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# Orchard Lane / East Molesey

## Planning Statement

# PLANNING STATEMENT

## On behalf of Sons of Divine Providence and Lifestyle Residences

In support of a planning application to Elmbridge Borough Council proposing the redevelopment of the site by way of the demolition (or partial demolition) of all existing buildings and the erection of 3 buildings comprising 74 residential units (15 x 1 bed, 48 x 2 bed and 11 x 3 bed) and ancillary facilities for residents, underground and surface level car and cycle parking, mechanical plant, soft and hard landscaping and associated diversion of Thames Water pipe, at ;

**The Molesey Venture  
Orchard Lane  
East Molesey  
Surrey  
KT8 0BN**

BPC ref. : AB1931/Planning Statement  
Date : November 2022

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## **1.0 Introduction**

- 1.1 This planning statement has been prepared by Beamish Planning Consultancy on behalf of Sons of Divine Providence and Lifestyle Residences and forms part of a full planning application being submitted to Elmbridge Borough Council (the LPA) relating to a site known as the Molesey Venture, Orchard Lane, East Molesey, Surrey, KT8 0BN.
- 1.2 The planning application proposes the redevelopment of the site by way of the demolition (or partial demolition) of all existing buildings and the erection of 3 buildings comprising 74 residential units (15 x 1 bed, 48 x 2 bed and 11 x 3 bed) and ancillary facilities for residents, underground and surface level car and cycle parking, mechanical plant, soft and hard landscaping and the associated diversion of a Thames Water pipe.
- 1.3 This planning statement has been prepared in support of this planning application submission and details the nature of the application site and the surrounding area, the site history, the background to this application submission, relevant development plan policies and associated guidance, followed by an assessment of the proposals against those policies, guidance and any other material planning considerations.
- 1.4 The statement concludes that the proposals accord with the adopted development plan and all other material planning considerations and accordingly planning permission should be granted, subject to the imposition of appropriate and reasonable conditions and the completion of a legal agreement.

## 2.0 Description of Application Site and Surroundings

- 2.1 The application site comprises an irregular shaped area of land of approximately 0.75 hectares, currently comprising a total of seven existing buildings, which collectively are known as the Molesey Venture.
- 2.2 The majority of the buildings are used for residential accommodation falling within Use Class C3, although one of the buildings (Sundial House) is a care home (Use Class C2) which has the capacity to provide 7 bedspaces. The site also previously included a horticultural centre, primarily used by residents but also open to members of the public, but that centre closed down to the public during the coronavirus pandemic and has not subsequently reopened (but has remained in use by residents).
- 2.3 A breakdown of the existing accommodation provision and the level of current occupation is set out within the table below.

Name/description of element	Available accommodation	Current occupation
Sundial House care home	7 registered beds	6 residents currently
Newstead House	8 studio flats	7 studio flats currently occupied
Molesey Venture	5 bedsits with shared facilities, 1 x 2 bed flat, 1 x 1 bed flat	3 bedsits and both flats currently occupied
Willow Cottage	1 bed self-contained unit	1
Rivercroft Cottage ground floor	Self-contained unit	Vacant
Rivercroft Cottage first floor	3 bed self-contained flat	Currently occupied by a single individual and their 2 children

- 2.4 The south-western corner of the site adjoins the rear boundary of an existing residential property (Ember Farm Cottage), with that property physically attached to Newstead House within the application site.
- 2.5 The western boundary of the site, which the west facing elevation of Newstead House also directly adjoins, borders the River Ember, and different parts of the site fall within Flood Zones 1, 2 and 3. The northernmost part of the site, and to the north of that boundary, comprises designated Green Belt land which extends a substantial distance towards the southern bank of the main River Ember waterway, with many mature trees located within that area of Green Belt, particularly to the north-west.
- 2.6 The eastern boundary of the site adjoins the rear boundaries of residential properties located within Ember Farm Way, another residential cul-de-sac, although the south-eastern corner of the site adjoins (to the east) the boundary of no. 18 Orchard Lane. The existing properties within Ember Farm Way are two-storey detached or semi-detached dwellings (many of which have been extended, including by way of roof conversions/extensions), with their rear gardens being upwards of 20 metres in depth, taking into account the distance between the rear-most projections of extended properties within Ember Farm Way and the eastern boundary of the site.
- 2.7 At the western end of Orchard Lane, close to the primary access point serving the site, is the entrance to a path providing pedestrian/cycle access to Neilson Recreation Ground, the footpath along the banks of the River Ember and further afield to West Molesey.
- 2.8 The site is primarily accessed by way of a vehicular and pedestrian access point located within its southern boundary adjoining the western-most point of a residential cul-de-sac called Orchard Lane, and there is also a secondary vehicular access into the site from Orchard Lane within the south-eastern corner of the site, running alongside the western boundary of no. 18 Orchard Lane.

- 2.9 The surrounding area is essentially wholly residential in character, comprising a mixture of detached and semi-detached properties, and to the south of Orchard Lane is a recently built development, comprising both apartment blocks and dwellinghouses (in a townhouse style), accessed from Orchard Farm Avenue.
- 2.10 Orchard Lane forms a T-junction with the B3379 (Ember Road / Ember Lane) road approximately 300 metres to the east of the site access point. From that junction, the B3379 heads north towards Hampton Court and East Molesey, and south towards Esher. There are bus stops served by local bus services travelling in both directions less than 350 metres from the site, and there are no parking restrictions currently on Orchard Lane.
- 2.11 During the evolution of the proposals, a fresh water main pipe belonging to Thames Water has been identified passing underneath the site from east to west, which would require rerouting (within the northern part of the site) as part of the proposed development, and this is the sole reason why part of the application site incurs into the Green Belt.
- 2.12 Save for the part of the application site which is located within the Green Belt, the site is not designated in any way by the LPA's currently adopted proposals map, but the Site Allocations section (Chapter 9) of the LPA's emerging Local Plan, confirms that the site (reference D6/US462) is proposed to be allocated for the delivery, within 1-5 years, of 61 additional residential units (i.e. in addition to the existing units).
- 2.13 This is confirmed by way of the relevant evidence base for the emerging Local Plan, specifically the LPA's latest Land Availability Assessment (base date 31st March 2022), which identifies the site as being suitable for the provision of 61 units (net) or 77 (gross), and the same information was also provided in the LPA's 2021 Land Availability Assessment.

### **3.0 Relevant Planning History of Application Site and Surroundings**

- 3.1 The most recent planning history relating to the application site dates back to June 2016, when planning permission (application ref. 2016/0899) was granted by the LPA for a single storey rear extension, and associated alterations to fenestration, following the demolition of existing extensions to Sundial House.
- 3.2 Prior to that application, the next most recent application dates back to February 2003 (application ref. 2002/2574) when the LPA granted approval under Section 73 of the Town and Country Planning Act 1990 (as amended) for the variation of condition 2 imposed upon the granting of planning permission ref. 2000/2417 to allow the first floor of Sundial House to be used as six bedsits providing general needs accommodation for single people, rather than staff accommodation.
- 3.3 That decision followed the LPA's granting of planning permission (application ref. 2000/2417) in January 2001 for the change of use of 14 hostel rooms for adults with learning difficulties to 7 bedsits for staff accommodation on the first floor and a resource room on the ground floor.
- 3.4 In respect of neighbouring properties, in September 2018 the LPA granted planning permission (application ref. 2018/2223) for the conversion of an existing garage associated with the dwellinghouse at 18 Orchard Lane to living space, incorporating external alterations, bike and bin storage and alterations to the fenestration.
- 3.5 Also in respect of the same property, in June 2018 the LPA partially approved and partially refused a Certificate of Proposed Lawful Development application (ref. 2018/1542) relating to rear dormer windows, front and rear roof lights, the conversion of the existing garage to living space and alterations to the fenestration.
- 3.6 In July 2011, planning permission was granted by the LPA for the erection of a single storey front extension and porch to the dwellinghouse known as Ember Farm Cottage.

#### **4.0 The Proposed Development, Pre-Application Advice and Public Consultation**

- 4.1 The proposals for which planning permission is sought comprise the demolition of all existing buildings on site, save for the retaining wall adjacent to the River Ember which currently forms part of Newstead House and which is intended to be incorporated into proposed building B.
- 4.2 The application site is proposed to be redeveloped by way of the erection of 3 detached buildings, known as buildings A, B and C. Building A would be the largest building, occupying the northernmost part of the site and varying in height between 1 and 4 storeys, with the fourth storey significantly set-in from the building elevations, and with the third floor of the building stepped back from the northern boundary of the site.
- 4.3 Building B would run parallel to the western boundary of the southern part of the site (effectively replacing the existing Newstead House) and would vary in height between 1 and 3 storeys, including a 2 storey element adjacent to the southern boundary of the site where that building would adjoin Ember Farm Cottage.
- 4.4 Building C would have two distinct built elements, the first comprising a two-storey element resembling a pair of semi-detached properties fronting Orchard Lane, and the second comprising a three-storey element located approximately 6.9 metres off the eastern boundary of the site, with a two-storey link between the two elements.
- 4.5 In total the development would provide 74 residential (Use Class C3) units, comprising 50 units in building A (3 x 1 bed, 39 x 2 bed and 8 x 3 bed), 4 units in building B (1 x 2 bed, 3 x 3 bed) and 20 units in building C (12 x 1 bed and 8 x 2 bed). The 20 units within building C would be gifted to the Sons of Divine Providence as Charity accommodation.
- 4.6 The private housing element of the proposals is directed at the "later living" sector, i.e. people wishing to downsize from larger accommodation to a development where they can benefit from on-site communal facilities, with those facilities provided within part of the ground floor of building A and including a residents' lounge, library, café, salon and gym.
- 4.7 A total of 74 car parking spaces is proposed across the development (including 5% for disabled drivers), with a minimum of 20% of all spaces to be provided with fast-charge electrical sockets, and all spaces will have passive provisions to allow for future expansion of charging facilities. The majority of the parking will be located in the basement (55 spaces), accessed by way of a single width ramp, controlled by a signal control system, and there will also be surface level car parking and 3 integral garages as part of the 4 townhouses which make up building B.
- 4.8 An internal cycle store is provided at ground floor level within building A (for residents of both buildings A and B), whilst a secure, covered cycle storage area is provided for the residents of block C, with a total of 56 cycle spaces provided within the development, including 4 short-stay visitor cycle spaces incorporated into the proposed landscape design.
- 4.9 The site will continue to be accessed, by both pedestrians, cycles and vehicles, by way of the same existing access point, although it will be improved for usage by all forms of transport, with footways on both sides, and within the site itself the access road has been designed to accommodate residents' cars, daily delivery vehicles and also larger vehicles such as refuse and recycling collection vehicles and also emergency service vehicles. An additional area to the front of building which would be used as a multi-functional space for loading, drop-off and pick-up is also provided as part of the proposals.
- 4.10 The vast majority of properties will benefit from generously proportioned private amenity space, including both roof terraces and balconies, and also from large areas of external communal amenity space, including to the east of building C and within the central courtyard area of building A. Additionally, the proposals incorporate a riverside walk, extending to the Green Belt land to the north, utilising both existing trees and additional soft and hard landscaping features.



- 4.11 Extensive new landscaping is also proposed along the eastern boundary of the site, in order to complement the existing boundary treatment and trees along that boundary, and to provide a greater visual buffer/natural barrier.
- 4.12 A high quality materials palette has been selected to ensure that the external materials to be used in all buildings will create a visually attractive development which complements the immediate locality, including the use of white render, red, buff and pale brick, timber garage doors, and roofs utilising either grey slate or grey metal.
- 4.13 The application submission comprises the following reports ;
- Design and Access Statement prepared by Assael Architecture.
  - Planning Statement prepared by Beamish Planning Consultancy.
  - Transport Statement, incorporating the results of a parking stress survey, swept path analysis and a Delivery and Servicing Plan, prepared by Entran Ltd.
  - Daylight and Sunlight Report prepared by Consil.
  - Viability Assessment prepared by BNP Paribas.
  - Flood Risk Assessment prepared by KRS Environmental Limited.
  - Drainage Strategy Report, incorporating proposed surface water drainage strategy, proposed foul water drainage strategy and SUDS maintenance and management, prepared by Mason Navarro Pledge Ltd.
  - Statement of Community Involvement prepared by Beamish Planning Consultancy.
  - Fire Safety Strategy (RIBA Stage 2) prepared by OFR Consultants Ltd.
  - Energy and Sustainability Statement prepared by Hoare Lea.
  - Air Quality Assessment prepared by Entran Ltd.
  - Residential Noise Assessment prepared by Entran Ltd.
  - Archaeological Desk Based Assessment prepared by RPS.
  - Lighting Impact Assessment prepared by Design for Lighting Ltd.
  - Phase 2 Land Quality Assessment prepared by Ground First Ltd.
  - Construction Management Plan prepared by Entran Ltd.
  - Preliminary Ecological Appraisal prepared by Middlemarch.
  - Preliminary Bat Roost Assessment prepared by Middlemarch.
  - Dusk Emergence & Re-entry Bat Surveys prepared by Middlemarch.
  - Herpetofauna Reasonable Avoidance Method Statement prepared by Middlemarch.
  - Invasive Species Method Statement prepared by Middlemarch.
  - Biodiversity Net Gain Assessment prepared by Middlemarch.
  - Arboricultural Method Statement, incorporating Arboricultural Impact Assessment and Tree Survey Schedule, prepared by Arbtech Consulting Limited.

#### Pre-application advice

- 4.14 The proposals which are now the subject of the planning application to which this Planning Statement relates are the culmination of four years of pre-application engagement with the LPA, and, more recently, with the local community.
- 4.15 The first pre-application advice (LPA ref. PreApp93670503) request was submitted to the LPA in October 2018 and progressed by way of a meeting (on 19<sup>th</sup> November 2018) and a subsequent written response dated 19<sup>th</sup> January 2019.
- 4.16 That initial pre-application advice request proposed the redevelopment of both what is now the application site and also the Green Belt land to the north to create a mixed-use development of social care (C2 use) and residential (C3 use) units following the demolition of the existing buildings on the site.

- 4.17 In its written pre-application response, the LPA indicated that the principle of the development of the Green Belt land was unacceptable, as the LPA was not of the view that 'very special circumstances' could be demonstrated which would outweigh the harm to the Green Belt caused by development which would be, by definition 'inappropriate'. The LPA did however acknowledge the potential for the redevelopment of the front part of the site, i.e. what is now the application site, subject to detailed consideration.
- 4.18 The second pre-application advice request (PreApp133018591) was submitted to the LPA in July 2019 and the land which was the subject of that request excluded the Green Belt land to the north, heeding the previous pre-application advice provided by the LPA. It proposed the redevelopment of the site by way of the demolition of the majority of the existing buildings, and the erection of 38 residential units, and incorporated the retention of the horticultural centre.
- 4.19 In its written pre-application response dated 6<sup>th</sup> January 2020, the LPA confirmed that it now supported the principle of the proposed redevelopment of the site, and looked forward to receiving a more detailed proposal so that further, detailed comments could be provided.
- 4.20 In August 2020 a third pre-application advice request was submitted to the LPA, proposing the redevelopment of the site by way of the demolition of all existing buildings and the subsequent erection of 3 detached buildings providing 78 residential units.
- 4.21 That further pre-application request (LPA ref. 2020/2269) progressed by way of a virtual meeting on 18<sup>th</sup> September 2020, with the LPA subsequently providing a written response on 22<sup>nd</sup> October 2020. The LPA again confirmed that the principal of the proposed development was acceptable, including four storey development, subject to detailed design and associated technical justification.
- 4.22 Appendix 1 to this Planning Statement comprises all three of the written pre-application responses provided by the LPA on 19<sup>th</sup> January 2019, the 6<sup>th</sup> January 2020 and the 22<sup>nd</sup> October 2022 respectively.
- 4.23 Following that third pre-application response, and as it was felt appropriate to do so in order to continue progressing the proposals both up to and beyond the submission of a full planning application, the applicant entered into a Planning Performance Agreement (PPA) with the LPA, in line with national planning guidance which encourages the potential for PPA's in order to ensure a more effective application process.
- 4.24 The first pre-application advice meeting under that PPA took place on 4<sup>th</sup> February 2022, following the submission of documentation in January 2022. In attendance at that pre-application meeting was the applicant, the scheme architects, planning consultant and transport consultant, with Jack Trendall (Senior Planning Officer) and Paul Falconer (Development Manager) attending from the LPA.
- 4.25 The scheme which was the subject of that pre-application request comprised the redevelopment of the site by way of the erection of 4 detached buildings, ranging from 2 to 5 storeys in height, providing 80 residential units and 80 parking spaces. The main pre-application submission document, prepared by Assael Architecture, is attached as Appendix 3 to this Planning Statement.
- 4.26 At that pre-application meeting, the LPA raised a number of key concerns relating to those proposals, in particular relating to the height of proposed building A (which was initially proposed as being 5 storeys high) and also the proposed detached building to the north-eastern corner of the site, which Officers considered to be isolated from the rest of the proposed development. Officers also queried the choice of materials and the detailed design and aesthetics of the proposed development.

- 4.27 As part of that first pre-application meeting under the PPA, the proposed scheme which was the subject of that pre-application advice request was the subject of a virtual Member Briefing which took place on 16<sup>th</sup> February 2022, to which all Planning Committee members were invited and which was also attended by the applicants, the scheme architects, planning consultant and transport consultant, with Paul Falconer chairing that briefing.
- 4.28 As part of that briefing a number of Members asked questions of the applicants and their professional team, including regarding the proposed density of the development, although the briefing was positive.
- 4.29 Consequently, the applicants and their professional team undertook an extensive review of the proposals following that meeting, and in May 2022 provided a revised scheme to the LPA, which is attached as Appendix 4. The revisions are detailed in section 1.1 of that document, but in summary the height of building A was reduced from 5 to 4 storeys, in addition to a reduction in the floor to floor height of that building and also the stepping back of the upper floors of that building from the northern site boundary, and also the height of proposed building C, where it would front Orchard Lane, was reduced from 3 to 2 storeys, in addition to other revisions.
- 4.30 The LPA provided a short, written response to the revised scheme on 9<sup>th</sup> June 2022, confirming that the revisions to proposed building A were an improvement (but still raising some points of concern), agreeing the mansard roof option for building B was preferred having regard to both design and appearance considerations, and also confirming that the appearance of proposed building C was much improved. That written response can be found in Appendix 5 to this Planning Statement.
- 4.31 It is this scheme which was the subject of the public consultation undertaken in June 2022, as detailed in the subsequent section of this Planning Statement and the standalone Statement of Community Involvement.
- 4.32 Following both the LPA's written response in June 2022, and the feedback from the public consultation which also took place in June 2022, a final pre-application advice request was submitted to the LPA in late August 2022, and that pre-application submission is attached as Appendix 6. That scheme proposed 74 residential units within 3 buildings of between 1 and 4 storeys in height, including 74 car parking spaces, a communal riverside walk leading to the Green Belt, both private and communal amenity space.
- 4.33 The amended scheme incorporated a significant number of revisions, including improving the balcony design and increasing defensible space for ground floor apartments within building A, as well as additional architectural detailing, the development of the townhouse layout within building B, and the further development of the proposals for Block C, including increased defensible space for the ground floor units and the development of the unit layouts.
- 4.34 Some of the other revisions from the previous scheme included ;
- On the east facing elevations above the ground level of block C all previously proposed full-height windows and Juliet balconies have been omitted, and replaced with half-height windows, and furthermore the amount of windows has been reduced.
  - Substantial additional landscaping, including the planting of mature trees, was proposed within the site close to its boundary with the rear gardens of properties within Ember Farm Way and no. 18 Orchard Lane, to complement the existing 2-metre-high existing boundary treatment.
  - The plant room which was previously proposed to adjoin the eastern boundary of the site was now to be set-in from that boundary.
  - Full detailing of the proposed riverside walk was provided.

- 4.35 A virtual pre-application meeting relating to these revised proposals was held on 14<sup>th</sup> September 2022, attended by the applicants and their professional team and also by Paul Falconer, Jack Trendall and John Kilner (Senior Conservation Officer) from the LPA, with the LPA subsequently providing a written response of 28<sup>th</sup> September 2022, a copy of which is attached as Appendix 7.
- 4.36 As set out within that written response, LPA Officers were largely positive about the revised proposals, confirming that the height, massing, layout and appearance of the proposed development was supported, but querying whether the centrally located north-facing units within building A would receive adequate natural lighting and ventilation, raising the need for increased defensible space to the north and east facing ground floor units within building C, and questioning whether the private amenity space to the townhouses within building B would be sufficient.
- 4.37 Following that final written pre-application advice response from the LPA, the applicants and their professional team have made further revisions to the proposals, or reviewed the proposals with the benefit of the expertise available within the professional team to justify why certain elements of the proposals are acceptable as proposed.
- 4.38 Sections 3.5 to 3.8 of the Design and Access Statement prepared by Assael Architecture provides a comprehensive summary of pre-application dialogue with the LPA and associated public consultation.
- 4.39 In addition to the pre-application consultation which has taken place with the LPA, members of the professional team have also engaged with respective statutory consultees during the evolution of the proposals, including dialogue with Surrey County Council Highways, Thames Water, the Environment Agency and Surrey Police.

#### Public consultation

- 4.40 Full details of the public consultation undertaken by the applicants and their professional team prior to the submission of the planning application to which this planning statement relates is provided by way of the standalone Statement of Community Involvement (SOCI), also prepared by Beamish Planning Consultancy, which forms part of the application submission.
- 4.41 To summarise that SOCI, a two-day public exhibition (on 20<sup>th</sup> and 21<sup>st</sup> June 2022) and, in tandem with that exhibition, a project website providing the same visual material as what was displayed at the exhibition, took place in June 2022. Invitations to the exhibition were delivered by hand to over 270 properties within the immediate locality, and invitations were also issued to ward (Thames Ditton) Councillors and to the Chair of the Planning Committee, and the exhibition was attended by the applicants and the professional team.
- 4.42 A total of 66 different attendees visited the public exhibition, and written feedback was received from 40 members of the local community, either by providing written feedback at the exhibition or by providing feedback online via the project website after the exhibition had concluded.
- 4.43 The SOCI includes all written feedback received as part of the public consultation, appraises the feedback received and outlines how the scheme has been revised to take account of some of the matters raised by that public consultation, as well as responding to some of the issues raised.

## **5.0 Planning Policies and Government Guidance**

- 5.1 The Development Plan for the application site and the surrounding area currently comprises the Elmbridge Borough Council Core Strategy Development Plan Document (DPD), which was adopted in July 2011, and the Council's Development Management DPD, which was adopted in April 2015, and both DPD's form part of the Council's Local Plan.
- 5.2 The LPA is currently preparing a new Local Plan, and in June to July 2022 public consultation took place on the Draft Elmbridge 2022 – 2037. The responses received from that public consultation are now being reviewed by the LPA ahead of its submission of the Local Plan to the Secretary of State for independent Examination in Public, prior to it being formally adopted.
- 5.3 The latest (February 2022) Local Development Scheme published by the LPA indicated that the Local Plan was likely to be submitted for independent Examination in Public in Autumn 2022, and it was envisaged that adoption would not take place before summer 2023 at the earliest.
- 5.4 Some weight must therefore be attached to the LPA's emerging Local Plan, although such weight must be limited given that the Plan still has to be independently examined, and accordingly, as long as the LPA's existing, adopted policies comply with the more up-to-date national planning policies, full weight should continue to be attached to those existing, adopted policies.
- 5.5 Also of relevance at local level is the LPA's Design and Character Supplementary Planning Document (SPD) (April 2012), the Development Contributions SPD (April 2021), the Flood Risk SPD (May 2016) and the Parking SPD (July 2020).
- 5.6 At national level, the updated National Planning Policy Framework (NPPF) was published by the Government in July 2021 and streamlines previous national planning policy into a consolidated set of priorities, to ensure that planning decisions reflect genuine national objectives, with the principle of sustainable development permeating the framework.
- 5.7 The National Planning Policy Guidance (NPPG) was launched by the Government in March 2014, is regularly updated and streamlines previously published national guidance, which had taken the form of planning policy guidance notes and planning policy statements.
- 5.8 Also, in March 2015, the Government published its 'Technical Housing Standards – Nationally Described Space Standard', which sets out floorspace, dimensions and storage standards for new dwellings, including conversions.

## 6.0 Planning Assessment

- 6.1 The starting point for determining any planning application is set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The proposals that are the subject of this planning application raise several key issues, and this section of this Planning Statement now appraises the proposals against the development plan and all other material planning considerations in regard to those key issues.

### Principle of the proposed redevelopment of the site

- 6.3 One of the primary objectives of planning policy at both local and national level is to boost the supply of homes, especially by way of making the most effective use of land, utilising previous-developed land as much as possible, including by way of the development of under-utilised land and buildings, as set out in paragraphs 119 and 120 of the NPPF, and by adopted Core Strategy policy CS2 (Housing Provision, Location and Distribution) and adopted Development Management policy DM10 (Housing).
- 6.4 Based upon the Government’s Standard Methodology, at December 2020, the latest measure of housing need within the Borough is the provision of 641 dwellings per annum, and the LPA’s latest Housing Needs Assessment identifies the overall need within the Borough for smaller properties of between one and three bedrooms. The LPA is currently unable to demonstrate a five-year housing land supply, and therefore the ‘tilted balance’ provisions as set out in paragraph 11(d) of the NPPF are applicable, which states that planning permission should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 6.5 Paragraph 125 of the NPPF is therefore also applicable to these proposals, advising that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 6.6 The existing buildings within the application site are of minimal architectural merit, are no longer fit for purpose and the site fails to make optimal use of the land, reflected in how its currently density is approximately 15 dwellings per hectare (dph), half the minimum density of 30dph identified within the adopted Development Plan, and it is important to emphasise that the adopted development plan is over 7 years old and therefore that minimum density figure does not reflect the substantial increase in housing need requirements/targets in recent years.
- 6.7 The Site Allocations section (Chapter 9) of the LPA’s emerging Local Plan, confirms that the application site (reference D6/US462) is proposed to be allocated for the delivery, within 1-5 years, of 61 additional residential units (i.e. in addition to the existing units). The evidence base for the emerging Local Plan is the LPA’s latest Land Availability Assessment (base date 31st March 2022), which also identifies the site as being suitable for the provision of 61 units (net) or 77 (gross), and the same information was also provided in the LPA’s 2021 Land Availability Assessment.
- 6.8 Accordingly, the proposed redevelopment of the site to provide a total of 74 units represents a slight underdevelopment of the site compared to the potential 77-unit provision as identified in the LPA’s latest Land Availability Assessments. The proposed density, at approximately 119 units per hectare, whilst reflecting a considerable increase compared to the existing site, ensures that the proposals make the most effective use of the application site, make a significant contribution to the housing needs of the Borough and offering a wide range of housing types and sizes, whilst also reflecting the character of the area and causing no unacceptable harm to the surrounding area and existing residents, as demonstrated by all of the technical reports which comprise this planning application submission.

- 6.9 Furthermore, we would point out that, as part of the pre-application dialogue with the LPA, no concerns were raised by Officers relating to the proposed density and having regard to both the adopted development plan and all material planning considerations, including the 'tilted balance' provisions set out within paragraph 11(d) of the NPPF.
- 6.10 Consequently the principle of the proposed redevelopment of the application site to provide residential accommodation accords with the adopted development plan at local level and relevant national planning policies and guidance as set out in the NPPF and NPPF.

#### Housing Mix and Tenure

- 6.11 A total of 74 new residential units are proposed across 3 buildings within the application site. Proposed building A would comprise 50 apartments (3 x 1 bed, 39 x 2 bed and 8 x 3 bed), proposed building B would comprise 4 townhouses (1 x 2 bed, 3 x 3 bed), and building C would comprise 20 apartments (12 x 1 bed and 8 x 2 bed).
- 6.12 The mix of units proposed, in terms of bedroom size, is therefore 20% 1 bed units, 65% 2 bed units, and 15% 3 bed units, although the accommodation proposed would include units which could occupy between 1 and 6 people, and 5% of the units are also wheelchair adaptable.
- 6.13 The primary focus of the proposals is the "later living" sector, i.e. people wishing to downsize from larger accommodation to a development where they can benefit from on-site communal facilities, with those facilities provided within part of the ground floor of building A and including a residents' lounge, library, café, salon and gym.
- 6.14 Adopted Core Strategy policy CS19 advises that the LPA will seek to secure a range of housing type and sizes and will seek to resist an over-concentration of any one type of dwelling if this is considered to have the potential to adversely affect community cohesion.
- 6.15 The LPA's latest Assessment of Local Housing Needs (March 2020) advises that by 2035 there is likely to be a 37% increase in the number of people within the Borough aged 65 or over, with a 29% increase in the number of households comprising residents aged 65 or over. That assessment also advises that substantial numbers of older people tends to under-occupy housing, implying that if they downsize this would free up more family-sized accommodation in all sectors.
- 6.16 These identified needs are reflected by emerging Local Plan policy HOU3 (Housing Mix) which advises that the emphasis in residential development proposals should be on the provision of 1, 2 and 3 bedroom homes, including for older people looking to move to a smaller property.
- 6.17 Adopted Core Strategy policy CS20 (Older People) confirms that the LPA will support the development for specialist accommodation for older people in suitable locations, with such accommodation expected to be of a high-quality specification, incorporate generous space standards and provide a high proportion (at least 50%) of 2 bed units.
- 6.18 Therefore the accommodation mix proposed reflects both local planning policies and the associated evidence base, with the proportion of 1, 2 and 3 bed units proposed almost identically aligned with the respective proportions (20% 1 bed, 50% 2 bed, 20% 3 bed and 10% 4 bed) identified within the latest Local Housing Need Assessment.
- 6.19 Adopted Core Strategy policy CS21 (Affordable Housing) seeks to ensure that, on site of 15 dwellings or more, 40% of the gross number of dwellings will comprise affordable units, and that only in exceptional circumstances will an alternative to on-site provision be appropriate. We also note that the LPA's emerging Local Plan, specifically policy HOU4, advises that on brownfield sites of 10 or more units, on-site provision of 30% affordable housing will be required.

- 6.20 The submission includes a Viability Assessment prepared by BNP Paribas, which demonstrates that, based upon current values, the provision of any on-site affordable housing provision or other financial contributions would render the development unviable.
- 6.21 However, as has been consistently proposed during the pre-application dialogue with the LPA, and as part of the partnership between the joint applicants, the 20 residential units that comprise proposed building C will be given to the Sons of Divine Providence as Charity accommodation. Comparing to the existing on-site Charity accommodation, these new units will also be numerically greater than the existing provision, and provide higher quality accommodation as all of the proposed units either meet or exceed the Nationally Described Space Standards.
- 6.22 The intention is to offer all existing tenants the first right of refusal under their Assured Shorthold Tenancies with the Charity. The Charity has been in ongoing discussions with the existing tenants throughout the pre-application process and will continue to engage with those tenants both during and after the LPA's determination of the planning application.
- 6.23 The applicants acknowledge the Viability Assessment will be independently assessed (at the cost of the applicants) as part of the LPA's consideration of this planning application, and the viability consultants acting on behalf of the applicants welcome dialogue with the LPA and its independent assessor over the coming weeks.
- 6.24 The proposals therefore provide a significant number of new homes comprising a wide range of housing mix and tenures, which reflect the local housing needs/requirements, including the provision of 20 units for the direct use and management by the Sons of Divine Providence Charity.

#### Quality of residential accommodation proposed

- 6.25 All of the proposed residential units would meet or exceed the minimum residential standards set out within the Nationally Described Space Standards, and the majority of the proposed homes would be dual aspect (some are triple aspect). During the most recent pre-application discussions, LKPA Officers raised concern relating to the upper floor units within the central part of proposed building A, as whilst those units are not single aspect, their primary fenestration faces north and the two 'arms' of the building are on either side of those flats.
- 6.26 Notwithstanding these concerns, the accompanying Daylight and Sunlight Report prepared by Consil demonstrates all but 6 of the habitable rooms proposed meet the latest BRE requirements, and, as illustrated on page 72 of the Daylight and Sunlight Report, those 6 habitable rooms are located at ground floor level within block A, and 2 of those rooms are not part of people's homes but proposed communal amenity space (a communal living room and a library).
- 6.27 There would be two living rooms and one bedroom, as part of the proposed homes, where daylight would be restricted, but the results show that a reasonable proportion of each room would still receive adequate levels of daylight amenity, and those apartments also benefit from uninterrupted views of the Green Belt land to the north.
- 6.28 We would also stress that paragraph 125(c) of the NPPF advises that "when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards".
- 6.29 We would also emphasise the 'tilted balance' provisions as set out in paragraph 11(d) of the NPPF, which advise that permission should be granted until any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.



- 6.30 The vast majority of proposed homes also benefit from private amenity space, in the form of generously proportioned roof terraces or balconies. It is acknowledged, and was raised by the LPA as part of the pre-application dialogue, that the 4 proposed townhouses within building B only incorporate a roof terrace, and do not accord with the LPA's Design and Character SPD which guides gardens to dwellinghouses to be a minimum of 11 metres deep.
- 6.31 However, the wording of that SPD makes it clear that, if the area is constrained, individual design solutions could be an acceptable alternative. Clearly, in this case, if the 11 metre requirement was rigidly adhered to then no townhouses could be built on this area of the site, which would mean that instead of townhouses more apartments would be provided, thereby reducing the broad mix of housing proposed and further increasing the density of the proposals.
- 6.32 Additionally, this part of the is constrained by the presence of the River Ember immediately adjacent to the western boundary of the site. Furthermore, in addition to the generous roof terrace provided as part of the 4 townhouses that comprise building B, residents would have access to all of the internal communal facilities within building A, the communal riverside walk and the external courtyard around which building A is centred.
- 6.33 Accordingly, high quality residential accommodation is provided for the future occupiers of all proposed homes within the development, in accordance with relevant local and national planning policies, associated guidance and the Nationally Described Space Standards.

#### Scale, Height, Design and Appearance

- 6.34 This section of this supporting Planning Statement should be read in conjunction with all of the plans and Design and Access Statement prepared by the scheme architects, Assael Architecture.
- 6.35 During the course of the pre-application dialogue with both the LPA and the local community extensive revisions have been made to the proposals, including the reduction in the maximum height of the building from five storeys, and also the associated reduction in height of each floor level.
- 6.36 Building A includes a set-back fourth storey in the form of a mansard roof, set away from the building edges and providing a cascading massing on all frontages, with the massing further broken up by single storey elements. Building A is also set towards the rear of the site, the furthest distance from the street frontage, and the northern elevations of building A provide a significant step back so that the built form of Building A does not over-dominate the nearby Green Belt, or appear excessive when viewed from within the Green Belt.
- 6.38 Both buildings B and C incorporate mansard roof accommodation which reflects the varied roofscape and scale of the surrounding houses along Ember Farm Way, whilst the part of proposed building B which adjoins the rear boundary of Ember Farm Cottage reduces to two storeys in height to connect sensitively with that property.
- 6.39 Similarly, the front part of proposed building C sits within the streetscape of Orchard Lane and accordingly the scale and front of that element of the proposals replicates the prevailing character of existing properties within Orchard Lane, with the height of the remaining part of building C increasing to three storeys as one progresses further into the site.
- 6.40 The architectural approach to the proposed development, including the chosen palette of materials, has been informed by the context of the surroundings, with all three proposed buildings utilising consistent banded brick detailing, stone/GRC banding or similar, domestic window proportions and slate roofs with dormer features. The materials palette is predominantly brick with roofs, balcony and window elements in dark grey metal or slate tiles, creating contrast.

- 6.41 The proposed development therefore accords with adopted Core Strategy policy CS17 (Local Character, Density and Design), adopted Development Management Plan policy DM2 (Design and Amenity), the LPA Design and Character SPD and relevant national planning policies and guidance as set out in the NPPF and NPPG.

#### Impact on Surrounding Properties

- 6.42 The proposals have been sensitively designed to ensure that both the amenities of the occupiers of existing surrounding residents, and future occupiers of the proposed residential units, would not be unacceptably affected by the proposed development.
- 6.43 Firstly, in terms of the relationship between the new buildings within the development itself, the internal layouts of the townhouses within building B so that the primary aspect of all habitable rooms is west facing, whilst the windows within the west facing elevation of building C have been positioned to avoid direct overlooking into any habitable rooms within building B. Additionally, the living spaces within those apartments within block C which face west are positioned to the northernmost side of each apartment, in order to maximise the separation distance. This design response is detailed on pages 76 and 77 of the accompanying Design and Access Statement.
- 6.44 A similar appraisal in respect of the inter-relationship between those apartments within proposed building A which face towards the central courtyard area is set out on page 67 of the Design and Access Statement, against detailing how the scheme has been carefully designed to ensure that there is no direct overlooking, with each 'wing' set at a different angle.
- 6.45 During the public consultation, several residents of Ember Farm Way, whose rear gardens back onto the eastern boundary of the site, raised concerns about the impact of the proposed development upon their enjoyment of their properties.
- 6.46 Whilst, as detailed within the Design and Access Statement and as summarised in the earlier section of this Planning Statement, some revisions have been made to the proposals in light of those concerns, we would emphasise that the shortest distance between the proposed residential units and the rear elevation of existing properties in Ember Farm Way will be at least 30 metres, far in excess of the distance within which such a relationship would be deemed to be unacceptable.
- 6.47 Additionally, the Residential Noise Assessment, Lighting Assessment and Daylight and Sunlight Report which all form part of the submission demonstrate that the proposals would not have any unacceptable impact upon the amenities of the occupiers of existing surrounding properties.
- 6.48 As detailed within the Daylight and Sunlight report and as referenced on page 75 of the Design and Access Statement, a detailed study has been undertaken with regards to the specific relationship between the proposed development and no. 18 Orchard Lane. That analysis found that, whilst there would be a reduction in daylight amenity to the west-facing window serving a conservatory within no. 18, all of the remaining windows would be compliant using the Vertical Sky Component (VSC) test, and both the ground floor conservatory and the first-floor bedroom would comply with the BRE Report guidelines using the No Sky Line (NSL) test for daylight amenity.
- 6.49 Overshadowing to the rear garden of no. 18 has also been considered and has been shown to comply with the BRE guidance, and therefore the proposed development would not have an acceptable effect on the amenities enjoyed by the occupiers of no. 18 Orchard Lane.

#### Transport Considerations

- 6.50 A Transport Statement prepared by Entran Ltd. forms part of the planning application submission. A total of 74 car parking spaces is proposed across the development (including 5% for disabled drivers), with a minimum of 20% of all spaces to be provided with fast-charge electrical sockets, and all spaces will have passive provisions to allow for future expansion of charging facilities.

- 6.51 The majority of the parking will be located in the basement (55 spaces), accessed by way of a single width ramp, controlled by a signal control system, and there will also be surface level car parking and 3 integral garages as part of the 4 townhouses which make up building B.
- 6.52 An internal cycle store is provided at ground floor level within building A (for residents of both buildings A and B), whilst a secure, covered cycle storage area is provided for the residents of block C, with a total of 56 cycle spaces provided within the development, including 4 short-stay visitor spaces incorporated into the proposed landscape design.
- 6.53 The site will continue to be accessed, by both pedestrians, cycles and vehicles, by way of the same existing access point, although it will be improved for usage by all forms of transport, with footways on both sides, and within the site itself the access road has been designed to accommodate residents' cars, daily delivery vehicles and also larger vehicles such as refuse and recycling collection vehicles and also emergency service vehicles. An additional area to the front of building which would be used as a multi-functional space for loading, drop-off and pick-up is also provided as part of the proposals.
- 6.54 The Transport Statement incorporates the findings of a Parking Stress Survey undertaken in May 2022, the results of which support the proposed provision of 1 car parking space per residential unit. Similarly, having regard to how the proposed development is primarily targeted at 'later living', the proposed provision of 56 cycle parking spaces is appropriate, including provision for visitors.
- 6.55 The Transport Statement also details how, by way of Transport Implementation Strategy, including a Residents' Travel Information Park, a Delivery and Servicing Plan and an associated Construction Management Plan, modes of travel to the proposed development will also be influenced.
- 6.56 It concludes that there are no reasons why the proposed development should be refused on the grounds of highway safety or capacity, impact upon the transport network or sustainability, and accordingly the proposals comply with adopted Core Strategy policy CS25 (Travel and Accessibility), adopted Development Management Plan DM7 (Access and Parking) and associated national planning policies and guidance as set out in the NPPF and NPPG.

#### Landscaping and trees

- 6.57 As detailed within the section of the Design and Access Statement entitled 'Landscape Proposal', the proposals incorporate extensive new landscaping, combined with the retention of many existing trees within the site, to ensure the delivery of attractive development which makes a positive visual, sustainable and ecological addition to the locality.
- 6.58 The centrepiece of the development from a landscaping perspective will be the new riverside walk feature, and in addition to that high quality landscape feature there would also be an attractive courtyard feature at the heart of building A and landscaped communal amenity space for the residents of building C.
- 6.59 Although a total of 21 trees would be removed as part of the proposed development, the majority of which are necessitated by the relocation of the water pipe, a robust replacement tree planting scheme is proposed, with 32 replacement trees proposed, and the application submission incorporates an Arboricultural Impact Assessment which includes an Arboricultural Method Statement and details of tree protection measures.
- 6.60 The proposed landscaping strategy will therefore ensure the provision of a holistic development which makes a positive contribution to the surrounding environment in accordance with adopted Development Management Plan policy DM6 (Landscaping and Trees) and the LPA's Design and Character SPD

## Energy and Sustainability

- 6.61 An Energy and Sustainability Statement prepared by Hoare Lee forms part of the application submission and details how both passive design and energy efficiency measures will contribute to achieving a 49.1% sitewide reduction in CO2 emissions, to accord with relevant local and national planning policies and associated guidance.

## Other matters

- 6.62 Given the proximity of the site to the River Ember, both a Flood Risk Assessment and a Drainage Strategy form part of the application submission, demonstrating how the proposed development will neither increase the risk of flooding of the application site itself nor the surrounding area, incorporating appropriate mitigation measures, in compliance with adopted Core Strategy policy CS26 (Flooding), and those documents have been prepared in liaison with the Environment Agency.
- 6.63 The submission also includes a contaminated land assessment, archaeological assessment, air quality assessment, ecological assessments and Fire Safety Strategy, and those documents demonstrate how such matters have been carefully considered as part of the evolution of the proposals and will be incorporated into the development.

## **7.0 Conclusions**

- 7.1 The proposed development will achieve a high quality, efficient development of much needed homes on previously developed land, thereby making a significant contribution to the housing needs of the Borough and offering a wide range of housing types and sizes, whilst also reflecting the character of the area and causing no unacceptable harm to the surrounding area and existing residents.
- 7.2 Additionally, as the LPA is currently unable to demonstrate a five-year housing land supply, the 'tilted balance' provisions as set out in paragraph 11(d) of the NPPF are applicable, which states that planning permission should be granted unless *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*
- 7.3 As set out in both this Planning Statement and all of the other technical documentation which comprise this planning application, there are no adverse impacts arising from the proposed development which outweigh the substantial benefits, and accordingly the LPA should grant planning permission for the proposed development, subject to the entering into of a legal agreement and the imposition of appropriate conditions.