



Elmbridge Borough Council

... bridging the communities ...

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Mr A Ryley andy.ryley@prc-group.com	Officer:	Natalie Lynch
	Telephone:	01372 474474
	Email:	tplan@elmbridge.gov.uk
	Date:	11 January 2019
	Reference:	PreApp93670503

Dear Mr Ryley,

Silver Pre-application Enquiry

	Location:	Sundial House, The Molesey Venture, Orchard Lane, East Molesey KT8 0BN
	Site visit:	No
	Face to face meeting:	19 November 2018
	Written response:	11 January 2019
	Proposal:	Redevelopment of the site to create a mixed use development of social care (C2 use) and residential (C3 use) units including affordable units following demolition of the existing buildings on the site

Thank you for your pre-application enquiry received on 30 October 2018 concerning the above. I apologise for the delay in issuing this written response. Based on the submitted plans and documents, I can offer the following comments:

Constraints:

- Green Belt
- Flood Risk Zone 2
- Contaminated Land

Policy

In addition to the National Planning Policy Framework and the National Planning Practice Guidance, the following local policies and guidance are relevant to this pre-application enquiry:

Core Strategy 2011

CS1 – Spatial strategy

CS2 – Housing, provision, location and distribution

Chief Executive
Robert Moran

Strategic Director
Ray Lee

Strategic Director and Deputy Chief Executive
Sarah Selvanathan



CS7 – East and West Molesey
 CS14 – Green Infrastructure
 CS15 – Biodiversity
 CS16 – Social and Community Infrastructure
 CS17 – Local character, density and design
 CS19 – Housing type and size
 CS20 – Older people
 CS21 – Affordable Housing
 CS25 – Travel and accessibility
 CS26 – Flooding
 CS28 – Implementation and delivery

Development Management Plan 2015

DM1 – Presumption in favour of sustainable development
 DM2 – Design and amenity
 DM3 – Mixed uses
 DM5 – Pollution
 DM6 – Landscape and trees
 DM7 – Access and parking
 DM8 – Refuse, recycling and external plant
 DM10 – Housing
 DM13 – Riverside development and uses
 DM17 – Green Belt (development of new buildings)
 DM21 – Nature conservation and biodiversity

Design & Character SPD 2012

Developer Contributions SPD 2012

Flood Risk SPD 2016

Relevant Planning History

There are a number of buildings on the existing site is extensive planning history for the site as follows.

Reference	Description	Decision
2016/0899	Single storey rear extension and fenestration changes following demolition of existing extensions	Granted
2011/5700	Single storey front extension and side porch	Granted
2002/2574	Variation of condition 2 of planning permission 2000/2417 to allow occupation of the first floor of the rear two storey building as six bedsits providing general needs accommodation for single people instead of staff accommodation	Granted
2000/2417	Change of use of 14 hostel rooms for adults with learning difficulties to 7 bedsits for staff accommodation on first floor and resource room on ground floor	Granted
1998/1637	Change of use of the rear two storey building only from hostel for adults with learning	Granted

	difficulties to emergency temporary short stay hostel for asylum seekers and refugees.	
1998/0743	External alterations and part covered ramp.	Granted
1996/1169	Replacing existing 1.83 metre high chain link fence and gates with 2.1 metre high gates piers and brick wall.	Granted
1989/1557	Erection of extension to horticultural building.	Granted
ELM/84/394	Conversion of part of outbuilding into a one-bedroomed staff flat.	Granted
1978/0027	Change of use of storage building into 8 self-contained flats for older boys	Granted
ESH/71/823	Alterations to convert premises into 2 flats.	Granted

Proposal

Pre-application advice is sought for the redevelopment of the site to create a mixed use development to provide social care (C2 use) and residential (C3 use) units.

The tenure split would be as follows:

- 33 x Private Market units
- 31 x Affordable Units
- 35 x Assisted Living units

Planning Considerations

The main planning considerations in the determination of this proposal are:

- Principle of the Development
- Housing
- The size, scale and design of the proposal and its impact on the character of the surrounding area
- Impact on Neighbouring Amenity
- Highway Safety and Parking
- Flood Risk
- Contaminated Land
- Biodiversity
- Other Considerations

Principle of the Development

Principle of the development on Green Belt land

The rear part of the site is designated as Green Belt land. Paragraph 143 of the NPPF states that '*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*'

Paragraph 144 goes onto state that '*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exit unless the potential harm to the Green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*'

The proposed redevelopment of the site would be regarded as inappropriate development and would result in harm to the Green Belt. The very special circumstances put forward by yourselves at the meeting were:

- community access
- public access to green areas
- market housing
- affordable housing
- assisted housing
- improving the riverside/access to the riverside

The weight to be attributed to each of these very special circumstances put forward would need to be determined as part of any formal planning application. As discussed at the meeting, this is a very high test and a robust case needs to be presented. Whilst the Council does not have a 5 year housing land supply and the proposal would provide new housing, this in itself is not a very special circumstance as set out by the Secretary of State on the Drake Park and Whiteley Village appeal decisions. The provision of affordable housing is not in itself a very special circumstance, as it is a policy requirement to provide 50% of the units on site as affordable units. It is unlikely that the above very special circumstances would outweigh the harm to the Green belt. Therefore, the principle of the redevelopment of the site would be considered unacceptable.

The Council has recently published a revised Local Development Scheme (LDS), the evidence base is being prepared for a 'Consultation on Preferred to approach to Spatial Strategy and Policies –including Site Allocations and Designations' in August 2019. The Council has already carried out a strategic Green Belt Boundary Review (GBBR) and these sites (72b and 74) have been identified as 'moderately' performing and further supplementary work on the GBBR is being carried out on this. This will be published alongside the next consultation document. Although no decision has been made as to the Council's strategy for the Local Plan, it should be noted that any amendment to the Green Belt including the release of land must be done through the Local Plan process. I would therefore suggest that you promote the site for allocation through the Local Plan process. The front part of the site does not fall within the Green Belt and it was discussed at the meeting about the potential to redevelop this part of the site. This is discussed in more detail in the next section.

Principle of a mixed residential and social care development

As discussed at the meeting, the redevelopment of the rear part of the site which falls within the Green Belt is unacceptable. However, there may be scope to redevelop the front part of the site which currently contains almshouses, apartments, garages and garden buildings. The proposal is for a mixed use development to provide a mix of market, affordable and assisted living units for use by the elderly and those needing specialist care. Policy CS16 seeks to protect the provision of existing social and community infrastructure. Policy CS20 states that the Council will support the development of specialist accommodation for older people in suitable locations. The existing site provides assisted living/social care units and these would be re-provided in the new scheme. Any loss of assisted living/social care units would be resisted unless it can be demonstrated that the proposal would satisfy the requirements of policy CS16.

The NPPF seeks to make the most efficient use of land. Core Strategy policies CS1 and CS2 indicate that there is scope for residential development through the redevelopment of existing sites with well-designed schemes that integrate with and enhance the local character. The new development is required to deliver high quality design, which maximises

the efficient use of land and which responds to the positive features of individual locations; integrating sensitively with locally distinct townscape while protecting the amenities of those living in the area. The NPPF has a presumption in favour of sustainable development with emphasis on the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, as well as taking account of the character of different areas. The principle of the redevelopment of the front part of the site with a mixed use development to include residential and care homes would be supported provided there is no loss in the overall number of assisted living/social care units and other matters being acceptable as discussed below. The discussions below will now focus on the redevelopment of the front part of the site given the in principle objection to the development on Green Belt.

Housing

Housing mix and need

Policy CS19 and para. 122a of the NPPF stated that development should meet the identified need for housing, which is identified with the 2016 Strategic Housing Market Assessment (SHMA) for Kingston and North Surrey. The SHMA identifies the need within Elmbridge is for smaller 1, 2 and 3 bedroom units. Details of the proposed unit mix have been provided, however, this includes the whole site. The redevelopment of just the front part of the site is likely to result in the unit mix changing. Any proposal put forward should seek to meet the identified need for smaller 1, 2 and 3 bedroom units. There is a surplus of 4+ bedroom units and proposals for larger 4+ bedroom units are likely to be considered unacceptable due to this not making the most efficient use of land.

Policy CS20 states that accommodation for older people should have a higher proportion of 2 bedroom units (at least 50%).

Affordable Housing

Policy CS21 of the Council's Core Strategy (2011) requires that development resulting in the net gain of 15 dwellings or more requires 40% of the gross number of dwellings on site to be provided as affordable housing. If the rear part of the site (which is identified as Green Belt) is included, then the policy requires 50% of the gross number of dwellings on site to be affordable. The preferred split between Affordable/Social Rent and Intermediate units is 70/30. It is recommended that you enter into discussions with a Registered Provider now so that any requirements can be included as part of the scheme. Details of the Registered Provider should be provided as part of the application. A Unilateral Undertaking to secure the affordable units should be submitted as part of the application. A template Unilateral Undertaking is available to download from the following link:
<https://www.elmbridge.gov.uk/planning/developer-contributions/>.

If you do not consider that the scheme proposed is viable with the provision of affordable housing as required by policy CS21, you will be required to submit the necessary viability evidence with any application made. Further details of what is required are contained within the Council's adopted Supplementary Planning Document on 'Developer Contributions' (2012), which can also be found via the above link.

Please be advised that viability evidence must be submitted upfront as part of the application documents to be validated. The Council will expect you to pay for our Independent Viability Consultants to review the information submitted. A commitment to pay this fee should also be submitted with the application. The determination of any application will likely be delayed whilst this information is reviewed and the Council will request an extension of time for the determination of any application whilst such evidence is being

considered. Please note that the Council is currently in the process of adopting a new Validation Checklist and this will require viability reports to be submitted upfront. Once an application has been registered there will be no further opportunity to contend the viability of the development. If, following the registration of the application, you wish to dispute the viability, the application will need to be withdrawn and resubmitted.

The quality of the living accommodation for future occupiers

No detailed floor plans have been provided, however, policy DM10 states that proposals for new housing development will be expected to offer an appropriate standard of living, internally and externally. Any residential units should comply with the minimum internal space standards as set out in the Technical housing standards - nationally described space standards. Policy DM10 also goes on to state that all new residential development should provide an appropriate level of lighting and outlook for future occupiers. In terms of external amenity space for residential units, the Design and Character SPD recommends a minimum garden depth of 11m. There is no minimum garden depth for flatted development.

Policy CS20 states that accommodation for older people should include generous space standards and be wheelchair accessible.

The size, scale and design of the proposal and its impact on the character of the surrounding area

Policy CS17 of the Elmbridge Core Strategy states that new development should deliver high quality, inclusive sustainable design which maximises the efficient use of urban land integrating sensitively with the local townscape and landscape.

Density

Policy CS17 indicates that there is scope for residential development through the redevelopment of existing sites with well-designed schemes that integrate with and enhance the local character. The new development is required to deliver high quality design, which maximises the efficient use of land and which responds to the positive features of individual locations; integrating sensitively with locally distinct townscape while protecting the amenities of those living in the area. Innovative contemporary design that embraces sustainability and improves local character will be supported. The Council promotes development that contributes to an overall housing target of 40 dwellings per hectare and achieves a minimum of 30 dwellings per hectare (dph).

Layout and design

The NPPF states that '*the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work...*' The redevelopment of the front part of the site would represent an opportunity to create a high quality and well designed scheme. Should the redevelopment of the front part of the site be persuade further, I would recommend that further pre-application discussions are held regarding the overall design, appearance and landscaping of the site. The layout of the roads and houses should be carefully considered and the principles of Secured by Design should be followed.

Impact on Neighbouring Amenity

Policy DM2 seeks to protect the amenity of adjoining and potential occupiers and users. It is difficult to fully assess the impact on the neighbouring properties without the benefit of a site

visit and with the limited plans provided. However, any proposal should seek to ensure that there would be no adverse impact on neighbouring amenity. The Design and Character SPD provides further guidance on assessing the impact on light and overlooking. In particular, those residential units that back onto the rear of properties in Ember Farm Way should ensure that a separation distance of at least 22m between facing habitable room windows is achieved to ensure there would be no issues of overlooking or loss of privacy.

Highway Safety, parking and refuse

Trip generation and access

The existing access to the site would be utilised, however, there would be an increase in the number of trips to and from the site. Due to the scale of the development, a detailed Transport Assessment and Travel Plan should be provided as part of any formal planning application to assess the transport implications of the proposed development. Surrey County Council as the Highway Authority would be consulted as part of any formal application and it is recommended that you enter into pre-application discussions with them regarding the transport impacts on the safety and operation of the highway.

Parking

The road layout and location of car parking should be carefully considered to ensure the street scene does not become dominated by car parking.

Appendix 1 of Policy DM7 sets out the maximum parking standards for residential units.

Size of unit	Maximum number of car parking spaces
1 bed	1
2 bed	1.5
3+ bed	2

For residential dwellings 1 trickle electric vehicle charging point should be provided and for flats, 20% of available spaces should be fitted with a trickle changing point.

In terms of cycle parking, 1 cycle parking space should be provided per 1 & 2 bed unit and 2 cycle parking spaces should be provided per 3+ bed unit. All cycle parking should be safe, covered and secure. Detailed plans and elevations will be required for any cycle stores as part of any formal application.

Further information regarding parking for staff and visitors can be found in Appendix 1 of the Elmbridge Development Management Plan 2015.

Refuse and recycling

Individual houses should have space to store refuse and recycling bins and a refuse and recycling store should be provided for flatted development. The bin store should be large enough to accommodate communal bins with sufficient capacity for fortnightly collections of landfill and recycling and weekly collections of food waste. The Council will usually provide communal bins for recycling for new developments in either 770 litre or 1100 litres sizes. Food waste will also be provided, using either individual 23 litres containers or communal 140 litre bins. Developers are required to purchase communal landfill bins. Approximate dimensions of communal bins are given below:

Capacity (Litres)	1100	770	140 (food waste)	23 (food waste)
Height (mm)	1470	1370	985	405
Width	1370	1370	485	350
Depth	1100	900	550	400

The bin store area should provide a clear space of 15cm between the bins to allow the bins to be emptied without needing to move other bins. The bin store would be located more than 10m from the highway, so refuse vehicles will need to be able to access the site. The access road should be a minimum of 4 metres wide to allow refuse vehicles to enter the site. A tracking plan should be provided to demonstrate that a refuse vehicle can access the site. It is noted that the commercial and residential refuse bins would be in the same location and this may cause problems for the management of the bin store.

Detailed plans and elevations will be required for any refuse and recycling stores as part of any formal application.

Flood Risk

Core Strategy Policy CS26 seeks to reduce the overall and local risk of flooding in the Borough. The site is located within Flood Risk Zone 2 and a Flood Risk Assessment should be provided to demonstrate that the proposal would not increase flood risk elsewhere.

As the proposal would be a major application, details of how the proposal will include sustainable drainage systems (SuDS). The surface water drainage summary pro-forma can be found on the following link: <https://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice/more-about-flooding/suds-planning-advice/>. This should be provided as part of any formal application.

Contaminated Land

The site has the potential for contaminated land. As discussed at the meeting, this would normally be a pre-commencement condition, however, submitting the following information up front, may reduce the number of pre-commencement conditions.

The initial assessment should contain the information necessary to determine whether the proposed development is suitable for the proposed use. The assessment should be carried out by a suitably qualified, competent person to assess the condition of the land to be re-developed, in respect of contamination and proposed use. The assessment must, as a minimum, include:

- A desk-based evaluation, which must include a full history of the site
- Site walkover
- Conceptual site model (assessment of the risks from the site)

If the initial assessment shows that there is a significant possibility that the site could pose a significant risk under its proposed redevelopment use, as a result of contamination, then an intrusive site investigation will be required. This will necessitate further risk assessment and may require the development of a remediation plan to reduce the risks to an acceptable level.

The initial assessment and, if required, intrusive investigation and risk assessment are required prior to any groundworks (including foundation construction) starting on the site.

Please be aware some of the required information (e.g. ground gas measurements), can take months to collect and has the potential to delay the start of sitework.

All investigation and assessments must be carried out to current best practice and in line with published standards and guidance (e.g. British Standard BS10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11)).

Chargeable pre-application advice can be arranged with Environmental Health to discuss land contamination. Further information is available on the following link:

<https://www.elmbridge.gov.uk/pollution/land-quality/>.

Biodiversity

Policy CS15 states that the Council will seek to avoid the loss of biodiversity and contribute to a net gain. The redevelopment of the front part of the site would involve the demolition of a number of buildings which may have the potential to house bats. It is recommended that an Ecological Assessment is undertaken to assess the potential for bats and other protected species within the site and any mitigation measures are included.

If trees are affected by any part of the proposals, then a tree survey and tree protection plan should be provided as part of any formal application.

Other Considerations

Planning Performance Agreement

The Council offer applicants the opportunity to enter into a Planning Performance Agreement (PPA). The existing pre-application can be amalgamated into this and this would give you the opportunity to have a series of meetings on specific matters pre, during and post application. The Council does not have a fixed fee, as it is dependent on the level of engagement you wish to have. Should you wish to enter into a PPA, please contact me on the details provided above.

Local Validation Checklist

Further guidance this is in our updated local validation list:

http://emaps.elmbridge.gov.uk/ebc_planning_noftr.aspx?requesttype=parseTemplate&template=PlanningValidCheckListStart.tmplt

CIL

If you were minded to submit an application I must advise that a financial contribution may be required towards the Community Infrastructure Levy (CIL). The relevant forms will need to be submitted as part of any formal planning application. Details of which are available on the Council's website: <http://www.elmbridge.gov.uk/planning/cil-process/>.

Conclusion

The proposed redevelopment of the site is unacceptable in principle and I would suggest promoting the Green Belt site through the Local Plan process. There may, however, be scope to redevelop the front part of the site. Limited details have been provided and I would recommend that you submit a further pre-app with more details regarding the redevelopment of just the front part of the site so that a more detailed assessment of the proposals can be made.

The advice we have provided is a Planning Officer's informal opinion based upon the information you have provided. Our advice cannot fully anticipate the formal consideration process of a planning application following consultation and site inspection; neither will it be binding on the consideration of any resulting application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Graham Speller', written in a cursive style.

Graham Speller
Assistant Development Manager