Application No: 2016/2803  
Application Type: OL  
Case Officer: Tom Scriven  
Ward: Weybridge Riverside  
Location: 18 Springfield Lane Weybridge Surrey KT13 8AW  
Proposal: A terrace of 4 two-storey houses with rooms in the roof space and dormer windows, a terrace of 3 two-storey houses and a detached two-storey building comprising 2 flats following partial demolition of existing building (Outline application for access, appearance, layout and scale)  
Applicant: Birchwood Homes Ltd  
Agent: Mr J Cox  
Taylor Cox Associates  
Churston House  
Portsmouth Road  
Esher  
Surrey  
KT10 9AD  
Decision Level: If Permit – Sub Committee  
If Refuse – Sub Committee  
Recommendation: Permit subject to receipt of Unilateral Undertaking in relation to the Affordable Housing Contribution  

Representations: Four letters of objection were received in relation to this application from three separate addresses the contents of which can be summarised as follows:

- Loss of light
- Loss of privacy
- Impact on views
- Impact on access to drains
- Party Wall Act
- Damage to neighbouring foundations
- Lack of parking
- Space for loading and turning of vehicles
- Impact on views from Conservation area
- Cramped form of development
- Missed opportunity for shared access with neighbouring development
- Bin storage

This application has been promoted by Cllr Freeman if the recommendation is to permit.

Report

Description

1. The application site relates to a part single/part two storey building accommodating Weybridge Services & Social Club located to the east of Springfield Lane. This is an area with a mix of commercial and residential uses located within Weybridge designated town centre. The site is located within WEY01 District Centre and Residential Environments as set out in the Design and Character SPD.

Constraints

2. The relevant planning constraints are:
• Adjacent to Weybridge Monument Green Conservation Area
• Area of High Archaeological Potential
• Potential Contaminated Land
• Surface Water Flood Risk (Low/Medium/High risk to front of site and along Springfield Lane)

Policy

3. In addition to the National Planning Policy Framework, the National Planning Practice Guidance and the Technical housing standards – nationally described space standards, the following local policies and guidance are relevant to the determination of this application:

Core Strategy 2011
CS1 – Spatial strategy
CS2 – Housing provision, location and distribution
CS4 – Weybridge
CS16 – Social and Community Infrastructure
CS17 – Local Character, Density and Design
CS18 – Town Centre uses
CS19 – Housing type and size
CS21 – Affordable housing
CS25 – Travel and Accessibility
CS26 – Flooding

Development Management Plan 2015
DM1 – Presumption in favour of sustainable development
DM2 – Design and amenity
DM3 – Mixed Uses
DM4 – Comprehensive development
DM5 – Pollution
DM7 – Access and parking
DM8 – Refuse, recycling and external plant
DM10 – Housing
DM11 – Employment
DM12 – Heritage

Design & Character SPD 2012

Developer Contributions SPD 2012

Flood Risk SPD 2016

4. Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
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<tbody>
<tr>
<td>2016/1047</td>
<td>Detached two storey building with rooms in the roof space, comprising a social club at ground level and four flats following partial demolition of existing building (Outline application for access, appearance, layout and scale)</td>
<td>Granted – Conditions Appealed – Appeal Allowed</td>
</tr>
<tr>
<td>2015/4301</td>
<td>Outline application for a detached two storey building with rooms in the</td>
<td>Refused - 1) The proposal would fail to provide a suitable residential environment for</td>
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roof space, comprising a social club at ground level and four flats following partial demolition of existing building (for access, appearance, layout and scale)  

future occupiers due the poor relationship between the proposed flats’ rear facing habitable room windows and the west elevation of Morrisons Supermarket, which would be visually intrusive and overbearing and restrict internal light to these habitable rooms windows. The proposed development is therefore contrary to the provisions of the National Planning Policy Framework (2012), policy CS17 of the Elmbridge Core Strategy (2011), policies DM2, DM3 and DM10 of the Development Management Plan (2015) along with the guidance contained within the Council’s adopted ‘Design and Character’ Supplementary Planning Document (2012).

2) The proposed building would, by reason of its siting, scale and design, result in a significant overbearing impact and loss of light to the nearest habitable room windows of the flats at Nos.1-5 and 6-7 Elm Court. The proposal would therefore be contrary to policy CS17 of the Elmbridge Core Strategy 2011, Policy DM2 of the Development Management Plan (2015) and the National Planning Policy Framework (2012).

3) The proposal fails to adequately demonstrate that the conflicting uses at ground and first floor level would not result in unacceptable living standards for the future occupiers of the first floor flats. The proposal would therefore be contrary to policies DM2, DM3 and DM5 of the Development Management Plan (2015) and the National Planning Policy Framework (2012).

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Outcome</th>
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<tr>
<td>1990/1001</td>
<td>Display of illuminated sign</td>
<td>Granted</td>
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<tr>
<td>1975/0901</td>
<td>Ground and first floor extensions</td>
<td>Granted</td>
</tr>
<tr>
<td>1973/0995</td>
<td>Erection of bottle and chair store</td>
<td>Granted</td>
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Proposal

5. This is an outline application for a terrace of 4 two-storey houses with rooms in the roof space and dormer windows, a terrace of 3 two-storey houses and a detached two-storey building comprising 2 flats following partial demolition of existing building (Outline application for access, appearance, layout and scale).
Consultations

6. Surrey County Council Heritage Conservation Team: Archaeology – Note that the application site falls within an Area of High Archaeological Potential defined around the historic settlement of Weybridge. Whilst they appreciate that parts of the site may have been destroyed by previous development, it is likely that deposits could exist outside the footprint of existing buildings and even under existing structures if extensive foundations or levelling were not involved. As such they consider that an archaeological desk based assessment is necessary. This would combine the available archaeological information and information about the impact of previous and proposed groundworks to establish more accurately the site’s archaeological potential and full development impact. Recommendations could then be made as to what further archaeological work is required. The desk top study should be secured through the imposition of a pre-commencement condition on any permission granted.

7. Surrey County Council Highways - Based upon the information supplied the Highway Authority has assessed the impact of the proposal on highway safety and capacity and raised no objections subject to conditions and informatives. The recommended conditions relate to the construction of the approved access with visibility zones, laying out of the parking and turning area in accordance with the approved plans, cycle parking and a construction management plan. The development is considered to be in accordance with policy CS25 of the Core Strategy 2011 and DM7 of the Development Management Plan 2015.

8. Environmental Health Contaminated Land – The Contaminated Land Officer raises no objection to the proposed scheme subject to the imposition of a pre-commencement condition in relation to potential land contamination and an asbestos survey. They also recommend that informative be attached in relation to contamination assessments.

9. Environmental Care (Refuse/Recycling) – Initially raised concern with regards the vehicular access and whether this would be adequate to allow for refuse vehicles to access and turn within the site. They requested appropriate tracking information be provided to demonstrate this. They also advised that bin collection would need to be from the front of properties and that the applicant should refer to their guidance when considering the size of the communal bin store for the flats. In addition, they advise that all units should have sufficient space in the kitchen to segregate recyclable and non-recyclable waste. Following receipt of additional information it was confirmed that the existing collection vehicle used at this location would be able to access the site. As such their concern regarding collection were resolved.

10. Planning Conservation – The Conservation Officer notes that the application site is located just outside the boundary of the Conservation Area. They consider that the redevelopment of the site has the potential to provide an enhancement to its setting and that of any listed and locally listed buildings in the vicinity. However, they did raise concern that the scheme appears rather cramped. In addition, they considered that the roof design was somewhat unsympathetic particularly on the terrace along Springfield Lane. They suggested that these should be traditional pitched roofs or be hipped at either end. They also advised that bin storage is shown as being within the rear gardens. The collection point needs to be confirmed to ensure that the proposal does not create clutter in the vicinity.

11. Following the above comments from the Conservation Officer the plans were amended to include a hipped roof over plots 7-9. They consider this an improvement to the design and on the basis of these amendments they have no adverse comments as far as the setting of the Conservation Area is concerned.

Positive and Proactive Engagement

12. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
13. No formal pre-application advice was sought prior to the submission of this application.

Planning Considerations

14. The main planning considerations in the determination of this application are:

- Principle of development
- Comprehensive development
- Access
- Layout and scale
- Appearance
- Impact on neighbouring amenity
- The provision of a suitable residential accommodation
- Developer Contributions and Affordable Housing Provision

Principle of development

15. The Core Strategy indicates that there is a scope for residential development through the redevelopment of existing sites with well-designed schemes that integrate with and enhance the local character. The new development is required to deliver high quality design, which maximises the efficient use of land and which responds to the positive features of individual locations; integrating sensitively with locally distinct townscape while protecting the amenities of those living in the area.

16. The application site is currently occupied by a large part single, part two storey detached building accommodating Weybridge Services and Social Club. As such the site represents previously developed land in the urban area.

17. The application site is for a small section of the site with an area of approximately 0.139 hectares. The proposed is for seven terraced dwellings and two flats. This results in an approximate density of 65dph, which is above the recommended minimum for a town centre location of 40dph. The character of the area is a mix of houses and flats however the general density of the area is high with flats above the majority of commercial units. As such, the development of this density is considered to make effective use of the land and the mix of terraced and flatted development is considered to be acceptable in principle.

18. The proposal would result in the loss of part of the existing social club which is to be demolished. Application 2016/1047 has already been granted on the northern part of the site for a replacement social club with flats above. Policy CS16 seeks to ensure the provision of accessible and sustainable community infrastructure. As such the Council seeks to resist the loss of existing social and community facilities or sites unless it can be demonstrated that:

- the facility is no longer needed for its original purpose or viable for any other social or community use; or
- an alternative facility will be provided in a location with an equal level of accessibility for the population it is intended to serve,
- there is no requirement from any other public service provider for an alternative community or social facility that could be met through a change of use or redevelopment.

19. In this case the application has not demonstrated that the facility is no longer needed for its original purpose or is not viable for any other social or community use. However, in considering the previous application 2016/1047 the Design & Access Statement stated that the existing building is showing its age and the general upkeep and maintenance of the building is proving difficult for the current occupiers. There is no further information to substantiate this claim although it was clear from the site visit that the building isn’t in the best condition. Planning permission 2016/1047 would provide an alternative in the same location as the existing and as such this would be equally accessible to the population it is intended to serve. Whilst this is of smaller scale than the existing Social Club the letters of support from club members in relation to the previous application indicated that the club could not support its current building and a smaller more modern facility would be more appropriate. As such
whilst the proposal results in the demolition of the existing building the smaller facility to be provided to the north of the site would appear to respond to the needs of its users. Therefore, the proposal is not considered to result in an unacceptable loss of a community facility.

20. Based on the above, the redevelopment of the application site is considered acceptable in principle, subject to the considerations below.

Comprehensive development

21. Policy DM4 of the Development Management Plan 2015 encourages development that achieves a co-ordinated approach with adjoining sites. The site forms a large portion of the existing site of Weybridge Services and Social Club. There is an existing permission referenced above under reference 2016/1047 for a replacement social club with flats above. The siting of the proposal is such that plot 3 would not project beyond the front or rear elevation of the main building and would not result in any significant overlooking towards the private amenity space of the proposed flats. The building approved under permission 2016/1047 includes side facing windows which would face the flank elevation of Plot 3. However, these are secondary windows and can be conditioned to be obscure glazed and fixed shut. Therefore, the proposal would not impact upon the future amenity of these flats. The building at Plots 1 & 2 of the proposal would breach the 45 degree line from the nearest front facing window of the proposed flats at a distance of some 12m. However, the rooms impacted are served by multiple windows and given the siting, scale and design of the development along with the number of windows in these rooms it is not considered that the proposal would result in an unacceptable impact upon the future occupiers of the flats on the adjoining site. As such it is considered in this particular instance that the proposal would be acceptable in terms of not prejudicing future development of the neighbouring site.

Access and Parking

22. The proposal would involve a new access from Springfield Lane that has been assessed and considered acceptable by the Highways Authority in terms of capacity and safety. This is subject to the imposition of appropriate conditions relating to the stopping up of the existing access, retention of parking and turning areas and a construction management plan. The existing club benefits from 24 parking spaces in a large parking area to the front of the building. The proposal includes a total of 8 new spaces which would serve the four terraced dwellings to the rear of the site (Plots 3 to 6).

23. There are resident parking restrictions in the immediate area which prevent unrestricted parking on Springfield Lane and surrounding roads, as such it is not considered that the immediate area suffers from a significant level of parking stress. The Council’s Core Strategy does give weight to zero parking for residential units on sites in suitable locations. This application site is located in close proximity services in Weybridge as well as bus stops and public car parks. As such it is considered that the proposed residential development would not result in an increase in on street parking stress and could accommodate zero parking. However, in this instance the proposal does allow for two parking spaces per unit for each of the large units to the rear of the site at Plots 3 to 6. Given the siting of the proposal in a sustainable location in close proximity to local services and public transport along with parking restrictions in the area it is considered that the proposal would provide and acceptable level of parking and would not result in an increase in parking stress.

Layout and scale

24. The application site is located in an area of mixed scale and design. The existing building is set back from the front boundary with Springfield Lane. However, properties along Springfield Lane are generally located in relatively close proximity to the road. The proposed buildings to the front of the site (Plots 1-2 and 7-9) would accord with the existing building line along this side of Springfield Lane. Plots 1-2 and 7-9 at the front of the site would be two storey whilst Plots 3-6 would be two storey with rooms in the roof. The buildings in the area of varied scale with some two storey dwellings along with the large Morrison's building located to the rear of the site. Given the height of buildings in the area it is considered that a proposal of this scale
would not appear out of character with the area. In terms of the character of the street scene, wider area and adjacent Conservation Area the layout and scale is considered to be acceptable. Other matters relating to layout and scale including neighbouring amenity and provision of a suitable residential environment are dealt with below.

Appearance

25. As noted above the buildings to the front of the site would be two storey. Plots 1-2 would be located within a pitched roof building with gable ends to the front and rear. Plots 7-9 would be of hipped roof design with a flat roof section. To the rear of the site Plots 3-6 would be of pitched roof design with a flat roof section to the centre and flat roofed front and rear dormer windows. The design and materials would be relatively traditional and would accord with the general character of the area. The existing building is of utilitarian design and does not provide any positive impact to the streets scene or the character of the adjacent Conservation Area. The current proposal offers an opportunity to contribute to the character of the adjacent conservation area and it is considered that the revised plans received during the application resolved the concerns regarding the impact upon the adjacent Conservation Area.

Impact on neighbouring amenity

26. The neighbours potentially impacted by the proposal are No.15 Springfield Lane and 16-17 Springfield Lane located to the west of the site on the opposite side of Springfield Lane. In relation to No.15 Springfield Lane the proposed terrace at Plot 7-9 would be sited approximately 8.5m from the front elevation of this neighbour. It would be slightly offset in relation to this neighbour sited north along Springfield Lane. The primary outlook from the front facing windows of this property towards the south east would not be impeded by the proposal. In addition, the orientation of the proposed dwellings to the north east of these windows along with their hipped roof design would limit any loss of light and overbearing impact. On this basis, it is considered that the proposal would not result in a significant loss of light or overbearing impact which would adversely impact upon the amenity of this neighbour.

27. In terms of the impact on the privacy of No.15 the nearest proposed dwelling at Plot 7 is offset from this neighbour and therefore the majority of views between windows would be at an angle. In addition, No.15 faces directly towards Springfield Lane meaning that there are existing views towards the front elevation of this dwelling from the public domain. Notwithstanding the above the nearest first floor window of Plot 7 would be in relatively close proximity to No.15 and the views afforded would be relatively direct. However, this first floor window would serve a bathroom and as such could be conditioned to be obscure glazed and fixed shut to ensure that there is no significant loss of privacy.

28. In relation to No.16 Springfield Lane the proposed block of flats Plots 1-2 would be sited approximately 8.8m from the side elevation of this building which faces onto Springfield Lane. Plot 9 at the end of the front terrace would be some 9m from this elevation. No.16 benefits from side facing windows in this elevation which serve habitable rooms at both ground and first floor. Plans for the building indicate that the ground floor rooms are dual aspect whilst the rooms at first floor level also benefit from rooflights in the front and rear elevation. It is considered that given the multiple light sources available to these rooms along with the separation distance to the proposed buildings and their scale and design that the proposal would not result in a significant loss of light or overbearing impact upon this neighbour.

29. With regards to the impact upon the privacy of No.16 it is noted that there are existing views from the public domain towards the side facing windows of this building. However, the proposed flats at Plots 1-2 would include first floor windows which would provide direct views towards these windows and would result in an unacceptable loss of privacy. However, this first floor room of Plots 1-2 also benefits from an alternative light source and outlook to the north. As a result the front facing windows can be conditioned to be obscure glazed and fixed shut. On this basis, it is considered that the proposal would not result in a significant loss of privacy to this neighbour.
The provision of a suitable residential accommodation

30. The proposal would provide 2 flats above at Plots 1-2. Each flat would be set over a single storey and would represent 2 bedspace units as the bedrooms would have a floor area greater than 11.5sqm. As such the flats would be 1 bed 2 bedspace units. They would have a floor area of 47sqm and 54.7sqm respectively. The minimum space standards for units of this size as set out in the Technical housing standards – nationally described space standard is 50sqm. One of the units would fail to comply with this minimum standard. However, the units are located within a town centre location where units of this size could be expected. In addition, the size is only marginally below the recommended minimum standard and given the wider benefit of the scheme in providing units of various sizes it is considered, on balance that the size of this unit is acceptable. The GIA of the proposed terrace houses would comply with the relevant Technical housing standards – nationally described space standards.

31. Proposed new residential development should provide an appropriate level of lighting, outlook and amenity to all habitable rooms and be of suitable space standards. Developments are also expected to enhance existing landscaping and allow visual interest and amenity that provides a setting for the proposed development. As noted above the internal floor areas are considered to be acceptable. It is noted that the rear elevation of Plots 3-6 would face towards the flank elevation of Morrisons supermarket. The rear elevations of these proposed dwellings are approximately 10m from this building. Given this proximity to Morrisons the outlook from rear facing habitable room windows would be limited. However, in town centre locations there is an expectation that outlook may be more limited than in other locations and there is an element of buyer beware in terms of the outlook from the flats. On this basis, it is considered that separation distance between these buildings would, in this instance result in an acceptable level of residential amenity for future occupiers. The remaining units are considered to have suitable outlook and ventilation to all habitable rooms.

32. There would be some intervisibility between the rear facing windows of the buildings to the front of the site (Plots 1-2 and 7-9) and the front facing windows of the buildings to the rear (Plots 3-6). The distance between the windows of Plots 7-9 and 3-6 is approximately 21m. Whilst this is marginally below the recommended back to back distance of 22m it is considered that given the town centre location such a separation distance and element of mutual overlooking would not be unusual or unexpected. In terms of Plots 1-2 and Plot 3 the separation distance is somewhat lower at 16m. Again, this is lower than the recommended back to back distance, however as already noted there is an expectation of some intervisibility in such a location. In conjunction with the fact there would be an element of buyer beware it is considered that in this instance such a separation distance would be acceptable.

33. The flats at Plots 1-2 would not benefit from any private outdoor amenity space. However, in this location within a town centre, it is not unusual for flats to not have individual amenity space. The Council does not prescribe minimum outdoor amenity space standards for flats and as such the lack of private amenity space is considered to be acceptable for accommodation of this type.

34. The proposed terrace houses at Plots 3-6 and 7-9 would have rear gardens of between 6m and 9m in length. The Council’s Design and Character SPD recommends a minimum garden length of 11m to provide suitable amenity space for future occupiers. Whilst the gardens are below the recommended minimum this would not be unexpected in a town centre location. The properties are also in relatively close proximity to services a public amenity space. On this basis, it is considered that the smaller than usual rear gardens would, in this instance, be sufficient to provide suitable amenity space for future occupants.

35. The proposal includes a cycle store which will provide adequate storage for one cycle space for each flat at Plot 1 & 2. This is considered to provide adequate provision for sustainable modes of transport. It is recommended that a condition be attached in relation to the implementation and retention of the cycle store.
36. Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application. The weight to be attached to these considerations is a matter for the Council.

37. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes and their use. The New Homes Bonus is paid each year for 6 years. It is based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes. The Council’s New Homes Bonus Scheme Grant Determination for 2016/17 is £2.96m.

38. Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the New Homes Bonus would be payable for the net increase in dwellings from this development.

39. Policy CS21: Affordable Housing of the Council’s Core Strategy (2011) requires that development of sites for 6-14 residential units should provide 30% of the gross number of dwellings on site as on site affordable housing. In this case the affordable housing requirement would be for two on site units with the remaining requirement provided through a financial contribution.

40. Following a Court of Appeal decision which found in favour of the Government, paragraphs 012-023 of the National Planning Policy Guidance on planning obligations have been reintroduced. These paragraphs and the Ministerial Statement are now a material consideration, alongside local planning policy, against which the Council must consider all planning applications. However, given that the local plan remains the primary consideration against which decisions must be made, the Council is continuing to apply policy CS21 Affordable Housing as set out in the Core Strategy. Following receipt of legal advice, the Council has produced a statement to set out local evidence in support of continuing to apply policy CS21 to this application in light of the revised PPG. This is available to view on the Planning Services webpages.

41. A recent appeal decision (APP/K3605/W/16/3146699) in Elmbridge found in favour of the Council’s approach. The Inspector considered the approach in Policy CS21 to be consistent with Paragraphs 47 and 50 of the NPPF, which require local planning authorities to meet the full, objectively assessed needs for market and affordable housing and where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified.

42. The Inspector added that the application should be determined in accordance with the development plan unless there are material considerations which indicate otherwise, noting the WMS as a material consideration of considerable importance and weight. The Inspector notes that the intention of the WMS is to ensure that financial contributions do not become a disproportionate burden for small scale developers and thus frustrate housing supply, and that there is a conflict between the national threshold relating to the provision of affordable housing in the WMS and the PPG and the local thresholds set out in Policy CS21 of the CS, which he found to be consistent with the Framework. He states:

43. The effect of the national policy in the WMS is that it would normally be inappropriate to require any affordable housing below the thresholds stated. Nevertheless, whilst there is a presumption that a policy such as a WMS should be followed, especially as it postdates the CS, it is also important to acknowledge that a policy that is relevant to the matter in hand should not be applied rigidly or exclusively when material considerations may indicate an exception may be necessary. I therefore share the view of the Council that it is for the
decision taker to weigh any conflict between relevant policies in light of material considerations, including local circumstances.

44. The Inspector also addressed the Council’s Statement on the Written Ministerial Statement (referenced above) and the significant difficulty in the delivery of affordable housing in the least affordable authority in England outside of London, noting that small sites make a significant contribution towards the delivery of affordable housing in the Borough. He also noted that there was no substantive evidence to demonstrate that the requirements of Policy CS21 are placing an unreasonable or disproportionate burden on developers. As a consequence, whilst the WMS carries considerable weight, the Inspector did not consider it to outweigh the development plan given the acute and substantial need for affordable housing in the Borough and the importance of delivery through small sites towards this. He concluded: Consequently, on the basis of the evidence before me, it appears that the need for the contribution sought by the Council arises from the development and satisfies the 3 tests in Regulation 122(2) of the Community Infrastructure Regulations 2010. Accordingly, the proposal should be determined in line with the development plan.

45. Therefore, the current application has been determined in line with the development plan. Policy CS21 allows for consideration of financial viability in the event that the required affordable housing contribution would render a scheme financially unviable. In this case the applicant submitted a viability appraisal with the application which demonstrated that the scheme couldn’t support the required affordable housing provision. An independent review of this viability appraisal was carried out which confirmed that the scheme could not support the onsite affordable housing provision, however it could support a financial contribution towards off site affordable housing. Therefore, it is considered that the applicant has adequately demonstrated that the proposal could not support the required affordable housing provision required by CS21 and in this instance an alternative financial contribution was appropriate. The applicant has indicated that a Unilateral Undertaking will be provided in relation to this financial contribution. An update on this will be provided at the Sub Committee.

Matters raised in Representations

46. The material planning issues have been fully assessed in the planning considerations above.

47. Concern was raised regarding the impact upon views. Whilst consideration is given to the impact upon amenity in terms of loss of light or overbearing impact the loss of a view is not a material planning consideration.

48. The impact on access to drains would be a civil matter between the parties concerned.

49. The Party Wall Act is a separate matter and does not constitute a planning consideration. The developer would need to comply with the relevant requirements of other legislation such as the Party Wall Act.

50. Concern was raised regarding the potential damage to neighbours foundations. This is not a planning consideration and would be a civil matter between the parties concerned.

51. A neighbour noted that the scheme represented a missed opportunity for shared access with neighbouring development. Whilst this may be the case the proposal must be assessed on the basis of the details submitted. The access proposed is considered acceptable in this instance.

Conclusion

52. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Accordingly, the recommendation is to grant permission subject to the receipt of a Unilateral Undertaking in relation to the affordable housing contribution.
Recommendation: Grant Outline Permission Subject to Section 106

Conditions/Reasons

1. OUTLINE (RESERVED MATTERS)
   PLANS AND PARTICULARS OF THE LANDSCAPING OF THE SITE
   (HEREINAFTER CALLED "THE RESERVED MATTERS") SHALL BE SUBMITTED TO AND
   APPROVED IN WRITING BY THE BOROUGH COUNCIL BEFORE ANY WORK ON THE
   SITE IS COMMENCED AND SHALL THEREAFTER BE CARRIED OUT AS APPROVED.
   
   Reason: To comply with Section 92 of the Town & Country Planning Act 1990.

2. OUTLINE (RESERVED MATTERS - SUBMISSION IN 3 YEARS)
   Application for the approval of all Reserved Matters referred to in Condition 1 above shall be
   made to the Borough Council before the expiration of three years from the date of this
   permission.
   
   Reason: To comply with Section 92 of the Town & Country Planning Act 1990.

3. OUTLINE (DURATION)
   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: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act
   2004.

4. LIST OF APPROVED PLANS
   The development hereby permitted shall be carried out in strict accordance with the following
   list of approved plans: 004 received on 25 August, 002 Rev A, 003 Rev A and 008 Rev A
   received on 01 November 2016 and 005 Rev B received on 16 March 2017.
   
   Reason: To ensure that the development is carried out in a satisfactory manner.

5. MATERIALS - APPROVED
   The buildings shall not be erected other than in the materials as detailed on the approved
   plans or such other materials as have been approved in writing by the borough council.
   
   Reason: To ensure that a satisfactory external appearance is achieved of the development in

6. OBSCURE GLAZING
   The first floor windows on the front elevation of Plots 1 & 2 and the first floor bathroom window
   in the front elevation of Plot 7 of the development hereby permitted shall be glazed with
   obscure glass and fitted with non-opening bottom lights, and subsequently maintained in this
   form. Such glass shall be sufficiently obscure to prevent loss of privacy. The affixing of an
   obscure film will not be sufficient.
   
   Reason: To preserve the reasonable privacy of neighbouring residents in accordance with

7. PD LIMITATION
   Notwithstanding the provisions of the Town & Country Planning General Permitted
   Development Order 2015 (or any Order revoking or re-enacting that Order) no development
   falling within Part 1 Classes A, B and E of Schedule 2 to the said Order shall be carried out
   within the curtilage of any dwellinghouse, unless planning permission is first granted by the
   Borough Council.
Reason: To safeguard the character and amenities of the premises and adjoining properties and to comply with Policy DM2 of the Elmbridge Development Management Plan 2015.

8 PARKING AND TURNING
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 be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015.

9 ARCHAEOLOGY - SCHEME OF WORKING (SITE OF HIGH ARCHAEOLOGICAL POTENTIAL)
NO DEVELOPMENT OTHER THAN THE REMOVAL OF EXISTING STRUCTURES ABOVE GROUND LEVEL SHALL TAKE PLACE UNTIL A SCHEME OF ARCHAEOLOGICAL INVESTIGATION HAS BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE LOCAL PLANNING AUTHORITY. DEVELOPMENT INVOLVING BELOW GROUND LEVEL WORKS SHALL BE IMPLEMENTED IN ACCORDANCE WITH THE APPROVED SCHEME OF ARCHAEOLOGICAL INVESTIGATION.

Reason: The site is one of/within an area of high archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy DM12 of the Elmbridge Development Management Plan 2015.

10 METHOD OF CONSTRUCTION STATEMENT
NO DEVELOPMENT SHALL COMMENCE UNTIL A CONSTRUCTION TRANSPORT MANAGEMENT PLAN, TO INCLUDE DETAILS OF:
(a) PARKING FOR VEHICLES OF SITE PERSONNEL, OPERATIVES AND VISITORS
(b) LOADING AND UNLOADING OF PLANT AND MATERIALS
(c) STORAGE OF PLANT AND MATERIALS
(d) ON-SITE TURNING FOR CONSTRUCTION VEHICLES
HAS BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE LOCAL PLANNING AUTHORITY. ONLY THE APPROVED DETAILS SHALL BE IMPLEMENTED DURING THE CONSTRUCTION OF THE DEVELOPMENT.

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015. It is considered necessary for this to be a pre-commencement condition because the demolition and construction works could have implications on highway safety and amenity and should be agreed before any works begin.

11 NEW ACCESS SITE LINES
The development shall not be first occupied unless and until the proposed modified access to Springfield Orad has been constructed and provided with visibility zones in accordance with the approved plans (Drawing No.003) and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015.
PROVISION FOR SUSTAINABLE MODES

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) THE SECURE PARKING OF BICYCLES WITHIN THE DEVELOPMENT SITE,

AND THEREAFTER THE SAID APPROVED FACILITIES SHALL BE PROVIDED, RETAINED AND MAINTAINED TO THE SATISFACTION OF THE LOCAL PLANNING AUTHORITY.

Reason: The above condition(s) is/are required in recognition of Section 4 "Promoting Sustainable Transport " in the National Planning Policy Framework 2012 and Policy DM7 of the Elmbridge Development Management Plan 2015.

POTENTIALLY RISK OF CONTAMINATED LAND – LARGE SITES

To ensure the potential for contamination has been investigated and the necessary action taken to make the development site suitable for its proposed use, the following steps must be completed to the satisfaction of the Council. No development shall be commenced until step (a) has been completed.

a) Site Investigation, Method Statement and Remediation
   (i) A written desk top study of the site shall be carried out and a written site investigation designed for the site using the information obtained from the desk top study. This must provide details of the investigation for soil, gas and controlled waters where appropriate. These shall be submitted to, and approved by, the Council.
   (ii) The site investigation shall be undertaken in accordance with the scheme agreed by the Borough Council. The results of the site investigation, a refined conceptual model and a risk assessment of any contamination found shall be submitted in writing to, and approved by, the Council.
   (iii) A written Method Statement detailing any remediation requirements shall be submitted to, and approved by, the Council.

b) Development in accordance with the Method Statement
   The development of the site shall be carried out in accordance with the approved Method Statement, and any addenda submitted by the developer, and agreed in writing by the Borough Council. Any post remediation monitoring identified in the Method statement, shall be installed by the developer within the timescales identified in the Method Statement and maintained and operated for as long as identified by the Method Statement.

c) Unsuspected Contamination
   If, during development, contamination not previously identified, is found to be present at the site then no further development shall be carried out until the developer has submitted, and had approved by the Council, a written addendum to the Method Statement detailing how the unsuspected contamination shall be dealt with.

d) Imported material
   Clean, uncontaminated rock, soil, brick rubble, crushed concrete or ceramic only shall be permitted as infill material. The developer shall not import any material until a sampling program has been submitted in writing, and approved by, the Council.

e) Piling
   Development approved by this permission shall not commence unless the method for piling foundations (if piling is to be used on site) has been submitted to, and agreed in writing, by the Borough Council. The piling shall be undertaken only in accordance with the approved method.
Completion of Remediation
Upon completion of the remediation detailed in the Method Statement, and before occupation of any part of the site by any end user, a written report shall be submitted to, and agreed by, the Council that provides verification that the required works regarding decontamination and installation of post remediation monitoring, have been carried out in accordance with the agreed Method Statement and any addenda thereto.

Certificate of Completion
A certificate of completion, in the form specified by the Council, shall be provided to the Borough Council signed by an appropriate person, before occupation of any part of the site by any end user, stating that remediation was carried out in accordance with the approved remediation scheme and that the site is suitable for the permitted end use.

Reason: To avoid adverse effects from pollution on the environment, harm to human health or general amenity, in accordance with Policy DM5 of the Development Management Plan 2016 and the National Planning Policy Framework 2012.

BIN STORE
NO DEVELOPMENT SHALL TAKE PLACE UNTIL FULL DETAILS OF THE BIN STORE FOR PLOTS 1 & 2 HAVE BEEN SUBMITTED AND APPROVED IN WRITING BY THE LOCAL PLANNING AUTHORITY. THE DEVELOPMENT SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE APPROVED DETAILS UNLESS OTHERWISE AGREED IN WRITING BY THE LOCAL PLANNING AUTHORITY.

Reason: In order to ensure that adequate bin storage is provided on site in accordance with Policy DM8 of the Development Management Plan 2015.

Informatives
1 COMMUNITY INFRASTRUCTURE LEVY
The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued as soon as practical after the day on which planning permission first permits development.

To avoid breaching the CIL regulations and the potential financial penalties involved, it is essential a prior commencement notice be submitted. A blank commencement notice can be downloaded from http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf. For the avoidance of doubt commencement of demolition of existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of the CIL regulations.

2 OTHER WORKS TO THE HIGHWAY
The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
3 MATERIALS DEPOSITED ON THE HIGHWAY
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 County Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980, Sections 131, 148, 149).

4 ADVICE TO DEVELOPERS REGARDING CONTAMINATION ASSESSMENTS
Before carrying out any contamination investigation or remediation of a site, the developer is strongly recommended to contact the Environmental Health & Licensing Team for guidance on the requirements for such investigations or remediation. Investigations, in particular, which do not adequately fulfil these recommendations, may result in additional work having to be carried out.

5 ASBESTOS CONTAINING MATERIALS(ACMS)
Please be aware that buildings constructed before 2000 may contain asbestos and we would recommend a suitable asbestos survey is undertaken before any redevelopment commences. Where a site has been subject to historical redevelopment, it is possible that asbestos containing materials are also present within the ground at the site. If materials containing asbestos are present on the site, a written Plan for either removal of the ACMs from the building or management of the ACMs within the building is required by the Health and Safety Executive. This is to ensure that the material is not broken up and left on site and does not pose a health risk to site workers or neighbouring residents. Asbestos advice is available at http://www.hse.gov.uk/asbestos/
WEYBRIDGE SERVICES AND SOCIAL CLUB

SITE LOCATION PLAN

Status: PLANNING

Date: MAY 2016
Scale: 1:500

Drawn: MN
Checked: TCA

Job Number: 001
Drawing Number: 001
Revision: --

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