

Ward:	Auriol Ward;
Site:	7 Station Approach Stoneleigh Surrey KT19 0QZ
Application For:	Demolition of existing buildings on site and erection of a part 5, part 7 storey building providing 20 residential flats with associated cycle and refuse stores. (Amended scheme received 01.05.2020)
Contact Officer:	John Robinson

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PSDJ41GYN0900>

2 Summary

- 2.1 This application is referred to the Planning Committee, as the proposal is a major development.
- 2.2 This application seeks permission for the demolition of existing buildings on site and the erection of a part 5, part 7-storey building providing 20 residential flats with associated cycle and refuse stores.
- 2.3 The development appraisal shows that the scheme is not viable to provide a policy compliant 8 affordable units.
- 2.4 No on-site car parking spaces would be provided. The Local Planning Authority's car parking standard require 20 car parking spaces for the development.

- 2.5 The new residential building would substantially increase the height of the existing development upon the site. The design of the proposed building, whilst positive in some respects is , not considered acceptable due to its inappropriate height which would have a harmful impact upon the character of the area and wider town/landscape
- 2.6 When employing the presumption in favour of sustainable development, the adverse impacts of this development are held to significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework.
- 2.7 The recommendation is to refuse Planning Permission.

3 Site description

- 3.1 The application site is located on the corner of Station Approach and Stoneleigh Park Road. It is occupied by a three-storey end of terrace property, which forms part of a shopping parade. The property comprises a commercial unit at the ground floor with residential accommodation above. To the side and rear of the site, accessed from Stoneleigh Park Road, is a deep, single storey rear extension with a flat roof and an area of hardstanding, which is used for parking.
- 3.2 The western part of the local centre, in which the site lies, comprises the shopping parade to the north side of Station Approach and St John's Church to the south, with an area of landscaping between the two and a green triangular open space to the west. The shopping parade has steeped pitched roofs with gabled feature elements. The elevations are a mix of brickwork and pebbledash. The parade generally comprises commercial units at ground floor and residential floorspace above. There are a number of vacant commercial units and those that remain include dry cleaners, a door and window shop and a takeaway.
- 3.3 The wider surrounding area is primarily residential, characterised by a uniform pattern of two storey detached and semi-detached properties in a variety of building styles. In contrast to the rhythm of residential buildings along Stoneleigh Park Road, the pattern of buildings around the application site and Station Approach is different; defined by taller buildings, set on larger plots, with less domestic character. The application site marks the start of the commercial centre of Stoneleigh, which continues to the east of the site, and is bisected by the railway line.
- 3.4 The site is not located within a conservation area and there are no locally or statutory listed buildings on, or within the immediate vicinity of the site. The closest heritage asset is The Station Public House (Grade II listed), around 100m to the south east of the site.

4 Background- Revisions

- 4.1 **Improvements secured at the pre-application stage:** Formal pre-application advice was sought on this application; and advice was given on design improvements, and optimising the use of the site, prior to submission of the application.
- 4.2 An application was submitted on the site for the demolition of the existing building and erection of a part 6, part 7-storey building to provide 23 residential units. During the consultation period, the application received objections from local residents and a public consultation event was arranged by the applicants to allow local residents to express their concerns about the scheme. Changes have subsequently been secured during the course of the application following negotiations between officers and the applicant, regarding the scale and massing of the scheme. The scheme has been amended as follows:
- Reductions to the overall height and massing, in particular the stepping of the height. This has reduced the number of apartments by 3 units;
 - The massing has been broken up through various measures including angles and setbacks to the façade on the Stoneleigh Park Road frontage;
 - The removal of the roof terrace and repositioning of windows to reduce overlooking to neighbouring properties;
 - Two commercial units have been introduced to the scheme at ground floor level.
- 4.3 Overall, these amendments are welcomed, as they would reduce the actual and perceived mass of the building in views from Station Approach, Stoneleigh Park Road and Newbury Gardens. The building would step down at the rear, to allow a softer transition to the residential area of Stoneleigh Park Road. At the Station Approach front side, the building would step again to acquire the scale of the existing buildings on both sides so that it would tie more cohesively to the surrounding heights.
- 4.4 The stepped reduction in the building heights on the longer (return) elevation would break the mass further and create the appearance of individual residential blocks more suitable in scale for the area.

5 Proposal

- 5.1 The application seeks permission for the demolition of the existing buildings on site and the erection of a part 5, part 7-storey building providing 20 residential flats (11 x 1 bedroom flats and 9 x 2 bed flats) with associated cycle and refuse stores.

- 5.2 The building would be orientated to front both Station Approach and Stoneleigh Park Road, and would step down in height to the north and west to reflect the transition in building heights with the neighbouring properties to the north and south.
- 5.3 The main residential entrance would be on Stoneleigh Park Road, which would provide access to the entrance lobby and central core. Two commercial units fronting Station Approach would be provided on the ground floor
- 5.4 The building would have a broadly rectangular footprint, measuring 27m (l) x 11m (w), with an overall height 22m .It would have a stepped floorplate along the Stoneleigh Park Road frontage, which would incorporate planting beds.
- 5.5 Each flat would comply with national space standards in regards to overall gross internal area (GIA) and individual habitable rooms. All flats would have access to private amenity space in the form of private terraces.
- 5.6 The proposed building would be of a contemporary design, with brick elevations, a flat roof behind an asymmetrical raking parapet, articulated by stepped bays on the Stoneleigh Park Road elevation, fenestration arranged in an offset pattern, and various brick detailing elements.
- 5.7 The development would be car-free. It is proposed that a car-club vehicle be secured within a parking bay in front of the site on Station Approach. A bike store would be located at ground floor level, accessed via the main residential entrance. Adjacent to the bike store would be a refuse store, with a separate entrance to the rear to enable convenient access for refuse collections.

6 Comments from third parties

Original Application

- 6.1 The original application was advertised by means of a site notice, press advert, and letters of notification to 656 neighbouring properties on the 12.06.2019. By the closing date 03.07.2019 651 letters of objection were received, and are summarised as follows:
 - Out of keeping
 - Loss of privacy
 - Loss of daylight/overshadowing
 - Lack of parking
 - Highway safety

- Height
- Bulk/massing
- Appearance
- Materials
- Overbearing
- Housing mix
- No affordable housing
- Contrary to local plan policies

Amended Scheme

6.2 Following submission of an amended scheme on 01.05.2020, a second consultation period began on 01.05.2020, and expired on 22.05.2020. To date 06.08.2020 , 519 letters of objection have been received, and are summarised as follows :

- Out of keeping
- Loss of privacy
- Loss of daylight/overshadowing
- Lack of parking
- Highway safety
- Height
- Bulk/massing
- Appearance
- Materials
- Overbearing
- Housing mix
- No affordable housing
- Contrary to local plan policies

7 Consultations

- 7.1 EEBC Design and Conservation Officer: The general principle of the scheme is a good one provided the scale and bulk can be justified by the sustainability of the development.
- 7.2 EEBC Tree Officer: No objections
- 7.3 SCC Highways Officer: No objections. The County Highway Authority having assessed the application based on safety, capacity and policy grounds have no objection and recommend conditions are imposed on any consent, as well as a legal agreement to secure:
- Provision of one car club vehicle for a minimum of two years
 - Provision of £50 worth of free travel for car club vehicles for each apartment
 - Provision of one-year free membership of the car club for all initial occupants of the residential units
- 7.4 Surrey County Council Sustainable Drainage and Consenting Team: Conditions to be imposed on any permission granted
- 7.5 EEBC Environmental Health Officer (Contaminated Land): In view of the scale of this development, its proximity to the railway line, the presence of an electricity substation on part of the site and the potential for asbestos to be in buildings that will be demolished, ground contamination conditions should be imposed on any permission granted
- 7.6 Surrey County Council Heritage and Conservation Team (Archaeology): The proposed development is not within an Area of High Archaeological Potential and falls below the 0.4ha threshold above which archaeological assessment is required under Local Plan policy DM8. As such, I have no archaeological concerns.

8 Relevant planning history

- 8.1 None relevant

9 Planning Policy

National Policy Planning Framework (NPPF) 2019

Chapter 2 Achieving sustainable development
Paragraphs 8 – 12 and 14

Chapter 5 Delivering a sufficient supply of homes
Paragraphs 59- 61, 68

Chapter 11 Making effective use of land
Paragraphs 118, 122, 123

Chapter 12 Achieving well-designed places
Paragraphs 127, 130 and 131

Chapter 15 Conserving and enhancing the natural environment
Paragraphs 170,174, 175, 177, 178, 180, 182 and 183

Chapter16 Conserving and enhancing the historic environment
Paragraphs 189 - 197

Core Strategy 2007

Policy CS1	Creating Sustainable Communities
Policy CS3	Biodiversity
Policy CS5	The Built Environment
Policy CS6	Sustainability in New Developments
Policy CS9	Affordable housing and meeting Housing Needs

Development Management Policies Document 2015

Policy DM4	Biodiversity and New Development
Policy DM5	Trees and Landscape
Policy DM8	Heritage Assets
Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments
Policy DM11	Housing Density
Policy DM12	Housing Standards
Policy DM13	Building Heights
Policy DM17	Contaminated Land
Policy DM19	Development and Flood Risk
Policy DM21	Meeting Local Housing Needs
Policy DM22	Housing Mix
Policy DM36	Sustainable Transport for New Development
Policy DM37	Parking Standards

Supplementary Planning Document 2015

Parking Standards for Residential Development

10 Planning considerations

The main considerations material to the determination of this application are:

- Principle of Development
- Impact on Heritage Asset
- Visual Impact
- Residential Amenity
- Quality of Accommodation
- Private and Communal Amenity Space
- Highways and Parking
- Trees and Landscaping
- Affordable Housing
- Sustainability
- CIL
- Other Material Considerations

Principle of Development

10.1 The National Planning Policy Framework (the “Framework”) at Paragraphs 7 and 8 states there are three objectives to achieve sustainable development: economic, social and environmental.

- The social objective of the planning system should support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities’ needs and support its health, social and cultural wellbeing.
- An economic objective helping to build a strong, responsive economy and ensuring that the right types of sufficient land are available in the right places, and
- An environmental objective making efficient and effective use of land to improve the environment.

- 10.2 Development policies that are the most important for determining a specific planning application are regarded as being out of date where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years (Framework Paragraph 11d and Footnote 7).
- 10.3 Existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework 2018 and its reissue in 2019. Due weight should be given to them according to their degree of consistency with the policies of the Framework (Paragraph 213). The Framework is therefore an important material consideration that may over-ride Development Plan policies which were adopted prior to the publication of the Framework and are not consistent with it.
- 10.4 Section 5 of the Framework sets out policies aimed at delivering a sufficient supply of houses and maintaining the supply to a minimum of five years' worth (Paragraph 73).
- 10.5 Policy CS7 of the Core Strategy is considered out of date under the terms of the Framework. The housing target of 188 dwellings per annum is out of date. The South East Plan was revoked in 2012, with housing requirements then to be determined by local need.
- 10.6 Epsom & Ewell Core Strategy pre-dates the Framework and in accordance with para 213 of the Framework, the policies of the core strategy should be given due weight according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). In the case of old housing targets within CS7, no weight should be given to it.
- 10.7 The Framework, at paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 10.8 Paragraph 68 of the Framework encourages the promotion of small and medium sized sites – "giving great weight to the benefits of using suitable sites within existing settlements for homes".
- 10.9 Paragraph 122 of the Framework states that planning policies and decisions should support development that makes sufficient use of land taking into account: (d) the desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change.

- 10.10 The Government's standard method for calculating the objectively assessed housing need identifies a housing requirement for the Borough of 579 new homes each year. In the absence of a five-year housing land supply this has been increased to 695 through the imposition of a 20% buffer since the Council did not pass the latest housing delivery test as published on 20th February 2019.
- 10.11 Meeting any increase in the annual housing building target will be challenging. With the Borough being mostly comprised of existing built up areas, strategic open spaces or Green Belt, the supply of available development sites is now extremely limited. It is therefore important that available sites are optimised for housing delivery.
- 10.12 Paragraph 11d of the National Planning Policy framework is engaged via footnote 7 in circumstances where Local Planning Authorities cannot demonstrate a 5-year supply. The practical application and consequence of this is that unless the site is located in an area or involves an asset of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the NPPF as a whole.
- 10.13 Given the significant housing need in the borough, it is considered that the proposed redevelopment of this site in a sustainable location for a residential scheme is appropriate in principle, subject to the detailed consideration of the other planning considerations below.

Impact on a Heritage Asset

- 10.14 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or Secretary of State, as relevant, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.
- 10.15 Paragraph 190 of the Framework states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

- 10.16 Paragraph 193 of the framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It emphasises that the weight given to an asset's conservation should be proportionate to its significance, and notes that this great weight should be given irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.17 Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.18 Policy DM8 Heritage Assets, set outs the Council's intention to resist the loss of our Heritage Assets and take every opportunity to conserve and enhance them. It states that development proposals that involve, or have an effect upon Heritage Assets must establish the individual significance of the Asset as part of the application or consent process. As part of the assessment process the significance of the Asset will be taken into account (namely whether it is a designated Heritage Asset or a non-designated Heritage Asset) when determining whether the impact of any proposed development is acceptable.
- 10.19 The site is not located within a conservation area and there are no locally or statutory listed buildings on, or within the immediate vicinity of the site. The closest heritage asset is The Station Public House (Grade II listed), around 100m to the south east of the site.
- 10.20 A Heritage Statement has been prepared and submitted by the applicant in support of this application.
- 10.21 The report has undertaken a full assessment of the site and the surrounding area's townscape characteristics, and an assessment of the significance of nearby heritage assets and their settings. The report also considered the appropriateness of the design of the proposed development in its context and its potential effects on the significance of heritage assets in the local area.
- 10.22 The report states that

The setting of the Grade II listed Station Public House is presently defined by the hardscaping of the out-door seating area immediately to the east as well as the car park which surrounds the station beyond. The site present makes a neutral contribution to the setting and significance of the building, only partially glimpsed in oblique views, which are further filtered by existing vegetation as well as the platforms of the station. The wider surroundings of the pub include a wide variety of architecture in terms of scale, massing, materials and overall aesthetic. This includes examples of contemporary architecture to Rosedale Road, as well as the late twentieth century block immediately to the east of the station on the northern side of the Broadway. The proposals are therefore considered an appropriate addition within this context. Therefore, while the proposals will be partially visible from the station, these views are considered to have an overall neutral impact to the significance and setting of the listed building.

10.23 The report concludes :

Whilst an additional height within the site will be introduced, this has been shown to not impact upon any views of importance from the identified heritage asset or appreciably change the overriding character of its setting. The resultant impact of the proposals to the significance and setting of this grade II listed building areas is therefore considered to be neutral.

10.24 Officers agree that the amended scheme would therefore not lead to any harm to the setting of the nearby listed building by view of its context.

10.25 The proposal would therefore comply with the NPPF and Policy DM8.

Design and Visual Impact

10.26 Chapter 12 of the Framework refers to design. Paragraph 127 sets out that planning decisions should ensure that developments (inter alia) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Development should also create places that are safe, inclusive and accessible.

10.27 Paragraph 130 of the Framework sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

- 10.28 Paragraph 3.7.5 of the Core Strategy states that new development should enhance and complement local character, and be capable of integrating well into existing neighbourhoods. Paragraph 3.7.6 goes on to state that the Council will expect developments to be of a high quality, creating a safe environment which enhances the public realm and which positively contributes to the townscape.
- 10.29 Policies DM9 and DM10 encourage high quality development and planning permission will be granted for proposals, which make a positive contribution to the borough's visual character and appearance. Policy DM8 states that the Council will resist the loss of our Heritage Assets and every opportunity to conserve and enhance them should be taken by new development
- 10.30 The design approach of the new building would be contemporary, with brick elevations, a flat roof behind an asymmetrical raking parapet, articulated by stepped bays on the Stoneleigh Park Road elevation, fenestration arranged in an offset pattern, and various brick detailing elements.
- 10.31 The applicants submit that the various steps to the height and setbacks to the facades would break up the mass of the building, to ensure that the building would integrate with the neighbouring properties. A Heritage and Townscape Assessment (HTA) submitted in support of the application states that the proposed development would be respectful of the existing hierarchies and character identified within the streetscape, whilst acknowledging the corner location of the site.
- 10.32 The HTA also states that *while the consistent roof height in the area enables inter-visibility between the site and surrounding character area, the (application) site itself is appreciably distinct from the lengthy residential terraces. Unlike the surroundings, the site is one part of a commercial shopping parade, and is closely related to the station. As noted within the townscape assessment section, the site presently falls within the character area defined by the commercial centre of Stoneleigh. This area has a variety of architectural styles, massing and materials, which contrasts to the uniform residential surroundings. Buildings within this character area typically taller, set within larger plots and contain public uses. While the proposed scheme utilises a contemporary design aesthetic, it is noted that a mix of architectural styles is presently seen within the commercial centre of Stoneleigh.*
- 10.33 Officers do not agree that the character and appearance of the "commercial centre" of Stoneleigh should be taken as a point of departure for the design approach to the application site. The railway line to the east (and the pedestrian bridge) forms both a physical and visual barrier between the application site and Stoneleigh Broadway. Accordingly it is felt that the application site should be considered in the context of the surrounding area, which is defined in the HTA as Character Area A –Mid Twentieth Century Residential, particularly as the site is not adjacent to the railway line.
- 10.34 The HTA describes this character area as follows:

This character area reflects the dominant streetscape within the surroundings, enveloping the (application) site from the west, north and south. The character of the buildings in the surrounding area have a consistency of scale and grain, although there is variety in fenestration patterns, materials and massing. The houses are predominantly semi-detached, with several constructed in the distinctive 'Stoneleigh Chalet' house type. These structures use a distinctive pitched hipped roof, timber framing within the gable, hanging tile at first floor, pebbledash to the ground floor and a horizontal emphasis to fenestration and brick detailing to corners. Grass verges and the frequency of planting all contribute to a green suburban feel, despite the dominant appearance of the roads, which is emphasised by on-street parking. Overall, the area has a recognisable residential character, defined by the relative uniformity of the building typology in the area.

- 10.35 Whilst the considered attention to detail, the care taken to address the corner elevation and the contemporary design approach are noted and welcomed, they are not sufficient to mitigate the current 7-storey scheme from appearing as a contextually inappropriate, unduly dominant and incongruous element in the streetscene. The contrast in height between the current scheme and the adjacent shopping parade, as well the two-storey residential dwellings to the rear and opposite the site, is simply too great, and as a result the building would not sit comfortably in the context of its immediate residential surroundings. The blank, east facing elevation would be prominent in views from Stoneleigh Broadway, and would be a bland and weak element in the building's design compared with the articulated front, western flank and rear elevations. Whilst it is acknowledged that the blank façade facilitates the applicant's submission that the scheme would act as a catalyst for the future redevelopment of neighbouring buildings, in the absence of a timeline, this is granted limited weight in the planning balance.
- 10.36 It is acknowledged that during the pre-application dialogue the Council requested the applicant to explore greater densities upon the site in order to optimise the number of housing units and make best use of available land in accordance with NPPF guidance. These discussions gave rise to the quantum of development being sought upon the site and the subsequent amendments that form the current scheme. Nonetheless, it is a requirement to examine the impacts of the proposal in relation to all relevant planning considerations, including the design and visual impact, and then to consider this in the planning balance this in relation to benefits of the scheme.
- 10.37 In summary, it is concluded that the proposal, in terms of scale and height would appear as an incongruous and dominant element in the streetscene, and would be contrary to the character and appearance of the wider area.. It would therefore be contrary to the Framework and Policies DM9 and DM10 of the Local Plan. On this basis this harmful impact and is weighted significantly negatively in the planning balance

Residential Amenity

- 10.38 Policy CS5 of the Core Strategy 2007 and Policy DM10 of the Development Management Policy Document 2015 seeks to safeguard residential amenities in terms of privacy, outlook, and sunlight/daylight, avoidance of visual intrusion and noise and disturbances.
- 10.39 The siting of the proposed building has taken into account the positioning of nearby dwellings to ensure that the proposal would not result in any unacceptable loss of amenity to occupants of adjoining properties due to overlooking or loss of privacy.
- 10.40 The properties surrounding the site include 6 Station Approach, 98 Stoneleigh Park Road, 73 Stoneleigh Park Road and 2 Newbury Gardens.
- 10.41 The applicants have commissioned XCO2 as daylight/sunlight consultant to assess the impact of the proposal on daylight and sunlight to the neighbouring buildings. They have based their analysis on the BRE report 1991 in respect of daylighting and Sunlighting. The BRE report contains guidance on a number of tests including the Vertical Sky Component (VSC), and the Average Daylight Factor (ADF), each of which is recognised by the Council.
- 10.42 The report found that the daylighting levels of each of the 17 affected windows of surrounding properties was acceptable. In terms of sunlight, 14 windows from surrounding buildings were assessed for sunlight access. This found that all 14 windows satisfied the BRE criteria for annual probable sunlight hours and winter probable sunlight hours. In terms of overshadowing, a solar access analysis was undertaken for the single amenity space within close proximity of the site. This found that the amenity space is predicted to have a minimum of 2 hours of sunlight over at least 50% of the assessed amenity space, in accordance with the BRE requirements.
- 10.43 Officers are satisfied with the results of the Daylight, Sunlight and Overshadowing Report and conclude that there would not be a significant impact on surrounding properties arising from the proposed development.
- 10.44 The new building would face the flank elevation of No 98 Stoneleigh Park Road at a distance of between 9m and 11.8m at ground floor level, stepping back at fourth floor level to 11.8m, and to 16.4m at the fifth floor and sixth floor levels. Due to the fenestration arrangement in the rear elevation, there would be no direct overlooking of the affected neighbour.
- 10.45 The closest rear facing terrace on the fourth floor, would face the affected properties rear garden at an oblique distance of around 12.5m which is acceptable.
- 10.46 The new building would project 19 m beyond the rear elevation of the existing shopping parade, which would clearly have a detrimental impact on the outlook from the adjacent upper floor residential accommodation at No 6 Station Approach.

- 10.47 The proposed development would result in an increase from one to 20 new dwelling units, which is a significant increase, given the Council's need for housing and the lack of provision in the borough. In addition the scheme would optimise the use of the site in accordance with para 122 of the Framework.
- 10.48 In accordance with the tests set out in paragraph 196 of the Framework 2019, Officers conclude that the public benefits of the proposal would outweigh the harm to the amenity of the affected neighbour. The negative impact is not considered by Officers to be a sufficient reason to refuse permission in its own right, but should be considered a minor negative in the final planning balance.
- 10.49 In conclusion, given the juxtaposition of these neighbouring properties and the separation distances involved, the proposal is not considered to give rise to unacceptable impacts on the amenity of these neighbours in terms of overshadowing, overbearing or overlooking that would justify refusal in their own right.

Quality of Accommodation

- 10.50 The Nationally Described Space Standards sets clear internal minimum space standards for new dwellings. The space standards are intended to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures. The Standards provide separate standards for bedrooms within new dwellings stating that a single bedroom should be no smaller than 7.5 m² and a double bedroom should be no smaller than 11.5 m². All new units should be designed in accordance with the National Space Standards.
- 10.51 The scheme would comprise 11 x 1 bedroom flats and 9 x 2 bed flats. The proposed 1 bed (2 person) flats would have a Gross Internal Area of between 50m² and 58.5m², the 2 bed (3 person) flats an area between 61.1m² and 61.9m², and the 2 bed (4 person) flats an area between 70m² and 77.1m²
- 10.52 Each flat would therefore accord with the appropriate Nationally Described Space Standard technical requirements (50m², 61m² and 70m², respectively) in compliance with Policy DM12

Private and Communal Amenity Space

- 10.53 Policy DM12 refers to housing standards and requires amenity space to be private, functional, safe and bio-diverse, easily accessible from living areas, oriented to take account of sunlight and shading, of sufficient size to meet the needs of the likely number of occupiers and provide for the needs of families with young children.

10.54 Each flat would have access to private amenity space in the form of a terrace. The majority of these would meet or exceed the standards, with a number of flats benefiting from much larger or multiple terraces. However, 4 terraces would fall short of the requirement by 1m². On balance, the quality of amenity space provided by these terraces is not considered to justify refusal in their own right and is acceptable, given the site and building constraints, and the need to optimize the use of the site

The shortfall in meeting the size requirement is therefore weighted minor negative in the planning balance.

Highways

10.55 Chapter 9 of the Framework relates to the promotion of sustainable transport. Paragraph 108 sets out that in assessing applications for development, it should be ensured that:

- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

10.56 Paragraph 109 sets out that 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 would be severe.

10.57 Policy DM37 sets out that developments will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions

Waste Collection

10.58 A refuse and recycle store would be located within the building with access from Stoneleigh Park Road

10.59 The Council's Transport and Waste Services Manager has raised no objections to the refuse/recycling arrangements.

Sustainability of the Site

- 10.60 The site is in a highly sustainable location, next to Stoneleigh Station, and located within walking distances of shops and bus services. Consequently, it is considered that residents would not necessarily be reliant on the use of a car for typical daily journey purposes and would have a range of alternative modes of transport, including bus, cycling and walking.
- 10.61 The applicant's consultants have prepared a Travel Plan, to support the car free scheme and are proposing the provision of a car club vehicle to be parked in Station Approach. Measures to encourage sustainable transport are recommended by the Highway Authority and would be secured by a legal agreement and planning conditions

Parking

- 10.62 The Council's adopted Parking Standards requirements for car parking provision within residential developments are a minimum of 1 space for one and two bed flat units. The scheme would be required to provide 20 spaces
- 10.63 Policy DM36 seeks to prioritise the needs of cyclists and pedestrians and requires new development to provide on-site facilities for cyclists as appropriate. Surrey County Council's 'Vehicle and Cycle Parking Guidance' suggests 1 cycle space per unit for 1 and 2 bed flats. A secure, covered bike store for 20 bicycles would be located at ground floor level, accessed via the main residential lobby.
- 10.64 The proposed development would be car free. The application is supported by a Transport Assessment which sets out that as the site is located close to a good network of public transport links and is integrated into the local pedestrian and cycling infrastructure, the proposed development would be well located to encourage people to travel to the application site by means other than a private car.
- 10.65 The Transport Assessment utilised the latest data obtained from the 2011 Census, to establish the potential demand for car parking, car and van availability for existing flats within the local area. Applying the car ownership data to the proposed mix of flat units, it demonstrates that there would be an anticipated parking demand of 20 cars for the overall development.
- 10.66 As the census is undertaken every 10 years, Officers are in agreement that this is the latest data available, and this has been confirmed by the Highway Authority. As the data is specific to the location, type and tenure of development, it is considered to provide an accurate representation of the likely unrestrained level of car ownership for the proposed scheme.

- 10.67 The Transport Statement is supported by a Parking Survey which found that parking on the surrounding road network is largely controlled for the majority of the week. Surveys were undertaken overnight on 20th and 21st November 2018, which identified that the existing night-time on-street parking occupancy is in the range of 5.3-6.6% capacity, indicating that very few residents park on-street overnight. A Saturday survey was commissioned, and took place on Saturday 14th March 2020 at 12:00 hours. The Saturday survey showed a lower parking demand on all roads, with an average 34.2% level of parking stress. The applicants submit that this suggests that irrespective of local conditions, demand for parking to the west of the railway station is low on a weekend.
- 10.68 The applicants submit there is significant spare capacity on the surrounding road network to accommodate any parking demand arising from the proposals and almost all demand can be met on Station Approach overnight, and that the report finds that the proposals would not adversely affect the local area in terms of availability of on-street parking and road safety.
- 10.69 The Highway Authority will only raise objections regarding parking if there is a shortfall, or in this case, the potential on-street parking of 20 vehicles, that would lead to danger on the adjoining highway. On street parking restrictions within the vicinity of the application site will prevent any on-street car parking associated with the proposed development from occurring in a location likely to cause a highways safety problem. Having reviewed the application and supporting information submitted it is not considered by the Highway Authority that the car free scheme would cause a highway safety issue in this case.
- 10.70 Furthermore, the Highways Officer has stated that the provision of a car club vehicle would further reduce the need for residents of the proposed development to own their own vehicle, and would offer a benefit to existing local residents who would also be able to use this facility.
- 10.71 Numerous residents have commented that Stoneleigh Park Way and the surrounding roads suffer from a lack of on-street parking provision due to existing parking restrictions, and that parking from the proposal would add to parking stress.
- 10.72 The site does not fall within a Controlled Parking Zone, and it is considered that due to parking restrictions within the surrounding area, any on-street car parking associated with the proposed development would be prevented from occurring in a location likely to cause a highways safety and/or amenity problem.
- 10.73 Any potential impact on amenity arising from the lack of on-site parking is therefore a matter for the Council to consider in this instance in light of its own parking policy and the level of perceived impact

10.74 In this case, the amenity impact of a potential twenty displaced vehicles in the surrounding highway network, is identified by Officers as adverse to the amenities of nearby residents. It should be considered together with the need to optimise the site, the evidence of likely car ownership provided by the applicant, the sustainable location of the site, with access to a range of non-car modes of transport and measures, which are to be put in place to encourage sustainable modes. The negative impact is not considered by Officers to be a sufficient reason to refuse permission in its own right and should be weighed against the proposal in the final planning balance.

10.75 It is concluded that the proposal would strike an acceptable balance between the lack of parking on site and sustainable modes of transport. It would therefore be acceptable in respect of its parking proposals and impact on the highway and therefore complies with policies DM10 and DM37 of the Development Management Policies Document 2015

Trees and Landscaping

10.76 Chapter 15 of the Framework concerns the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the local environment by *inter alia*, recognising the intrinsic character and beauty of the countryside and the wider benefits from ecosystem services, including trees and woodland.

10.77 Policy DM5 (Trees and Landscape) of the Development Management Policies Document (2015) sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced by (inter alia):

- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and
- Requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature tree and other planting.

10.78 There is no existing trees or vegetation on the site, and due to the new building's layout, there would be limited opportunity for landscaping. The submitted drawings show planting beds along the Stoneleigh Park Road frontage. It is recommended that a landscaping condition to secure details of proposed landscaping and planting be imposed.

10.79 The proposal is therefore considered to comply with Policy DM5

Housing

Affordable Housing

10.80 Paragraph 62 of the Framework states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- b) the agreed approach contributes to the objective of creating mixed and balanced communities.

10.81 Paragraph 64 of the Framework states that

“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely Build to Rent homes;*
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);*
- c) is proposed to be developed by people who wish to build or commission their own homes; or*
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.”*

10.82 Policy CS9 deals with affordable housing requirements. The policy seeks 40% affordable housing on sites of 15 dwellings and above. The Council will seek to ensure that the affordable housing remains affordable to successive as well as initial occupiers through the use of planning conditions or a planning obligation.

10.83 In this regard, the proposal would be required to provide 8 affordable units.

10.84 Paragraph 3.12.11 goes on to state that where there are specific and overriding site constraints or where development specific issues inhibit the provision of affordable housing, off site provision or financial contributions may be acceptable.

10.85 The applicant submitted a Viability Report which stated that there is insufficient value in the proposal to support an affordable housing contribution

10.86 This evidence has been scrutinised by the Council’s independent valuer who is in agreement that the scheme is unable to support a fully policy compliant affordable housing provision.

10.87 Notwithstanding the above conclusion by the Council’s viability consultant, no justification for not providing 10% affordable housing, as required by paragraph 64 of the NPPF has been received from the applicant.

- 10.88 The provision of affordable housing in developments is afforded significant weight in the planning balance, but in the absence of on-site provision or a commuted sum in lieu thereof, no weight can be attributed in favour of the proposal.
- 10.89 The proposal would therefore be contrary to Policy CS9 and para 64 of the NPPF.

Housing Mix

- 10.90 Policy DM22 Housing Mix states that the Council considers that schemes must provide a minimum of 25% 3 bedroom units however, exceptions will be accepted dependent on location and viability. A scheme of 20 units would be expected to provide 5 x 3 bedroom units.
- 10.91 The scheme proposes 11 x 1 bedroom flats and 9 x 2 bed flats.
- 10.92 The mix whilst not policy compliant, must also be considered against the high demand for smaller units and the requirement to make effective and efficient use of land and the site. The potential occupants of the units are likely to be single/couples commuters who would take advantage of the scheme's close proximity to Stoneleigh Station. Larger families have a general preference for 3 bedroom houses with gardens over flatted accommodation. Given that the majority of the residential properties on this side of the Stoneleigh Station are 3 bedroom or larger dwelling houses, the proposed development of smaller residential units would make a positive contribution to ensuring that the local area has an appropriate mix of housing to meet existing and future household needs.
- 10.93 On this basis, it is considered that the proposed housing mix reflects the optimum use of the site and provides for an identified housing need and therefore the lack of three bedroom units is given minor weight in the planning balance.

Ecology/Biodiversity

- 10.94 Chapter 15 of the Framework relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality.
- 10.95 Policy DM4, seeks to ensure that every opportunity should be taken to secure net benefit to the Borough's biodiversity

10.96 The application is supported by an Ecological Assessment, which sets out the details of the Phase 1 habitat survey that was undertaken in February 2019. This sets out that there are no statutory designations of nature conservation value within or immediately adjacent to the site. The site contains no habitats of intrinsic ecological value and there was found to be no evidence of any roosting bats, badgers, hedgehogs, birds, reptiles, amphibians or invertebrates. A bat emergence survey was undertaken in July 2019, which recorded no evidence of roosting bats. Overall, the report finds that the site does not possess significant ecological interest, being comprised almost entirely of buildings and hardstanding.

10.97 Subject to the appropriate conditions, it is considered that the proposed scheme would comply with Policy DM4

Sustainability

10.98 Core Strategy policy CS6 requires proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development.

10.99 An appropriate planning condition is recommended, should the proposal be acceptable, to secure their inclusion.

Community Infrastructure Levy

10.100 The proposed scheme would be CIL liable.

11 Planning Balance and Conclusion

11.1 The tilted balance in paragraph 11 of the Framework 2019 is engaged because the Council cannot demonstrate a five-year supply of deliverable housing sites. Footnote 7 to Paragraph 11 of the Framework makes this clear. As such, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole

11.2 Housing need is a matter that attracts significant weight in the overall planning balance. The provision of 20 units (a net gain of 19 residential units) would provide a significant public benefit, which weighs in favour of the scheme. The proposal is held to be a sustainable development, which will contribute positively. Paragraph 59 of the Framework 2019 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The provision of additional housing comprises a substantial social benefit and weighs positively in favour of the proposal.

- 11.3 The provision of affordable housing in developments is afforded significant weight in the planning balance, but in the absence of on-site provision or a commuted sum in lieu thereof ,no weight can be attributed in favour of the proposal in this respect.
- 11.4 In addition, other benefits are also identified, these being economic from the construction project and CIL and others secured by planning conditions such as biodiversity enhancement and sustainability improvements.
- 11.5 The conflict with Policy DM11 in terms of maintaining a density of 40 dwellings per hectare is given limited weight as this policy is considered to be inconsistent with the expectations reflected in para 123(a)(b) of the Framework
- 11.6 The conflict with Policy DM22 –Housing Mix, is given minor weight as it is considered that the proposed housing mix reflects the optimum use of the site and provides for an identified housing need.
- 11.7 The scale and height of the proposal is significant. It would be contextually inappropriate in an area, which predominantly comprises inter-war period two-storey dwellings, and would appear as a dominant and incongruous element in the streetscene. The harm would be long term and therefore limited weight is given to applicant's assertion that the proposal is likely to act as a catalyst for redevelopment of the remaining parts of the parade. By their own admission, the comprehensive redevelopment of the whole parade is not currently feasible given the number of freeholders and leaseholders with interests in the numerous properties in the parade.
- 11.8 In Officers judgement, harm to the character and appearance of the immediate and wider area would outweigh the public benefits arising from housing need. The harm would be long term and would outweigh the benefit of a net gain of 19 additional housing units to meet the Council's overall housing shortage. The proposal would be contrary to relevant development plan polices relating to townscape character and design requirements (DM9 and DM10)
- 11.9 The amenity impact of the overspill parking , due to the proposed car free scheme, is given limited weight against the scheme, due to the highly sustainable location of the site, with access to a range of non-car modes of transport and measures which are to be put in place to encourage sustainable modes. The provision of on-site parking would reduce the optimisation of the site for residential use, an important objective in view of housing need.
- 11.10 Taking all of these matters into account, including all other material considerations, the harm to the streetscene and to the character and appearance of the area would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF 2019 as a whole, and that the proposal would not represent sustainable development.

12 Recommendation

12.1 Planning permission is REFUSED on the following grounds:

- (1) The design of the development due to its scale and height would appear as a dominant and incongruous element in the streetscene and would harm the character and appearance of the surrounding area, contrary to Policy DM9 and DM10 of the Development Management Policies Document 2015**
- (2) The adverse impacts of the scheme would significantly and demonstrably outweigh the benefits of the development including additional housing units when assessed against the policies in the National Planning Policy Framework taken as a whole. The proposal is contrary to the NPPF 2019, and Policies DM9, and DM10 of the Development Management Policies Document 2015**
- (3) In absence of a completed legal obligation under section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with Policy CS9 (Affordable Housing and meeting Housing Needs) and para 64 of the NPPF 2019 in relation to the provision of two affordable on-site units.**

Informative(s):

- (1) In dealing with the application, the Council has implemented the requirement of the National Planning Policy Framework (NPPF) to work with the applicant in a positive and proactive way. We have assessed the proposal against all material considerations, including planning policies and any representations that may have been received and whilst planning permission has been refused regard has been had to the presumption to approve sustainable development where possible, as set out within the NPPF.**