage.
- 8.89 The indicative plans, which show one way that the site could be developed show the scheme could be acceptable in relation to design and appearance, impact on the amenity of neighbouring properties, amenity of future occupants, landscaping and climate change. As noted above, this detail is not currently under assessment and would be subject to a further application at the Reserved Matters stage.
- 8.90 As such, this Outline scheme is considered to be acceptable, subject to a completed Section 106 legal agreement to secure open space provision, affordable housing and a monetary contribution toward Policing.

9. Recommendation

- 9.1 The options available to the Planning Committee for decision making are:
- To approve the application as set out in this report, subject to the prior completion of a Section 106 agreement, conditions and informatives. This option is recommended. The report analyses in some detail the reasons why the application is considered to be acceptable in planning terms.
 - To approve the application (subject to a Section 106 agreement) subject to additional /amended conditions and informatives. This option is not recommended. The conditions and informatives are set out below. The Planning Committee should be mindful of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to*

planning and to the development to be permitted, enforceable, precise and reasonable in all other respects ([National Planning Policy Framework](#)).

- To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable and there are [no material planning reasons](#) to refuse the proposal.

9.2 The application is recommended for approval, subject to the prior completion of a Section 106 agreement, conditions and informatives below.

APPROVE subject to the following:

9.3 (A) Subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 40 affordable housing units (Rent: 10 no. 1-bed, 9 no. 2-bed, 9 no. 3-bed, 2 no. 4-bed; Intermediate: 1 no. 1-bed, 4 no. 2-bed, 4 no. 3-bed, 1 no. 4-bed) on-site built in accordance with current Homes England development standards, the details of which shall be agreed with the Council's Planning Development Manager.
 - The split of the type of affordable housing shall be at least 30 for affordable rent and 10 dwellings for intermediate.
 - Within 6 months of commencement of development the Registered Provider (RP) shall enter into a Nominations Agreement in respect of the affordable housing (in order that the social housing meets local needs).
 - Build and complete the affordable units and hand over to the Registered Provider for occupation before more than 50% of the open market units are sold or substantially completed, whichever is the sooner.
2. To pay the Borough Council a financial contribution of £52,682.72 towards police infrastructure in the area.
3. To secure, implement, maintain and manage the on-site public open space.

In the event that the Section 106 Agreement is not completed

9.4 In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Planning Development Manager in consultation with the Chair of the Planning Committee the following: -

9.5 REFUSE the planning application for the following reasons:

- 1) The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy H2 of the

Spelthorne Local Plan 2024 – 2039/40 (March 2026) and Section 5 of the NPPF 2024.

- 2) The proposal fails to provide a financial contribution towards police infrastructure in the area and is therefore contrary to Policy ID1 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).
- 3) The proposal fails to secure the provision of on-site public open space, contrary to Policy E5 and Site Allocation Policy HS1/009 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).

9.6 (B) In the event that the Section 106 agreement is completed to the satisfaction of the Local Planning Authority; GRANT subject to the following conditions:-

1. That in the case of those matters in respect of which details have not been given in the application and which concern the: -
 - (a) the Access, Scale, Appearance, Layout 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 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before any work on the development hereby permitted is first commenced detailed drawings shall be submitted to and approved by the Local Planning Authority to show: -
 - (i) Access
 - (ii) Scale
 - (iii) Appearance
 - (iv) Layout
 - (v) Landscaping

Reason: - This is an outline application permitted in accordance with the provision of Article 5(1) of the Town and County Planning (Development Management Procedure) Order, 2015.

To ensure the proposed development does not prejudice the appearance of the locality.

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

F2001 Rev. P1; F2100 Rev. P1; F2101 Rev. P1; F2300 Rev. P1; F2500 Rev. P1 received 06 December 2024.

D2001 Rev. P1 – Proposed Land Use Parameter Plan received 06 December 2024; D2002 Rev. P03 – Proposed Development Zone Height Parameter Plan received 23 January 2026; D2003 Rev. P02 – Proposed Site Access/Egress Parameter Plan received 23 January 2026.

MBSK221014- 08 Rev. P1 received 06 December 2024

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

4. No development shall take place until:-

(a) 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.

(b) 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.

(c) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

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

Reason: - To protect the amenities of future residents and the environment from the effects of potentially harmful substances, in accordance with Policy E4 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).

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. No development shall commence until a report has been 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 and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason: - To ensure that the development is sustainable and complies with Policy PS1 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).

7. The development hereby approved shall not be commenced unless and until the proposed vehicular access to Upper Halliford Road has been provided with visibility zones in accordance with Drawing Number MBSK221014-08 P1 and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

8. During and after the construction of the development hereby approved, there shall be no means of vehicular access from the site to Upper Halliford Road over the existing access at the northern boundary of the site.

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

9. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- (a) Provision of a puffin pedestrian crossing facility on Upper Halliford Road close to the site access including dropped kerbs, tactile paving and zig zag lines;
- (b) Provision of a safe and step-free route for pedestrians to travel from the proposed development onto the western footway of A244 Upper Halliford Road.

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

10. 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 to turn so that they may enter and leave the site in forward gear. Thereafter the turning areas shall be retained and maintained for their designated purposes.

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

11. No development shall commence until a Construction Transport/Environmental 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) provision of boundary hoarding behind any visibility zones
- (f) measures to prevent the deposit of materials on the highway
- (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused.
- (h) on-site turning for construction vehicles
- (i) dust suppression measures

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: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and in order to protect local air quality.

12. The development hereby approved shall not be occupied unless and until each of the proposed dwelling(s) are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority 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 2024

13. The development hereby approved shall not be first occupied unless and until facilities for the secure, lit and covered parking of bicycles and the provision of a charging point with timer for e bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: - In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2024.

14. Prior to the first occupation of the buildings, a Travel Plan setting out sustainable transport measures and a timetable for implementation shall be submitted to, and approved in writing by the Local Planning Authority. The sustainable transport measures shall be implemented in accordance with the agreed Travel Plan and timetable.

Reason: In order that the development facilitates sustainable travel measures in accordance with the objectives of Section 9 (Promoting Sustainable Transport) of the NPPF.

15. The development hereby permitted shall not commence until details of the final design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The final solution should follow the principles set out in the approved drainage strategy. The design must satisfy the SuDS Hierarchy and be compliant with the national Non Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels. Where infiltration is proposed confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
 - b) Hydraulic calculations to demonstrate 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 and 10% allowance for urban creep. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off.
 - c) Construction drawings for all drainage elements including cross sections and detailed drainage layout plan.
 - d) An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.
 - e) Details of drainage management responsibilities and maintenance regimes for all drainage elements.
 - f) Details of how surface water will be managed during construction including measures to protect on site and downstream systems prior to the final drainage system being 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.

16. Prior to the first occupation of the development, a verification report 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), confirming any defects have been rectified. Provide the details of any management company. Provide an 'As-Built' drainage layout and state the national grid reference of key drainage elements.

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

17. The precautionary measures to safeguard bats during demolition shall be carried out strictly in accordance with the recommended Avoidance and Mitigation measures in the Urban Edge Environmental Consulting Protected Species Report June 2025.

Reason: - In the interest of safeguarding bats on the site.

18. Prior to the construction of the buildings, an ecological and habitat enhancement scheme to be implemented on the site shall be submitted to and approved in writing by the Local Planning Authority. The ecological and habitat enhancement measures shall be implemented in accordance with the approved scheme and thereafter maintained.

Reason: - To encourage wildlife on the site.

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

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

20. No development shall take place until the implementation of a programme of archaeological work has been secured, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: The site lies in an area of archaeological potential for all periods. The potential impacts of the development can be mitigated through a programme of archaeological work.

21. Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied and thereafter 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.

22. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no extensions including no additions or alterations to the roofs, or outbuildings, shall be erected within the curtilage of the houses without the prior planning permission of the Local Planning Authority.

Reason: - To safeguard the amenity of neighbouring properties.

23. The development shall have a maximum height of 8.7 metres above adjacent ground level, and the maximum eaves height shall be no more than 6 metres above adjacent ground level.

Reason: - In the interest of the character of the area and the impact on the amenity of neighbouring properties.

24. Notwithstanding the approved Proposed Site Access/Egress Parameter Plan, details of the proposed pedestrian access points and routes into and within the site shall be submitted to and approved in writing by the Local Planning Authority before the new dwellings are occupied. The agreed pedestrian access points and routes shall be fully implemented prior to the occupation of the dwellings.

Reason: To ensure that satisfactory access and footpaths are provided on the site.

25. No development including groundworks and demolition shall take place until, a Biodiversity Net Gain Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall follow the Government's Biodiversity Net Gain Template and include details in line with the Biodiversity Net Gain Assessment dated June 2025 by Urban Edge Environmental Consulting, and incorporate the proposed and retained planting broadly in line with the UKHab Post-development Plan in Appendix II. The approved details shall be implemented prior to occupation of the development and be permanently maintained thereafter.

Reason: -.To comply with the requirements of the Environment Act 2021 and the Levelling Up and Regeneration Act 2023

26. Prior to the occupation of the new dwellings, the existing bungalow at 171 Upper Halliford Road and its outbuildings and boundary treatment, together with the existing commercial buildings on the site, shall be fully demolished and the land laid out as public open space in accordance with the approved plans.

Reason: - To ensure that the existing buildings are removed from the site and the public open space provided in accordance with Site Allocation HS1/009 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).

27. No development shall commence until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall demonstrate that waste generated by the construction and excavation is limited to the minimum quantity necessary and opportunities for

re-use and recycling of any waste generated are maximised. The agreed SWMP shall be implemented as approved.

Reason: - To minimise the amount of waste material to be removed from the site.

28. Demolition or construction works shall take place only between the hours of 07:30 – 18:00 Monday to Friday and 08:00 – 13:00 Saturdays and shall not take place at any time on Sundays or on Bank Holidays.

Reason: - In the interest of safeguarding the amenity of neighbouring residential properties.

29. Prior to the occupation of the development, details of facilities for the storage of refuse and recycling materials shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented before the buildings are occupied and shall thereafter be retained.

Reason: - In the interest of the visual amenities of the area.

30. Prior to the construction of any building or structure within the development hereby approved a written method statement outlining the appropriate decommissioning of all monitoring wells shall be submitted to the Local Planning Authority. Works to decommission boreholes shall be carried out in accordance with the details approved 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.

31. Prior to the occupation of the dwellings, details of the design and appearance of the children's playground shall be submitted to and approved in writing by the Local Planning Authority. The agreed children's playground shall be implemented prior to the occupation of the dwellings and shall thereafter be retained.

Reason:- To ensure that the children's playground is provided on the site.

32. Prior to the construction of the buildings, details of the new bund formations shall be submitted to and approved in writing by the Local Planning Authority. The new bund formations shall be fully implemented prior to the occupation of the dwellings.

Reason:- To ensure that the new bund formations are carried out in the interest of the visual amenities of the area.

Informatives

1. BIODIVERSITY NET GAIN - PRE-COMMENCEMENT REQUIREMENT The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in

England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be Spelthorne Borough Council. There are statutory exemptions which mean that the biodiversity gain condition does not always apply, and these are set out in The Biodiversity Gain Requirements Exemptions Regulations 2024. This permission will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

2. 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. 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. Sub ground structures should be designed so they do not have an adverse effect on groundwater.
3. In view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in situ, field evaluation through trial trenching would represent an appropriate initial phase of work to determine the archaeological potential and levels of previous truncation and the need for any further phases of work.
4. Ultra-Low NO_x Gas fired boilers to be provided for space heating and hot water should have dry NO_x emissions not exceeding 40 mg/kWh (at 0% O₂). Where any installations do not meet this emissions standard, they should not be operated without the fitting of suitable NO_x abatement equipment or technology as determined by a specialist to ensure comparable emissions.
5. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
6. 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.

7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road.
9. 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) Statutory utility works The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
10. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
11. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
12. 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.
13. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of

Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

14. Surrey County Council's Electric Vehicle charging requirements for the development proposed, exceeds those as defined within Building Regulations. The County Highway consider it is necessary for the condition to be imposed on any consent granted, in accordance with the requirements of the NPPF (2023) at paragraph 116 (e) and Surrey County Council's LTP4 policy on improving emissions intensity and energy efficiency of vehicles and operational efficiency of roads through technology improvements. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
15. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises / in non-domestic buildings the premises should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-1 of the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.
16. 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.

17. 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

how those who are interested in or affected will be routinely advised regarding the progress of the work.

18. 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