

Town and Country Planning Act 1990

Town and Country Planning (Inquiry Procedure) Rules (England) 2000

Appeal by Inland Homes Limited Against the Decision of Spelthorne Borough Council, as Local Planning Authority, to Refuse to Grant Planning Permission in Respect of:

Redevelopment of the Site to Provide 206 Dwellings

at:

**The Old Telephone Exchange and Masonic Hall, Elmsleigh Road,
Staines on Thames, TW18 4PN**

**SUMMARY OF THE EVIDENCE OF PHILLIP E HUGHES MRTPI
ON BEHALF OF SPELTHORNE BOROUGH COUNCIL**

October 2021

PLANNING INSPECTORATE REF: APP/Z3635/W/21/3280090

LOCAL PLANNING AUTHORITY REF. 20/01199/FUL

S SUMMARY OF THE EVIDENCE OF PHILLIP E HUGHES MRTPI

- S.1 I acknowledge that the provision of housing in an area without a five year housing land supply is a benefit of the scheme that should be accorded significant weight.
- S.2 I also note that the provision of 94 affordable dwellings (46%) would comprise policy compliant provision that should be afforded substantial weight in the context of the Council's performance in delivering affordable housing.
- S.3 If proportion of Affordable Housing reduces then it is logical that the weight to be given to the benefit should be revisited. In that respect should the Appellant be proposing a reduction of 33 affordable units from 94 to 61 it would reduce the weight to be given to the benefit. It is worth noting that the proposal is to reduce the quantum of affordable units by 35%. I therefore consider it necessary to reduce the weight to be given to the proposed affordable housing in the circumstances that such a substantial reduction is proposed.
- S.4 However the counterweighing factor is the Council's five year supply position as well as the position in respect of the delivery of affordable housing. Therefore, rather than reducing the weight to the benefit to moderate I consider it reasonable to attribute moderate to significant weight to the provision of 29.6% affordable housing.
- S.5 I note the Appellant considered that significant weight should be given to the delivery of 206 dwellings that included 46% affordable housing. In that context any reduction in affordable units if proposed would not, in my view, lead to the need to adjust that overall weighting.
- S.6 Set against these undoubted benefits it is clear that the community are not supportive of the tall buildings proposed on the appeal site and I have demonstrated that they will comprise a form of development that does not relate well to context and leads to harm to the character and appearance of the area.
- S.7 The context for the site is low to medium rise buildings, the appeal site is set in a ring of roads bounded by a multistorey car park, the service areas and ramp to shops and the rear elevation of a shopping centre.
- S.8 I have shown with reference to Viewpoints 1, 2, 3, 5, 7 and 9 that the proposed development would present a dominant form of development that fails to relate successfully to its context, looms over existing buildings, breaking the skyline and it fails to make a positive contribution to the area. I have shown that it is out of character with the surrounding area and leads to harm to the character and appearance of the area.

- S.9 I therefore consider that the proposal would conflict with the provisions of Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009 insofar as it does not comprise a high standard of design and respect and make a positive contribution to the relevant streetscene and character of the area. In particular it will not pay due regard to the scale and height of adjoining buildings and the context within which the development will be experienced.
- S.10 As such, I consider the proposed development to also conflict with the NPPF 2021 and in particular section 12 as it would not comprise good design given it will not add to the overall quality of the area or be sympathetic to local character and context. In the context of making effective use of land I consider the proposal to fail to protect the environment. It would also fail to have proper regard to context in conflict with the National Design Guide insofar as the proposed scale of development does not identify with the local context.
- S.11 Whilst I accept the proposed amenity provision is not a reason to resist the proposed development I do not consider such provision at the foot of two tall towers circled by roads, set between the rear end of a shopping centre, a vehicular ramp, the rear servicing area of premises on High Street and a multi-storey car park comprises the high quality amenity space or outlook for future residents that the Appellant claims to comprise a benefit.
- S.12 I have shown that the proposed car parking provision is deficient set against any objective measure including the adopted standards, the county standards, car ownership census data or provision at other sites. The best case scenario is represented by the adjusted census data which reveals a likely shortfall of car parking spaces provided to service the development of around 100 spaces.
- S.13 I have also shown that surrounding residential roads with no car parking restrictions within 10 minutes' walk of the appeal site have little or no available capacity to accommodate cars from the appeal scheme during the daytime or late afternoon/early evening. The Appellant's surveys show the same broad picture overnight in these roads.
- S.14 Given available capacity is very limited at all times of day and night and the addition of such a number of additional vehicles searching for car parking space. The result of this will be either:
- a) Conflict over available on street spaces
 - b) Displacement of existing residents of residential roads to roads further away due to parking by others
 - c) Increased unlawful and thoughtless parking

- S.15 Therefore existing residents of Richmond Road, Eton Court, Augur Close, Gresham Road, Beehive Road, Budebury Road, Edgell Road and Langley Road will experience parking stress associated with their daily routines with greater demand for the limited on street car parking in their roads.
- S.16 Whilst I welcome the proposed mitigating features such as the travel plan, the single years funding for the 2 vehicles comprising the car club and cycle parking provision I do not consider that they are proportionate to, or will sufficiently overcome, the substantial deficiency in car parking provision.
- S.17 I have shown that the proposals will not make appropriate provision for off street parking to accord with the Council's SPG, the County Council's standards or the car ownership levels for similar properties in the ward. The proposals would therefore fail to meet the anticipated demand for parking associated with the development of 206 apartments, does not include measures sufficient to offset the substantial unmet need for car parking spaces. As such, the proposals will conflict with Policy CC3 of the adopted Core Strategy.
- S.18 The parking stress emanating from the displacement of cars from the appeal site onto surrounding residential roads will adversely impact on the amenity of occupiers of these residential roads to the detriment of their amenity. I also consider the consequences for future residents of the proposed development to be unsatisfactory given the difficulties that would be encountered finding satisfactory car parking as a consequence of the shortfall in provision at the appeal site. Such consequences would adversely impinge on the living conditions for those future residents.
- S.19 As such, I do not consider the proposals to represent a high standard of design and rather that encouraging sustainable means of travel it seeks to impose and force such behaviours on future residents contrary to Policy EN1 of the Core Strategy.
- S.20 Whilst it is fair to record that the route to the development from Thames Street will include the removal of the roundabout and some degree of rationalisation of the highway arrangements and a reduction in hardstanding, it still represents an environment dominated by hardstanding and servicing infrastructure. The greening is modest but welcome, however I do not share the optimism about any widespread use of the site as part of a route to access High Street. I consider most pedestrians would choose to pass along Thames Street as opposed to crossing Elmsleigh Road and then walking alongside an ascending vehicular ramp before passing under it to cross Elmsleigh Road again into either a car park area or service area at the rear of High Street before accessing a narrow path between buildings onto High Street.

- S.21 My understanding is that the contribution to improve and maintain children's play equipment at Lammas Park is a necessary contribution to meet the needs of children at the appeal site and reflects the increased use the park will be subject to given the increased population. In that respect I note it meets the three tests of CIL Regulation 122(2). It will be available to others for use but equally the existing facilities throughout the park will be used or available for use by the population of the appeal site.
- S.22 Therefore, whilst the provision of housing is a welcome benefit of the scheme the proposal will not foster well designed and beautiful places and this tempers the weight to be given to this benefit.
- S.23 In the context of the environmental objective I have demonstrated that the proposal would have a significant adverse impact on the character and appearance of the area that far outweighs any benefit that would arise from the redevelopment of previously developed land. In that context it does not require a development of this scale to deliver the benefit of the redevelopment of previously developed land.
- S.24 I also consider the impact on the amenity of residential occupiers of neighbouring residential roads would be substantial having regard to the number of displaced car parking spaces and the impact on these roads.
- S.25 With regard to biodiversity gains the site is regenerating and providing habitat and if left would further naturally regenerate and provide enhanced habitat, but I acknowledge the Appellant's commitment to enhancing habitat and achieving biodiversity net gains which will have to be assessed alongside the public access to this urban site and be secured. I have addressed the ratio and number of car parking spaces on the site and its impact on other factors and do not consider the Appellant's approach to car parking to be a benefit of their scheme.
- S.26 I also note the environment provided for some future residents of the proposed scheme will be compromised by the surrounding buildings. For instance the residents of the first, second, third and fourth floors of Block A will have a southerly aspect looking directly into the five storey Tothill multi-storey car park and its ramped accesses. Two flats on each floor have a single aspect where that is the only outlook from the three habitable rooms in these flats and the balcony. The multi-storey car park is sited just 12 metres from these windows. I also consider the outlook from the lower floors (particular 1 and 2) of Block B looking north to be dominated by the ramped access to the Elmsleigh Centre service area and the rear service areas of properties fronting the High Street. Therefore, whilst not a reason for refusal I consider these matters cannot be treated as a benefit of the scheme.
- S.27 Overall I have shown conflict with the environmental objective and I attribute substantial weight to this conflict.

- S.28 I acknowledge that economic benefits will arise from the proposed development. However, any redevelopment of the site will deliver some economic benefits and I acknowledge that its location will have benefits for the town centre economy. I consider the Appellant to double count some of the benefits first setting out resident expenditure and then also identifying expenditure within the town centre I acknowledge both will be a product of the development of this site but my understanding is that the expenditure in the town centre is a component of the residential expenditure of the scheme. I do not consider council tax receipts to be a benefit of the scheme having regard to their function providing services for the residents of the appeal site. I also note that any new residents of dwellings in Spelthorne would be liable to pay Council Tax. I consider the economic benefits of the scheme to carry moderate weight.
- S.29 Therefore I do not consider the proposal to comprise sustainable development and in my view the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits of the development proposals and therefore planning permission should be refused in accordance with the decision making process set out in paragraph 11 of the 2021 Framework.
- S.30 I therefore invite the Inspector to dismiss this appeal.