



Please reply to:

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Date: 18 July 2017

Notice of meeting

Planning Committee

Date: Wednesday, 26 July 2017

Time: **Call Over Meeting** - 6.45 pm

The Call Over meeting will deal with administrative matters for the Planning Committee meeting. Please see guidance note on reverse

Committee meeting – Immediately upon the conclusion of the Call Over Meeting

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

To the members of the Planning Committee

Councillors:

R.A. Smith-Ainsley (Chairman)	J.R. Boughtflower	M.P.C. Francis
H.A. Thomson (Vice-Chairman)	S.J. Burkmar	N. Islam
C.B. Barnard	R. Chandler	A.T. Jones
R.O. Barratt	S.M. Doran	D. Patel
I.J. Beardsmore	P.C. Forbes-Forsyth	R.W. Sider BEM

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Call Over Meeting

Guidance Note

The Council will organise a meeting immediately prior to the Planning Committee meeting (a "Call Over") which will deal with the following administrative matters for the Committee:

- Ward councillor speaking
- Public speakers
- Declarations of interests
- Late information
- Withdrawals
- Changes of condition
- any other procedural issues which in the opinion of the Chairman ought to be dealt with in advance of the meeting.

The Call-Over will be organised by Officers who will be present. Unless there are exceptional circumstances, the meeting will be held in the same room planned for the Committee. The Chairman of the Planning Committee will preside at the Call-Over. The Call-Over will take place in public and Officers will advise the public of the proceedings at the meeting. Public speaking at the Call-Over either in answer to the Chairman's questions or otherwise will be at the sole discretion of the Chairman and his ruling on all administrative matters for the Committee will be final.

Councillors should not seek to discuss the merits of a planning application or any other material aspect of an application during the Call-Over.

Planning Committee meeting

Start times of agenda items

It is impossible to predict the start and finish time of any particular item on the agenda. It may happen on occasion that the Chairman will use his discretion to re-arrange the running order of the agenda, depending on the level of public interest on an item or the amount of public speaking that may need to take place. This may mean that someone arranging to arrive later in order to only hear an item towards the middle or the end of the agenda, may miss that item altogether because it has been "brought forward" by the Chairman, or because the preceding items have been dealt with more speedily than anticipated. Therefore, if you are anxious to make certain that you hear any particular item being debated by the Planning Committee, it is recommended that you arrange to attend from the start of the meeting.

Background Papers

For the purposes of the Local Government (Access to Information) Act 1985, the following documents are to be regarded as standard background papers in relation to all items:

- Letters of representation from third parties
- Consultation replies from outside bodies
- Letters or statements from or on behalf of the applicant

AGENDA

Page nos.

- 1. Apologies**
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 10**
To confirm the minutes of the meeting held on 28 June 2017 (copy attached).
- 3. Disclosures of Interest**
To receive any disclosures of interest from councillors under the Councillors' Code of Conduct, or contact with applicants/objectors under the Planning Code.
- 4. Planning Applications and other Development Control matters**
To consider and determine the planning applications and other development control matters detailed in the reports listed below.

 - a) 17/00700/FUL - 10A Thames Street, Staines-upon-Thames, TW18 4SD **11 - 34**
 - b) 17/00696/HOU - 3 Corsair Road, Stanwell, TW19 7HN **35 - 44**
 - c) 17/00849/HOU - 22 Riverside Close, Staines-upon-Thames, TW18 2LW **45 - 52**
- 5. Planning Appeals Report** **53 - 58**
To note details of the Planning appeals submitted and decisions received between 14 June and 12 July 2017.
- 6. Urgent Items**
To consider any items which the Chairman considers as urgent.

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**Minutes of the Planning Committee
28 June 2017**

Present:

Councillor R.A. Smith-Ainsley (Chairman)

Councillors:

C.B. Barnard

S.M. Doran

A.T. Jones

R.O. Barratt

P.C. Forbes-Forsyth

S.J. Burkmar

M.P.C. Francis

Apologies: Apologies were received from Councillor H.A. Thomson, Councillor J.R. Boughtflower, Councillor N. Islam and Councillor R.W. Sider BEM

In Attendance:

Councillors who are not members of the Committee, but attended the meeting and spoke on an application in or affecting their ward, are set out below in relation to the relevant application.

456/17 Minutes

The minutes of the meeting held on the 31 May 2017 were approved as a correct record.

457/17 Disclosures of Interest

a) Disclosures of interest under the Members' Code of Conduct

There were none.

b) Declarations of interest under the Council's Planning Code

Councillor A.T. Jones reported that he had met residents in relation to application 17/00630/FUL – 7-11 Manygate Lane, Shepperton, but had maintained an impartial role, had not expressed any views and had kept an open mind.

458/17 17/00630/FUL - 7-11 Manygate Lane, Shepperton

Description:

The demolition of existing houses and erection of a new building with three floors of accommodation, to provide 22 no. 1 bed and 2 bed sheltered apartments for the elderly, including communal facilities

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Jeremy Smith spoke against the proposal raising the following key points:

- Overdevelopment of the site.
- Insufficient regard paid to character of the area.
- Concern over bulk, scale and depth.
- Density concerns.
- Loss of garden area.

In accordance with the Council's procedure for speaking at meetings, Alex King spoke for the proposal raising the following key points:

- Have worked with planning officers to overcome appeal decision.
- Significant economic benefit for local shops.
- Acceptable in design term.

As Councillor R.W. Sider BEM (in his capacity as Ward Councillor for the proposed development) had given his apologies for the meeting the Chairman read out a statement on his behalf raising the following points against the proposal:

- Overdevelopment of the site.
- Concern over density and scale.
- Detrimental effect on character of the area.
- Traffic issues.
- Lack of affordable housing
- Detrimental outlook for existing properties.
- Minimal change from appeal scheme.

Debate:

During the debate the following key issues were raised:

- Appeal Inspector's only concern was design.
- Amendments made to move building away from the boundary.
- Roof design of third storey (set in the roof) is more attractive.
- Cannot introduce any new reasons for refusal to revised scheme, can only address the reasons the Inspector dismissed the appeal.
- Query over why the appeal decision is a material consideration.
- Aware of difficulties in Manygate Lane.
- Satisfied changes do address issues raised before.
- Parking is in excess of what is required.

Decision:

The application was **approved** as per the Planning Committee report.

459/17 17/00263/FUL - Land to the north of Hanworth Road and to the west of Costco, Sunbury On Thames.

Description:

The erection of a new building to provide a car dealership with the provision of car parking, associated infrastructure and landscaping.

Additional Information:

The Planning Development Manager reported the following:

With reference to paragraph 7.15 (Air Quality), the applicant has confirmed in writing that they agree to the payment of £6,000 towards the cost of providing a public electric vehicle charging point. This is attached as a Head of Term for a S106 agreement on page 68 of the agenda.

The planning agent has also requested amendments to some of the planning conditions in the committee report. We have reviewed these and have accepted some of the changes which are set out below:

Condition 3

~~Before any work on the development hereby permitted is first commenced~~
Prior to the erection/installation of external facing materials, details of the materials and detailing to be used for the external surfaces of the building and the surface material for the parking spaces be submitted to and approved by the Local Planning Authority.

Condition 10

~~Demolition works and~~ Construction of the development hereby approved must only be carried out on site between 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and none at all on Sunday, Public Holidays or Bank Holidays, **unless otherwise agreed in writing by the Local Planning Authority.**

Condition 11

~~Before any construction commences,~~ **Prior to occupation of the building** details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting on the site shall at all times accord with the approved details.

Condition 14

Notwithstanding the submitted travel plan, prior to the ~~commencement~~ **occupation** of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, and Surrey County Council's "Travel Plans Good Practice Guide".

Condition 21

With the exception of cars, ~~No~~ goods or articles shall be stored on any part of the application site except inside the buildings.

Condition 25

Prior to the commencement of construction **occupation of the building**, a scheme to provide bird and bat boxes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained.

Condition 28

That the premises be not ~~used~~ **be open to visiting members of the public** for the purposes **use** hereby permitted before 06:00 hours or after 23:00 hours on any day.

Public Speaking:

There were no public speakers.

Debate:

During the debate the following key issues were raised:

- Will be a great asset for Spelthorne and Sunbury.
- Increase in jobs for the borough.
- Traffic issues.
- Will be a statement site for the brand – top prestige car company – Spelthorne means Business.
- Fire safety issues (Officer note: not a planning matter).
- Would lead to a reduction in noise as the building will block traffic for residents.

Decision:

The application was **approved** subject to the amendments set out above and the prior signing of the s106 agreement.

460/17 17/00353/FUL - HSBC, 47-49 Church Road, Ashford

Description:

The erection of a third floor on top of the existing property to provide 4 flats, alterations to the existing second floor to convert 2 flats to 4 flats, and associated alterations.

Additional Information:

There was none.

Public Speaking:

There were no public speakers.

Debate:

During the debate the following key issues were raised:

- Will improve the appearance of the building.
- Parking spaces will need to be controlled.

- An application for an additional storey adjoining the site was previously approved.
- Impact on adjoin properties and within the street scene is an improvement.
- Reduction in internal floor space compared with appeal scheme.
- Increase in amenity space compared with appeal scheme.

Decision:

The application was **approved** as per agenda.

461/17 TPO 255/2017 - 36 and 38 Richmond Road, Staines Upon Thames

Description:

Tree Preservation Order relating to 36 and 38 Richmond Road, Staines-Upon-Thames.

Additional Information:

There was none.

Public Speaking:

There were no public speakers.

Debate:

During the debate the following key issue was raised:

- Concern that Sweeps Ditch will not be kept clear. (Suggestion that the member should contact the Group Head for Neighbourhood Services)

Decision:

The Tree Preservation Order was confirmed without modification.

462/17 Planning Appeals Report

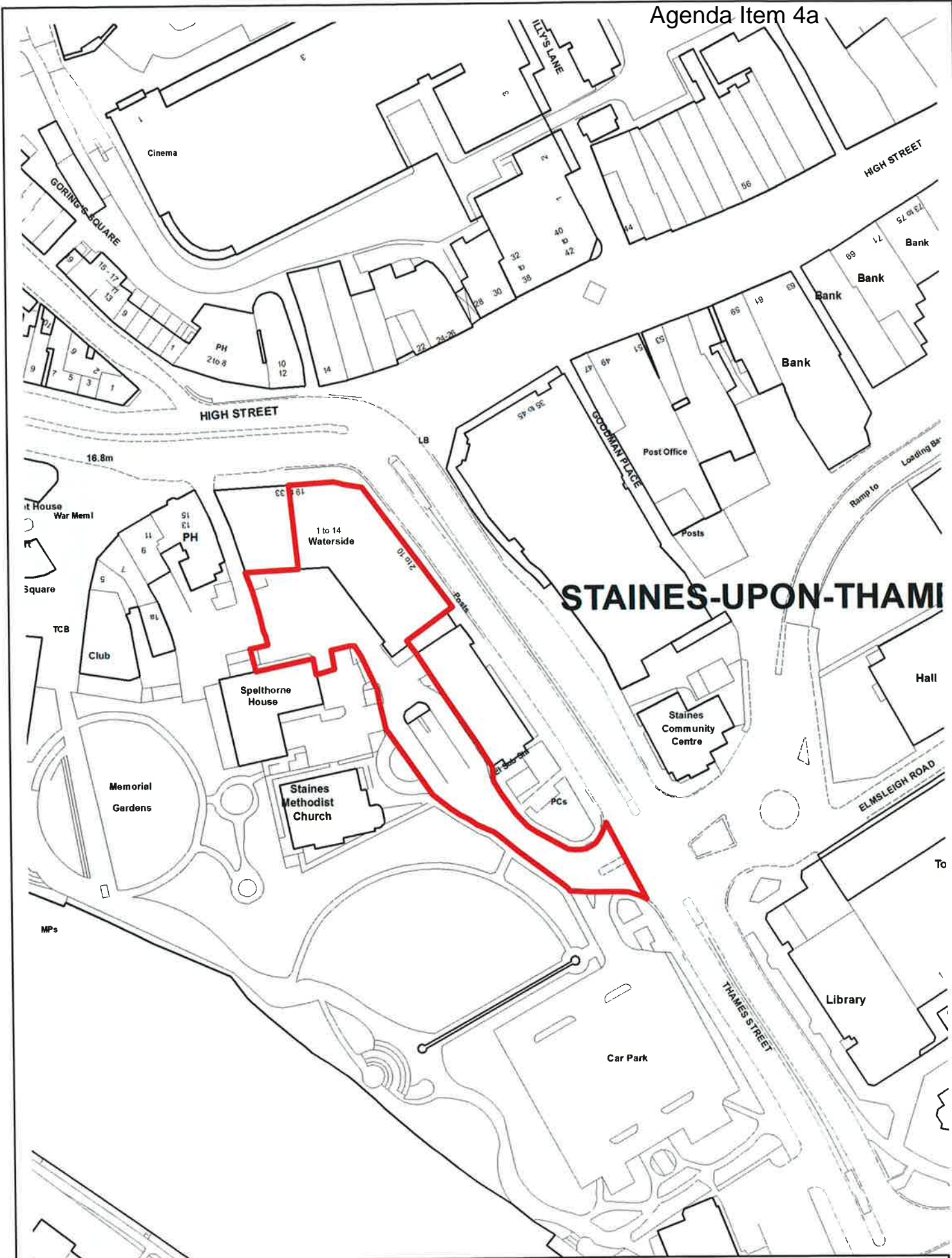
The Chairman informed the Committee that if any Member had any detailed queries regarding the report on Appeals lodged and decisions received since the last meeting, they should contact the Planning Development Manager.

Resolved that the report of the Planning Development Manager be received and noted.

463/17 Urgent Items

There were none.

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STAINES-UPON-THAMES



17/00700/FUL
10A Thames Street, Staines-upon-Thames, TW18 4SD



1:1,250

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Planning Committee

26 July 2017



Application Nos.	17/00700/FUL		
Site Address	10A Thames Street, Staines Upon Thames		
Proposal	Planning application for the Change of use of second floor from Class D2 (Leisure) to class C3 (residential) to provide 10 no. flats (8 no. 1 bed and 2 no. 2 bed) and change of use of unit 1 on the first floor from A1/A2/B1 (retail/office) to D2/B1 (leisure/office)		
Applicant	Mr David Shrubbsall		
Ward	Staines		
Call in details	N/A		
Case Officer	Kelly Walker		
Application Dates	Valid: 06/04/2017	Expiry: 26/07/2017	Target: Extension of Time Agreed
Executive Summary	<p>This planning application seeks the conversion of the second floor from the existing leisure use to 10. No 1 and 2 bed flats along with the change of use of the first floor from A1/A2/B1 to leisure/office use</p> <p>The scheme is considered to be an acceptable form of development which will provide residential units in a sustainable location. It is considered to be in character with the surrounding area and is acceptable on design grounds. It is considered to have an acceptable relationship with neighbouring properties.</p>		
Recommended Decisions	This planning application is recommended for approval		

MAIN REPORT

1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- CO1 (Provision of community facilities)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- SP7 (Climate Change and Transport)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

1.3 Also relevant are the following Supplementary Planning Documents/Guidance:

- SPD on Design of Residential Extensions and New Residential development
- SPG on Parking Standards

2. Relevant Planning History

12/01350/FUL	External alterations, refurbishment and reconfiguration of existing building; creation of two additional storeys to provide 14 residential units (3 No. 1-bed and 11 no. 2-bed); change of use of part of Unit 1 from retail (use class A1) to flexible retail and/or office use (use Class A1 and/or use Class A2 and/or use Class B1); relaxation of condition 4 of Planning Permission W/85/277 to allow the existing second floor to be used for general leisure purposes (use Class D2)	Approved 16.01.2013
W/85/277	Erection of 2 and 3 storey shopping accommodation, a third storey leisure complex, a 4 storey office block and a 5 storey office block, a church, provision of basement and surface level parking for 215 cars,	Approved 16/04/1986

and construction of access road, erection of sub-station (following demolition of existing accommodation at Johnston and Clarke Site and adjoining land at Thames Street/High Street, Staines

3. Description of Current Proposal

- 3.1 The site is located on the south western side of Thames Street, on the bend of the road, with the High Street and is occupied by a 5 storey building which has in recent years been extended on the roof to provide flats (Ref 12/01350/FUL). It forms part of a large scale mixed use development that was originally erected in the mid 1980's under planning permission W/85/277 referred to above, and includes Spelthorne House, the Methodist Church, the offices to the south (14 Thames Street) and the additional commercial premises to the north-west. It was originally a 3-storey building and comprises a combination of shops/services on the ground floor, additional associated retail floor space on the first floor, and a leisure use on the second floor.
- 3.2 This application refers to the second floor which is currently vacant but has a leisure use and has most recently been used as a martial arts centre and snooker club in the past. The first floor unit subject to this application currently has an A1/A2/B1 use and is also vacant, and both have been vacant for some time. On the ground and first floors are retail units and their associated offices including Roni's hairdressers and The Bathstore, with residential use above on the third and fourth floors. To the rear of the site is the parking and refuse storage area accessed to the south along Thames Street.
- 3.3 The site is located within the Staines town centre designated Employment Area. It is also within the designated Secondary Shopping Area, plus within a Site of High Archaeological Potential. The site and surrounding area is within an area liable to flood (Flood Zone 2). The site is located close to but not within, the Staines Conservation Area.
- 3.4 The proposal is for the conversion of the second floor from the existing leisure use to 10. no 1 and 2 bed flats along with the change of use of the first floor from A1/A2/B1 to leisure/office use.
- 3.5 There is currently a condition restricting the use of the second floor to a leisure use.
- 3.6 There will be the loss of one parking space in the existing car park to the rear to provide a larger refuse storage facility and cycle parking.
- 3.7 The site is located within the town centre in a sustainable location and as such is an area where residential use is normally considered to be acceptable provided other policy requirements are met.

4 Consultations

4.1 The following table shows those bodies consulted and their response.

Consultee	Consultee
County Highway Authority (CHA)	No objection
Environment Agency	No objection
Head of Street Scene (refuse)	No objection
County Archaeological Officer	No objection
Environmental Health (Contaminated land)	No objection recommends conditions
Environmental Health (Air Quality)	No objection recommends conditions

5. Public Consultation

45 properties were notified of the planning application. A letter of objection has been received from a representative of the Staines Methodist Church. Reasons for objecting include:-

-lack of parking

A letter was also received from the SCAN Officer who notes that there is no indication that the flats are designed to be wheelchair user friendly, nor adaptable or accessible. The lift appears to be insufficient for wheelchair users.

6. Planning Issues

- Principle of the development
- Loss of employment/leisure use
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Dwelling mix
- Flooding

7. Planning Considerations

Principle of the development

- 7.1 In terms of the principle of development it is relevant to have regard to paragraph 47 of the National Planning Policy Framework (NPPF) which states:

“ When considering planning applications for housing local planning authorities should have regard to the government’s requirement that they boost significantly the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent with policies set out in the National Planning Policy Framework (NPPF) para 47.

The government also requires housing applications to be considered in the context of the presumption of sustainable development. Relevant policies for the supply of housing cannot be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable site (para 49 of NPPF).

The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). On the basis of its objectively assessed housing need the Council is unable to demonstrate a five-year supply of deliverable sites.

Para 14 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay. When the development plan is absent, silent or relevant policies are out of date, permission should be granted unless *‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole or specific policies in this Framework indicate development should be restricted.’* This application must be considered having regard to the above requirements of Para 14 of the NPPF. “

- 7.2 Having regard to the proposed development and taking into account the above and adopted policy HO1 which encourages new development, it is considered that particular weight would need to be attributed to the urban location of the site which contains existing dwellings in an accessible town centre location, where the principle of new housing development would be regarded as acceptable.
- 7.3 Policy HO1 of the Local Plan is concerned with new housing development in the Borough. HO1 (c) encourages housing development on all sustainable sites, taking into account policy objectives and HO1 (g) states that this should be done by:

“...ensuring effective use is made of urban land for housing by applying Policy HO5 on density of development and opposing proposals that would impede development of suitable sites for housing.”

- 7.4 The site lies within the urban area and currently has a residential use above on the third and fourth floors. There are also residential uses above other uses in the town centre including Spelthorne House to the rear. The principle of residential is considered to be acceptable given the town centre is in a sustainable location, provided a commercial use is maintained on the ground

floor of the building with an active frontage onto Thames Street. Therefore residential development is acceptable provided other policy requirements including the loss of the leisure use (imposed by condition), are acceptable as discussed further below.

Shopping and Employment Area and Loss of leisure use

7.5 Planning application ref 12/01350/FUL to provide 2 additional storeys on top of the existing building also included the relaxation of Condition 4 of the original planning permission (W/85/277), which required that the leisure complex premises be used only for/as a snooker club with ancillary facilities and not for any other purpose. This was agreed, but a new condition was imposed to ensure that the use as general leisure purposes (Use Class D2) was maintained.

7.6 As such condition 12 of this consent states that:-

'Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order), the second floor Leisure Use shall be used only for purposes within Use Class D2 of the Schedule to the Town and Country Planning (Uses Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order'

and the reason given for the imposition of the condition was:-

'To ensure that a leisure facility is retained on the site in accordance with Policy CO1 of the Core Strategy and Policies DPD.'

7.7 Policy CO1 seeks to ensure community facilities are provided to meet local need by resisting the loss of existing facilities except where it is demonstrated that the facility is no longer needed, or where it is established that the services provided by the facility can be provided in an alternative location or manner that is equally accessible to the community.

7.8 The applicants have submitted a Design and Access Statement (DAS) in which they have sought to justify compliance with Policy CO1. They have provided evidence and details about the previous uses of the site, the companies that have leased the second floor and why their business have not worked. They also include details of the leisure uses nearby, along with the fact that the building was not designed for this use and also details of marketing that has taken place.

7.9 The DAS notes that the applicants purchased the property in 2009 and the second floor has been let to 3 different companies during that time, all of which have failed. In 2009 it was occupied by Riley's the largest national snooker and pool operation in the country at the time, but they went into administration in March 2009. Another company Valiant Sports Ltd took over many of Riley's premises, including Staines, but in December 2012, after 2 and half years the administrators closed the Staines club. Almost 2 years later in September 2014, LK Fitness leased the entire second floor officially opening in January 2015. They quickly ran into financial difficulties closing 18

months later in June 2016, after having tried to divide and sub-let smaller areas of the second floor to be more flexible.

- 7.10 The DAS notes that all 3 businesses went into receivership and that the main reason for the most recent business to fail was cited as competition from a new gym nearby. *‘...Pure gym which had state of the art facilities in a purpose built establishment. In conjunction with other smaller specialist clubs it appeared to be meeting the total demand for indoor commercial leisure facilities in the Staines area.’* They also cite that another factor is that the building was not designed to support the vibration, weight or movement of numerous heavy fitness machines nor limit the resultant noise transmission to other floors. This significantly restricts the range of leisure activities that can be accommodated within the building.
- 7.11 The application is accompanied by a report by Butlers Associates who are a local firm of commercial property consultants and sets out the efforts to let the floor space for leisure purposes. The DAS concludes that *‘...the application floor space is not suited for a leisure type use and that other more modern clubs in the town now fully meet demand.’*
- 7.12 It is considered that the applicants have provided sufficient evidence to show that the site has limited attraction to companies offering leisure uses, in particular given the competition from other newer and purpose built leisure facilities in the local area. As such it is considered that the existing leisure use at the site, no longer has a local community need because it has been demonstrated that the facility is no longer needed and in addition that the services it has provided in the past are already provided in alternative locations which are as equally accessible to the community, in particular at Pure gym located within the 2 Rivers shopping centre. The proposal also includes the change of use of the first floor from an A1/A2/B1 use to a leisure/office use which would enable a smaller leisure facility to be available within the building, should a provider come forward. As such it is considered that the proposal conforms to Policy CO1, in that the facilities of the type proposed are no longer needed and the loss of the leisure use would not be of detriment to the locality or the viability of the area.
- 7.13 In addition the site is located within an employment area and Policy EM1 notes that the Council will maintain employment development by refusing proposals that involve a net loss of employment land or floor space in employment areas, unless the loss of floor space forms part of a redevelopment that more effectively meets needs for an existing business operating from the site or the loss of employment is part of a mixed use development on the site which results in no net loss of employment floor space, or it can be clearly demonstrated that the maintenance of existing levels of employment floor space are unsustainable and unviable in the long term. (Officer emphasis)
- 7.14 The submitted DAS notes the need to take account of the potential of the premises to be used for another employment generating use, given the employment zone designation. It states that, *‘...historically the snooker club operator employed 2-5 people and LK Fitness only employed 2 -3 people. When account is taken of the periods of time when the premises were not open there is virtually no loss of employment of the last 4 years. Despite*

continual marketing no interest has been received from any employment generating use.

- 7.15 The submitted details show the use of the site as a leisure use has never employed high numbers of people and that there has been very little interest to lease the site for an employment generating use. It is also important to note that if the use of the second floor was not subject to a condition, the applicants could apply to change the use of the building under a prior approval application, whereby the Council would not be able to consider the loss of employment floor space. Notwithstanding this, it is considered that the proposal complies with Policy EM1 and it has been clearly demonstrated that the maintenance of existing levels of employment floor space are unsustainable and unviable in the long term.
- 7.16 The proposal also includes the change of use of unit 1 on the first floor from A1/A2/B1 to a leisure/office use (D1/B1). Currently there is a condition on planning application ref 12/01350/FUL for the use to be retained and the reason given was to safeguard the amenity of neighbouring properties. It is not considered that the change of use would be of detriment to the amenity of neighbouring properties. In addition the ground floor and majority of the first floor of the building will remain unchanged in terms of their appearance and use, retaining the retail frontage on the ground floor to Thames Street. As such the vitality and viability of the shopping area will be retained and it is considered that there would be no adverse impacts upon the shopping area.

Housing density

- 7.17 Policy HO5 in the Core Strategy Policies DPD 2009 (CS & P DPD) sets out density ranges for particular context but prefaces this at paragraph 6:25 by stating:
- “Making efficient use of potential housing land is an important aspect in ensuring housing delivery. Higher densities mean more units can be provided on housing land but a balance needs to be struck to ensure the character of areas is not damaged by over-development.”*
- 7.18 Policy HO5 (a) states that within Staines town centres new development should be at or above 75 dwellings per hectare.
- 7.19 The policy also states that, *‘Higher density developments may be acceptable where it is demonstrated that the development complies with Policy EN1 on design particularly in terms of its compatibility with the character of the area and is in a location that is accessible by non car based modes of travel.’* It is important to note that any mathematical density figure is in part a product of the mix of units proposed. In this case they are all 1 and 2 bed units and accordingly it is possible to accommodate many more small units within a given floor space and an acceptable numerical density can be higher.
- 7.20 The principle of a high density development is consistent with the Government’s core planning principles are set out in paragraph 17 of the National Planning Policy Framework 2012 (NPPF). There are 12 core planning principles, which the NPPF states should underpin both plan making and decision-making. One of these principles (8th bullet point) is:

“Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”

- 7.21 The scheme involves the conversion of the existing floor space to create 10 flats. There are already 14 flats on the floors above and the site area is some 0.3 ha, equating to 80 dwellings per hectare (dph). The development will not include family households and as noted above it is possible for smaller units to be accommodated on the same size site. It is considered given the sustainable location in the town centre and the fact that it is compatible with the character of the area. The density is considered to be acceptable in this location.

Design and appearance

- 7.22 Policy EN1a of the CS & P DPD states that *“...the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.”*
- 7.23 This area of Staines Town Centre provides a varied mix of types, styles and character of buildings. The proposal does not involve extension or materially change the design of the building but does involve changes to the fenestration. The design is considered to pay due regard to the character of the existing building as set out in the Supplementary Planning Document (SPD) and Policy EN1 on design.
- 7.24 The design is considered to be acceptable and will pay due regard to the surrounding area. As such, the proposal would make a positive contribution to the street scene and conforms to policy EN1.

Impact on neighbouring residential properties

- 7.25 Policy EN1b of the CS & P DPD states that:

“New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.”

- 7.26 The Council’s Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policies requirements in order to ensure this is the case.
- 7.27 The proposal is for the conversion of the existing built form to residential use, as such the building, including the position of the windows will remain as at present. Windows facing toward the road will look out towards commercial

uses including along the High Street and towards Debenhams. To the rear of the site is the Spelthorne House building with residential uses and the distance between this building is some 17m. There are already residential uses above within the same building, as such it is considered that there is an acceptable relationship with the existing properties and there would not be any significant adverse impacts upon the amenity enjoyed by the surrounding residential properties in terms of any loss of light, being overbearing or causing overlooking.

- 7.28 The proposal is considered to have an acceptable relationship with and therefore impact on the amenity of existing neighbouring residential properties, conforming to the SPD and Policy EN1.

Amenity Space and proposed dwelling sizes

- 7.29 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (In the case of flats it requires 35 sqm per unit for the first 5 units, 10 sqm for the next 5 units, and 5 sqm per unit thereafter. However it sites within the town centre and those above commercial uses in particular are unlikely to have the provision of private amenity space. The proposal does provide small balcony areas for each of the proposed flats. There is a high quality public open space linking to the Thames towpath close by and in view of the town centre location, where it is considered desirable to encourage residential use above retail units, the provision of amenity space is considered acceptable.
- 7.30 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sq. m.
- 7.31 The Government has since published national minimum dwelling size standards in their "*Technical housing Standards – nationally described space standard*" document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD. This national document must be given substantial weight in consideration of the current application in that it adds this additional category of small dwellings not included in the Council's Standards.
- 7.32 All of the proposed 1 and 2 bed flats comply with the internal space standards as set out in the National Technical housing standards. Therefore I consider their standard of amenity overall to be acceptable.

Highway Issues and parking

- 7.33 Strategic Policy SP7 of the CS & P DPD states that:

"The Council will reduce the impact of development in contributing to climate change by ensuring development is located in a way that reduced the need to travel and encourages alternatives to car use. It will also

support initiatives, including travel plans, to encourage non car-based travel.”

7.34 Policy CC2 of the CS & P DPD states that:

“The Council will seek to secure more sustainable travel patterns by: ... (d) only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative impact including other proposed development; (iv) access and egress to the public highway; and (v) highway safety.

7.35 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.

7.36 On 20 September 2011 the Council's Cabinet agreed a 'Position Statement' on how Policy CC3 should now be interpreted in the light of the Government's recent parking policy changes. The effect of this is that the Council will give little weight to the word 'maximum' in relation to residential development when applying Policy CC3 and its residential parking standards will generally be applied as minimum (maximum parking standards continue to be applicable in relation to commercial development). The supporting text to the Parking Standards stipulates a number of important exceptional situations where a reduction in parking will only be allowed. One of these situations includes town centre locations where the reduction in parking will be assessed against, amongst other considerations, the range and quality of facilities within reasonable walking distance and where there is good access to public transport.

7.37 The proposal will provide no off street parking provision and will result in the loss of one existing space to allow for refuse storage facilities. The proposal will also include additional cycle parking to provide one space for each flat. The minimum parking standard for a 1 bed flat is 1.25 spaces and 2 bed is 1.5 spaces, the scheme would require a minimum of 13 spaces. However, the site is in an accessible location, within the town centre, close to facilities and also public parking and transport connections, within walking distance of the train station which has a frequent and extensive service. It is also within easy walking distance of the shops and services of the town centre. In addition the proposal is for the conversion of an existing building and no new floor space is proposed. Consequently, it is considered that there is clear justification for no parking provision on this particular site.

7.38 The CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision stating that, *'The Design and Access Statement states in paragraph 6.7 that the proposed development would be car free. There would be no objection from a highway safety perspective to the proposed development being car free. The development is located within the town centre and benefits from being within acceptable walking distance of public transport, and leisure, retail, and employment land uses.'* As such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

Dwelling mix

- 7.39 Policy HO4 of the CS & P DPD (Housing Size and Type) states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments that propose four or more dwellings to include at least 80% of their total as one or two bedroom units.
- 7.40 The proposal complies with the requirements of Policy HO4 as 100% of the proposed units are 1 and 2 bed.

Flooding

- 7.41 The site lies within an area liable to flood (Zone 2: between 1 in 100 and 1 in 1000 year chance of flooding). The Policy LO1 of the CS & P DPD confirms that the new housing development is acceptable in Zone 2. Furthermore, the Council's Supplementary Planning Document on Flooding (July 2012) states that in Spelthorne land in both Zones 1 and 2 will be needed to meet housing and other needs over the next 15 years and therefore sites in either zone will be acceptable. The Environment Agency were consulted on the application and have responded by raising no objection. Previously in 2012 permission was granted for residential units at the site and there was no objection on flooding grounds. There continues to be a safe means of escape from this part of the town centre over Staines Bridge, along The Causeway to an area entirely outside the flood area (the same means of escape was agreed with the adjacent Spelthorne House scheme). Accordingly, the proposal is considered acceptable on flooding grounds

Refuse Storage and Collection

- 7.42 The proposal include a refuse storage area to the rear of the site. The Council's Head of Street Scene has been consulted and raises no objection. Furthermore, the County Highway Authority has raised no objection on this particular issue. Accordingly, the proposed refuse storage and collection facilities are considered acceptable.

Local Finance Considerations

- 7.43 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.
- 7.44 In consideration of S155 of the Housing and Planning Act 2016, the proposal is not a CIL chargeable development as it is a conversion of existing floor space which has been in use for a period of 6 months in the last 3 years. The

proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Other matters

- 7.45 In relation to the comments received from SCAN, the applicant has noted that the new residential units will be accessible for the disabled and wheelchair users. The existing ground floor entrance ramp is wheelchair compliant and has been used by wheelchair users regularly. It will remain in place. The existing lift already provides wheelchair access to the floor on which the flats are to be located and has also been used by people with a disability for a number of years. The manufacturer of the lift confirms the lift is wheelchair compliant and this lift is also to remain in place. At second floor the entrance to each new flat has a 900mm wide opening with level access. Finally the two-bedroom flats have been designed to allow adaption to full accessibility if required by the new occupants.

Conclusion

- 7.46 The proposal is considered to make an effective use of urban land in a sustainable location, and meet a need for housing. The proposal will be in keeping with the character of the area will have an acceptable impact on the visual amenities of the area and the amenity of the surrounding residential properties. The application is recommended for approval.

8. Recommendation

- 8.1 GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: - This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

PL_100 location plan
PL_101 block plan
PL_102 ex. Basement plan
PL_104 ex. First floor
PL_103ex. G Floor
PL_105 ex. 2nd floor
PL_106 ex. 3rd floor
PL_107 ex. 4th floor
PL_121 ex. north elevation
PL_122 ex. SW elevation
PL_221 Pro. N elevation
PL_222 Pro. SW elevation
PL_202 pro. basement

PL_203 A pro. G floor
PL_204 pro. FF
PL_206 pro. 3rd floor
PL_207 pro. 4th Floor
PL_215 C pro. 4th floor
PL_230A section
PL_130 section
PL_305 ex. 2nd floor division
KMW_1611-PL_223 A
Received on 26 April 2017.

Reason: - For the avoidance of doubt and in the interest of proper planning

3. Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the building and other external surfaces of the development be submitted to and approved by the Local Planning Authority.

Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 4 That within 3 months of the commencement of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

- 5 Before the development hereby permitted is occupied, details shall be submitted for the approval of the Local Planning Authority of onsite mitigation measures (to include mechanical whole house ventilation to all properties) located at high level on the second floor to protect the occupiers of the development from poor air quality. The development shall not be occupied until those mitigation measures have been provided and are operational.
 - Details shall be submitted for the approval of the Local Planning Authority of the complete maintenance regime for the equipment, which must be established and in place before the development is occupied. They equipment shall thereafter be retained and maintained in accordance with the approved details.

- Full user packs will be provided to the occupants of the flats, including its full purpose (including local air quality) and how to use it.
- A Travel Information Welcome Pack must be provided on occupation to inform future residents of sustainable modes of transport.

Reason:-In the interest of the amenity of future occupants.

6. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order), the first floor of Unit 1 shall be used only for purposes within Use Class D2 or B1 of the Schedule to the Town and Country Planning (Uses Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason:- To safeguard the amenity of neighbouring properties and To ensure that a leisure facility is available on the site in accordance with Policy CO1 of the Core Strategy and Policies DPD.

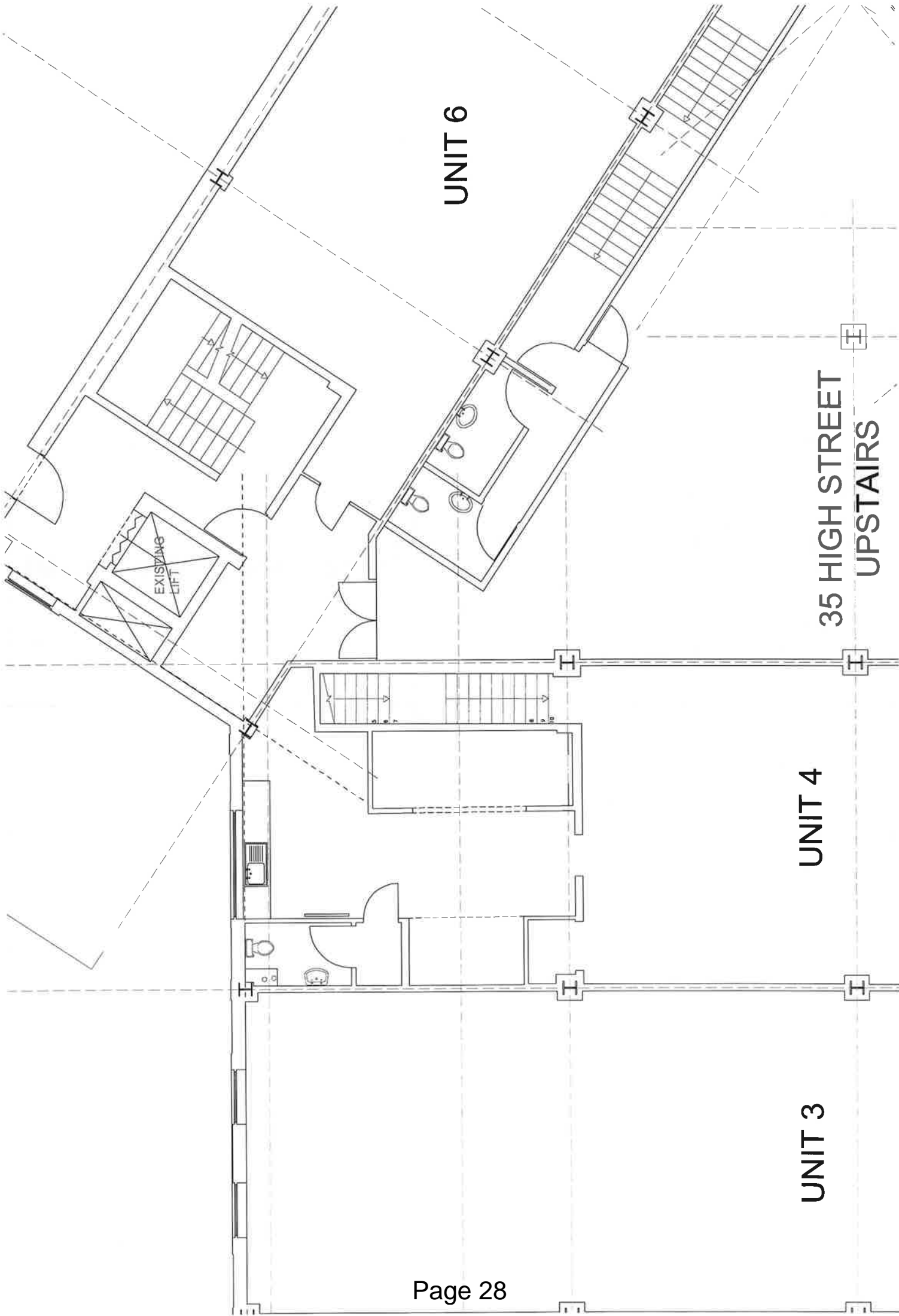
Informatives to be attached to the planning permission

- 1.. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
2. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

Decision Making: Working in a Positive and Proactive Manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

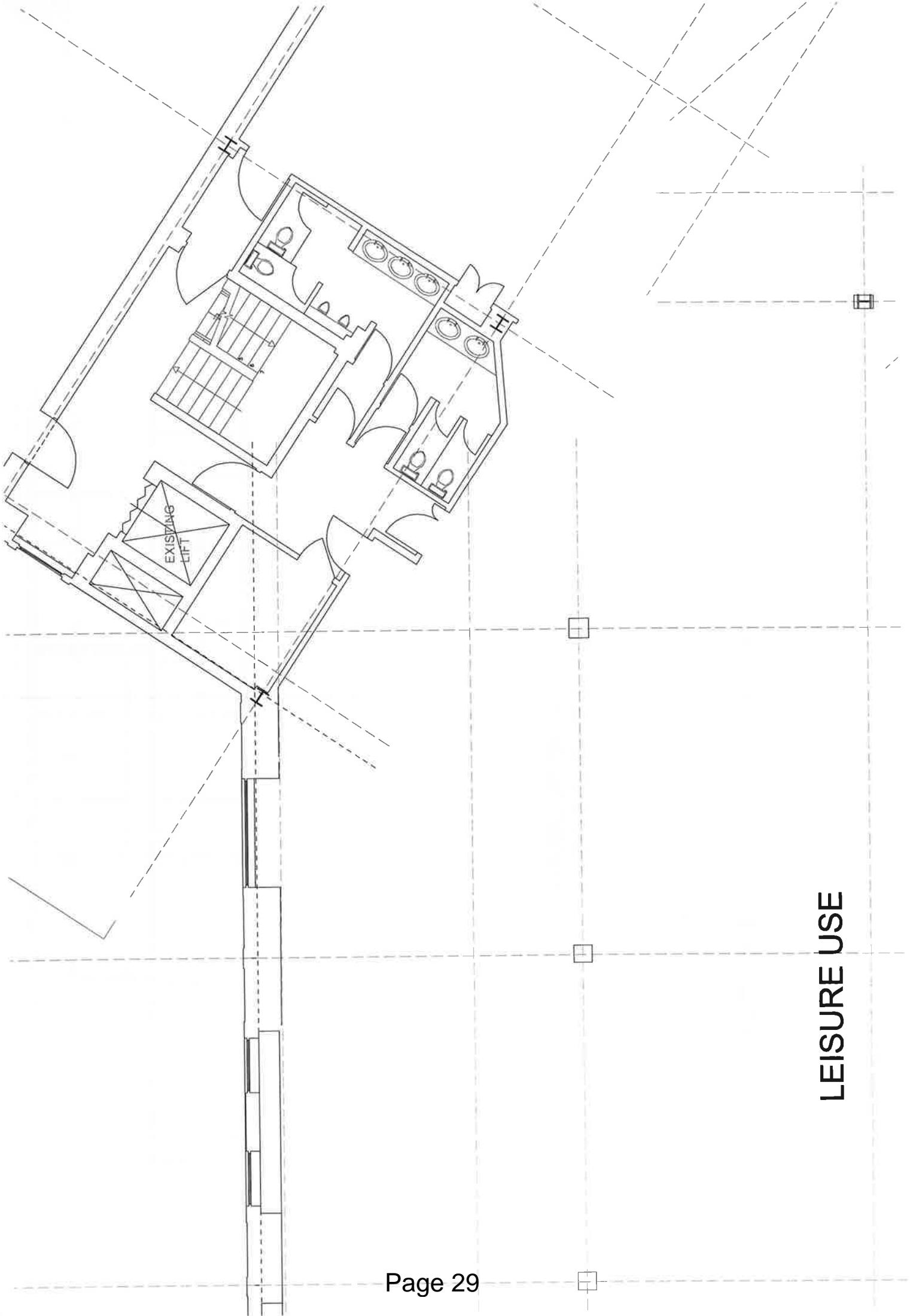


UNIT 6

35 HIGH STREET
UPSTAIRS

UNIT 4

UNIT 3

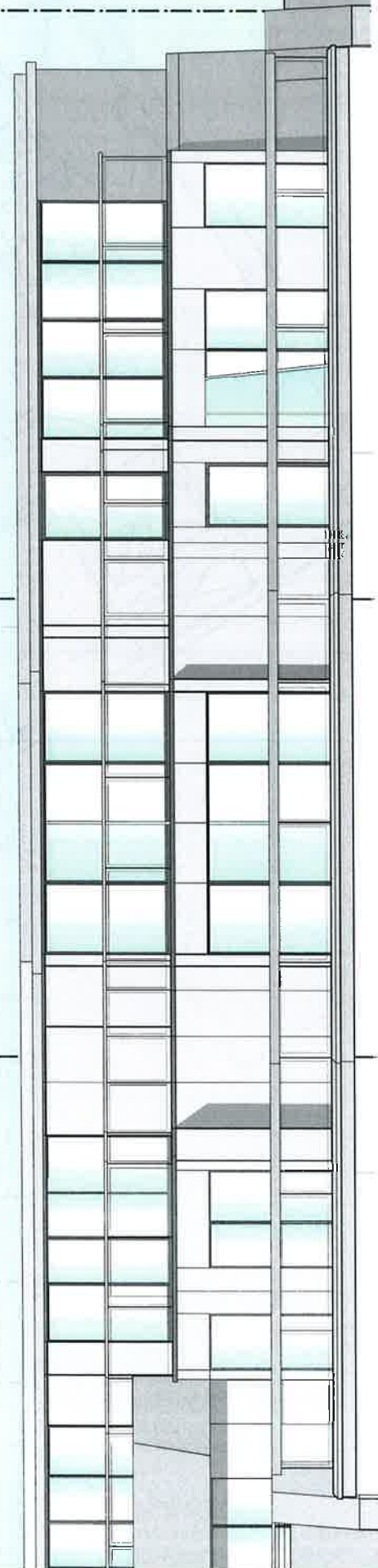


EXISTING
LIFT

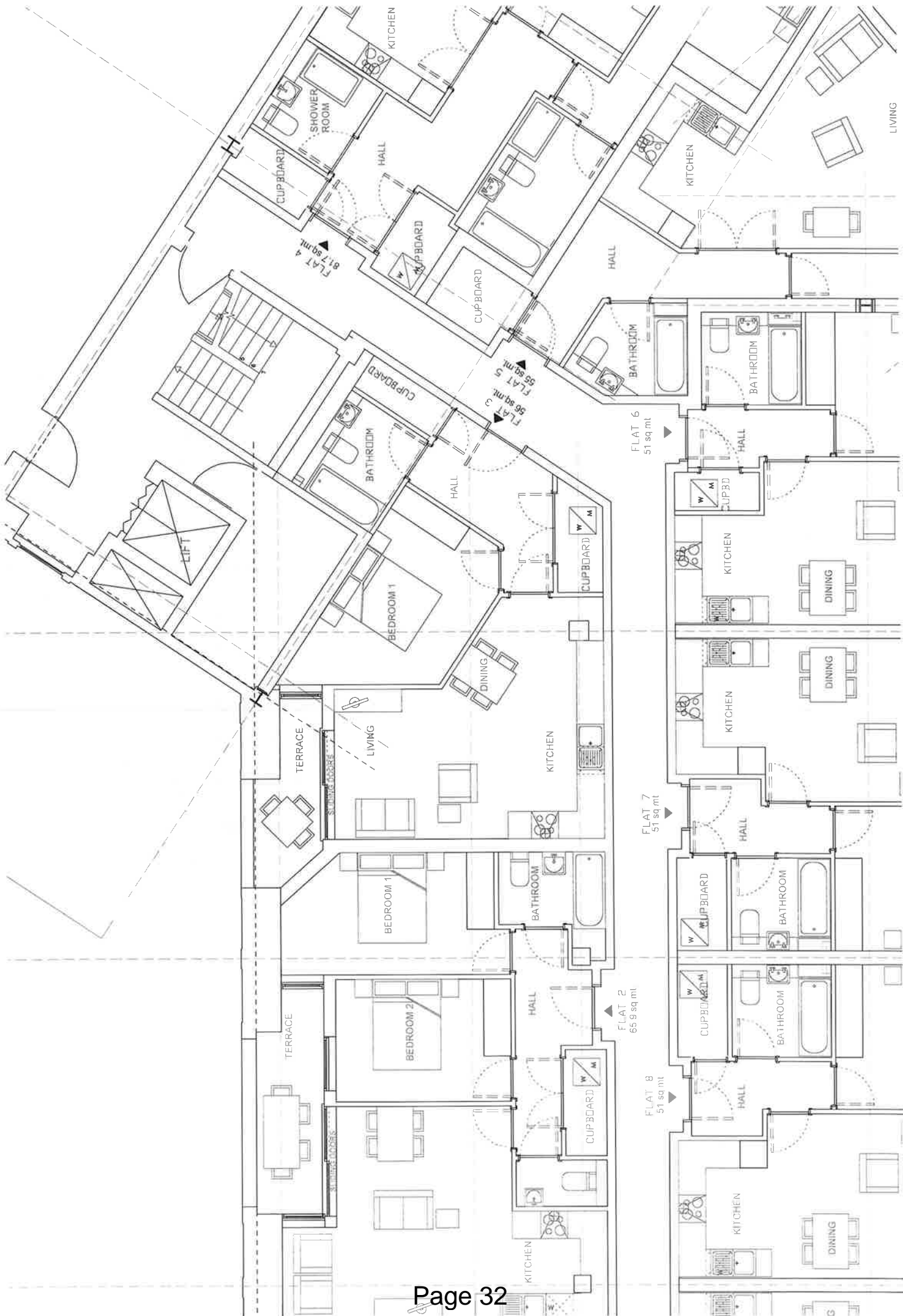
LEISURE USE

APPLICATION SITE

THIS PORTION IS TRUE
ELEVATION ONLY







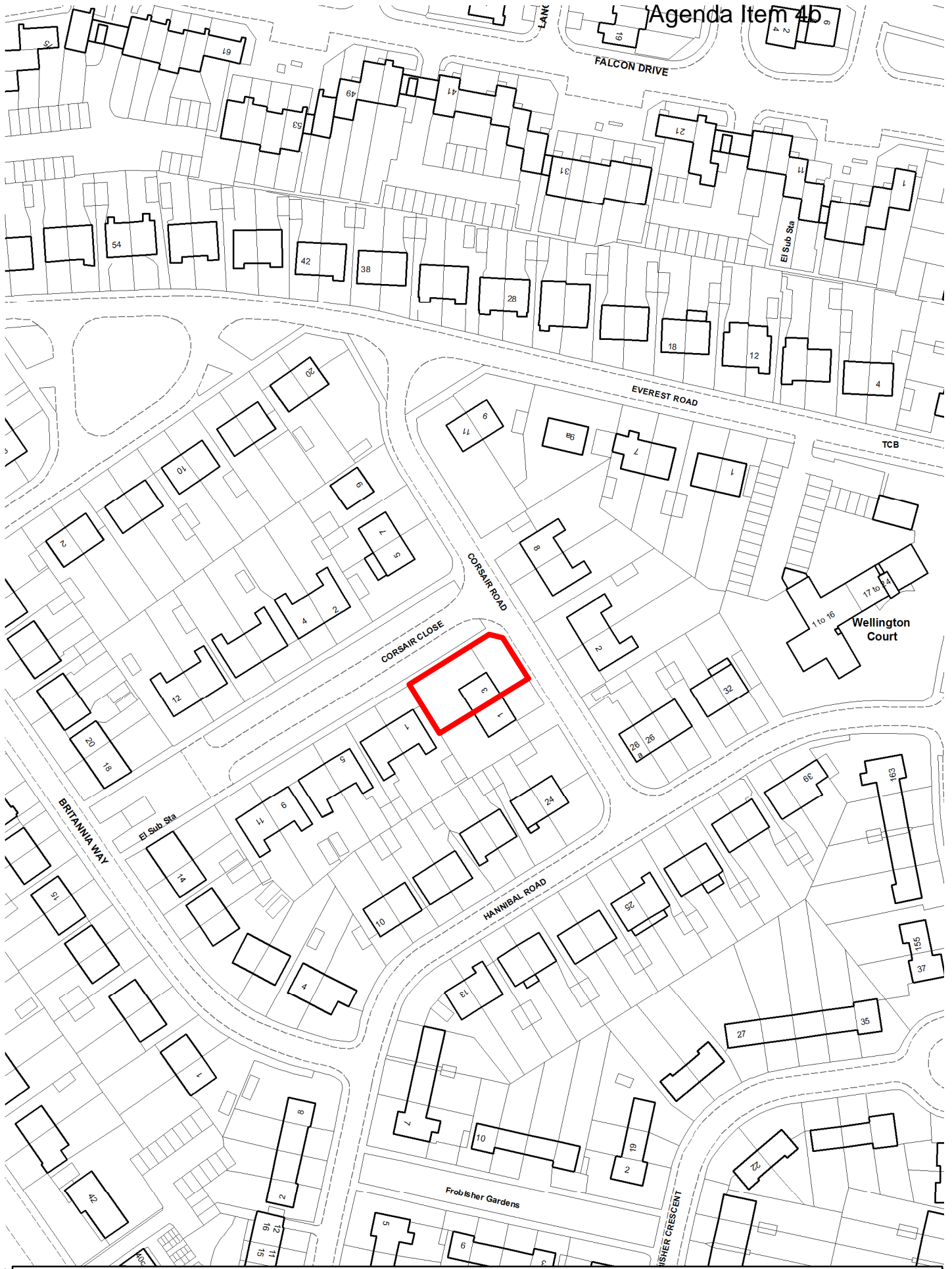
APPLICATION SITE

THIS PORTION IS TRUE
ELEVATION ONLY



APPLICATION SITE





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17/00696/HOU
3 Corsair Road, Stanwell, TW19 7HN

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Planning Committee:

26 July 2017



Application No.	17/00696/HOU
Site Address	3 Corsair Road, Stanwell
Applicant	Mr D Eastwood
Proposal	Erection of a single storey side extension.
Ward	Stanwell North
Called-in	This application is being called in to Planning Committee at the request of Cllr Barratt on grounds that it is considered that other similar extensions have been approved in the area.

Application Dates	Valid: 30/05/2017	Expiry: 25/07/2017.	Target: Over 8 weeks
Executive Summary	The application is for the erection of a single storey side extension. The proposed design and appearance is considered to be unacceptable in accordance with Policy EN1 of the Core Strategy and & Policies DPD 2009 and the Supplementary Planning Document on Design. The relationship with the neighbouring properties is considered satisfactory.		
Recommended Decision	Refuse for the reason given in section 7.		

MAIN REPORT

1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- EN1 (Design of New Development)

2. Relevant Planning History

17/00071/HOU Erection of a single storey side extension
Refused 09.03.2017

Description of Current Proposal

- 2.1 The application site relates to 3 Corsair Road, which is a semi-detached bungalow located on a corner plot. The site is located on the north/western side of Corsair Road, on the corner with Corsair Close. It is a rectangular corner plot occupied by a semi-detached bungalow. There is a grass verge to the side of the property and the area has green areas to the front/sides of dwellings being a characteristic of the street, giving a sense of openness and space around the single storey built form. The site is located within a public urban open space
- 2.2 The proposal is for the erection of a single storey side extension, extending 6.7m towards the side boundary with Corsair Close, set in 0.7m from it. It will be the same depth as the existing house with a continuation of the existing roof form with the same eaves, ridge height and roof slope and materials.
- 2.3 Copies of the proposed site layout and elevations are attached as an Appendix.

3. Consultations

3.1 The following table shows those bodies consulted and their response.

Consultee	Comment
County Highway Authority	No objection
Environmental Health (contaminated land)	No objection please attach informative IXA minus the paragraph detailing the condition.

4. Public Consultation

4.1 4 neighbouring properties were notified of the planning application. No letters of representation have been received.

5. Planning Issues

- Design and Appearance
- Impact on amenity

6. Planning Considerations

Background

Planning application ref 17/00071/HOU for the erection of a single storey side extension was refused under delegated powers on 9 March 2017 for the following reason:-

'The proposed extension by reason of its location and scale would overdominate the host building creating a pair of unbalanced semi-detached bungalows. The proposal would not pay due regard to the scale, proportions, building lines, and layout of adjoining buildings and land and would be out of keeping with the character of the area, at the detriment of the street scene of Corsair Close and Road, contrary to the Supplementray Planning Document on design and Policy EN1 of the Core Strategy and Policies DPD.'

The curent application has been submitted with an amendment to the refused scheme, reducing the width of the side extension by 0.7m, so that it has a set in from the side boundary.

Design and Appearance

- 6.1 Policy EN1 (a) of the CS & P DPD states that the Council will require a high standard of design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land.
- 6.2 The existing property is a semi-detached bungalow, with the attached property being the same design and proportions as the subject dwelling. The pair of semi-detached bungalows to the north east, on the other side of Corsair Close are of the same design and provide a pleasant spacious entrance to Corsair Close, given the set back from the road. Although no. 5, (on the opposite northern corner) has had some extensions to it (including a loft conversion with dormers), the original bungalow built form remains, including its side wall being set back from the boundary with Corsair Close. (Planning permission was granted in 1982 for a single storey side extension of some 2.56m in width and a rear extension, with alterations to dormers approved in 1978). The bungalows are set back from the highway on the frontage with Corsair Road and the side with Corsair Close, and the area has a distinct feeling of space between buildings. In addition, the properties to the west along Corsair Close are also set back some distance from the highway, and currently the front elevation of these properties is in line with the side of the subject dwelling, and is a feature of the design of the estate. There is also a grass verge located to the front on both sides of the road.
- 6.3 Other properties nearby have been extended in the past, including no. 9 Corsair Road. However, this is a detached bungalow and is not located on a

corner plot and as such is not comparable to the application site. Other corner plots in the vicinity of the application site, although not adjacent to it, have been extended to the side, taking the built form closer to the boundary with the highway. These include nos. 11 and 20 Everest Road and 24 and 26 Hannibal Road. These are all 2 storey houses, and many had applications refused before planning permission was eventually granted. However each has a substantial set back from the side boundary with the highway. It should also be noted that these extensions were approved prior to the Council's current policies in the Core Strategy and Policies DPD 2009 and also the Supplementary Planning Document on Design 2011. Notwithstanding this each planning application must be determined on its own merits.

- 6.4 The proposal is to extend the existing property to the side with a pitched roof, with a gable end, the same design as the existing property and to be set in 0.7m from the side boundary, Previously the scheme did not have this set back and continued all the way up to the side boundary. The extension will be some 6.7m in width, nearly doubling the width of the existing 7.8m wide dwelling to 13.8m in total width. Although the materials will match the existing, it is considered that the extension will over dominate the host building. Extending within 0.7m of the side boundary will not respect the existing set back and open nature of the area, which will be out of keeping and detrimental to the character of the area. This is contrary to Policy EN1 which requires development to respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land. (Officer's emphasis).
- 6.5 It is considered that the proposed development would not make a positive contribution to the street scene in that it will result in a dwelling that is much larger than the one it is attached to, creating a pair of unbalanced dwellings. The proposal does not respect the proportions of the existing property or its adjoining one which currently form a symmetrical pair. This point is also set out in the Council Supplementary Planning Document (SPD) on design which notes in point 3.36 that '*...side extensions will be visible from the street and can be prominent in relation to the host building, therefore attention to the position and scale of side extensions is important.*'
- 6.6 Point 3.37 in the SPD also notes that extensions should respect the character of the host building and should be in proportion and not over dominate it. It goes onto say that side extensions should only exceptionally exceed two thirds of the width of the host building. This proposed extension is 6.7m wide on a 7.8m wide existing property, almost doubling the width, (almost 86% larger). As such the proposed extension will over dominate the host building. In addition the proposed dwelling will be not only out of proportion, but will extend close to the side boundary with Corsair Close. This will have the effect of closing the existing gap in the street on this prominent corner and which acts as an attractive entrance to Corsair Close with the opposite property having the same set back. The properties located behind, which front onto Corsair Close are also set back from the highway. This distinct building line is set back from Corsair Close (which is a characteristic of the road), and would be infringed by the proposed extension and this too would result in development which does not pay due regard to the layout and built form of neighbouring properties. This would be out of character, would not make a

positive contribution to the street scene and would be of detriment to the visual amenities of the locality, contrary to the SPD and Policy EN1

- 6.7 As such the amended proposal with a set-back of 0.7m from the side boundary is not considered to overcome the previous reason for refusal. Therefore the design and layout of the proposal is considered to be out of character and of detriment to the locality contrary to Policy EN1 and the SPD on design.

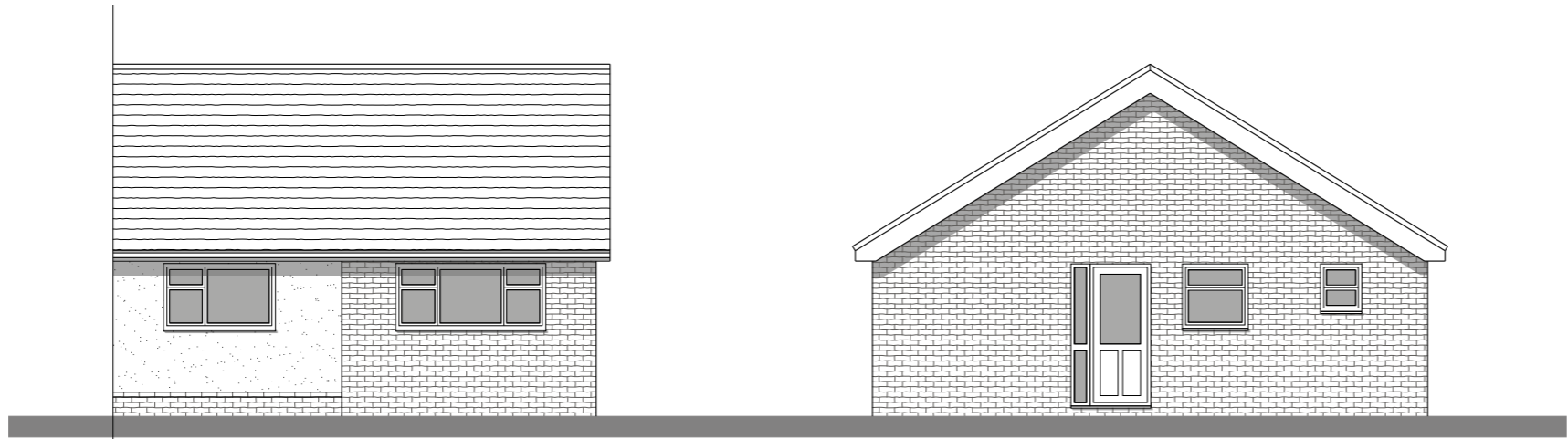
Amenity

- 6.8 Despite the design concerns, it is not considered that the proposed extension would have a significant impact on the amenity of the neighbouring properties and the proposal would have an acceptable relationship with them, given the single storey nature. As such the proposal conforms to policy EN1 in terms of the impact on the amenity of the surrounding dwellings.

7. Recommendation

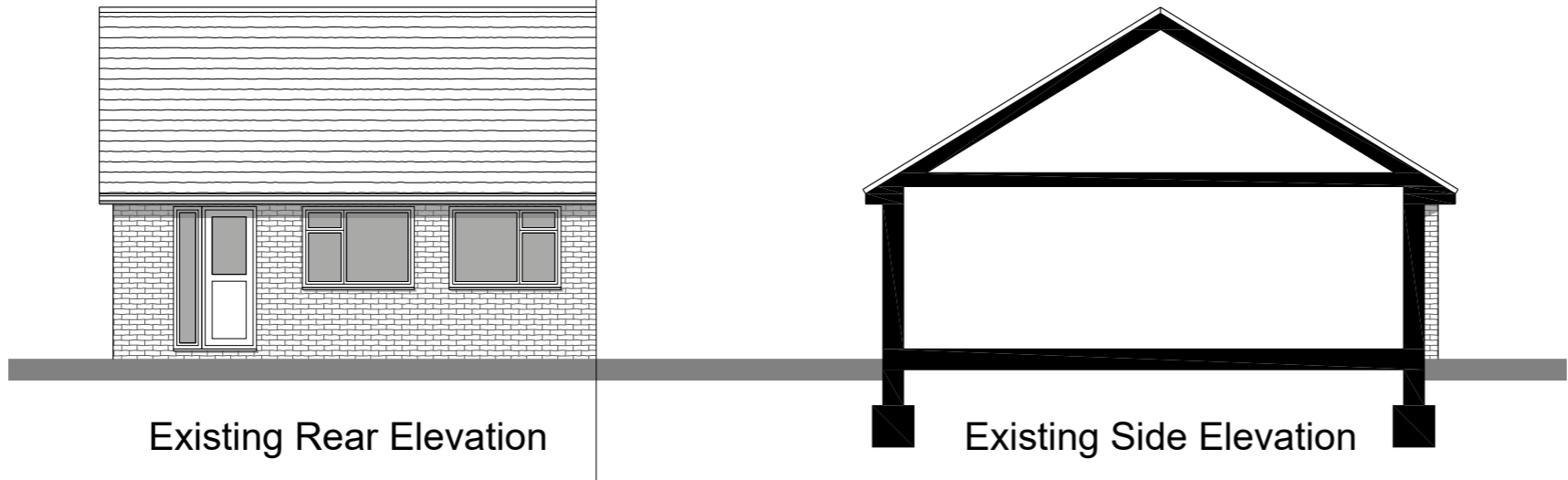
REFUSE for the following reason:-

The proposed extension, by reason of its location and scale, would overdominate the host building, creating a pair of unbalanced semi-detached bungalows. The proposal would not pay due regard to the scale, proportions, building lines and layout of adjoining buildings and land, and would be out of keeping with the character of the area to the detriment of the street scene of Corsair Close and Road, contrary to Policy EN1 of the Core Strategy and Policies DPD the Supplementray Planning Document on the Design of Residential Extensions and New Residential Development.



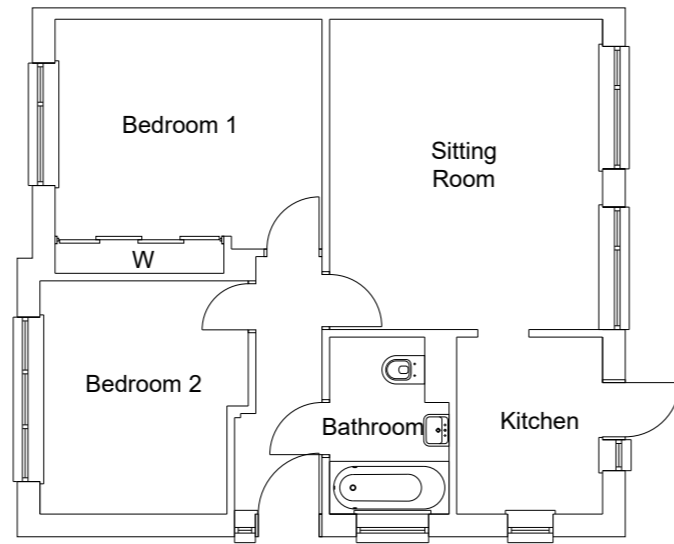
Existing Front Elevation

Existing Side Elevation



Existing Rear Elevation

Existing Side Elevation



Existing Ground Floor Plan

Rev	Date	Description

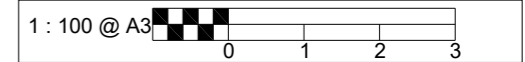


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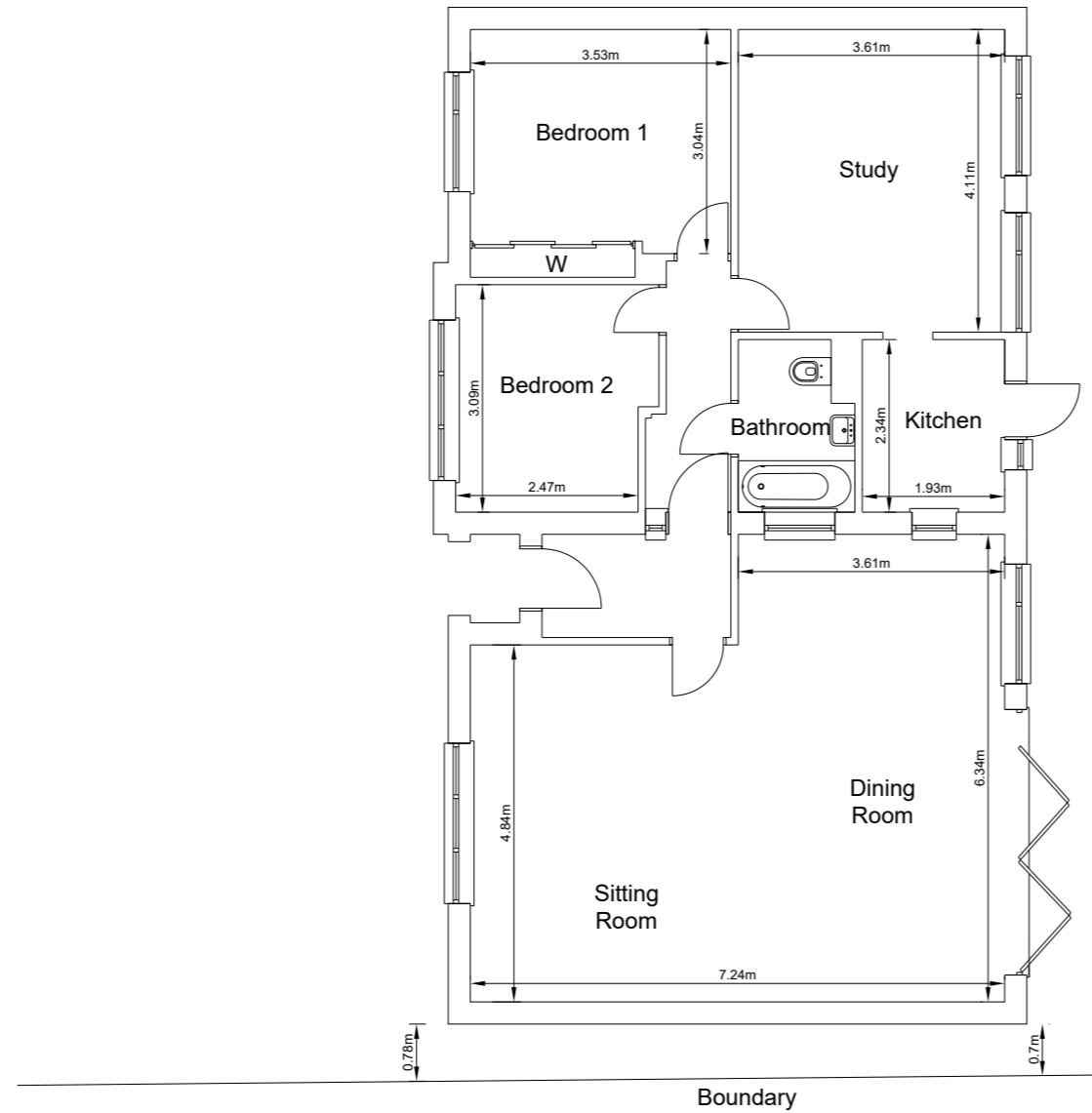
221 CLARE ROAD, STAINES,
MIDDLESEX, TW19 7EF
TEL: 0800 0438838
E-MAIL: INFO@FLUENT-ADS.CO.UK
WEB: FLUENT-ADS.CO.UK

3 Corsair Road, Stanwell

Existing Floor Plan
& Elevations



Scale 1:100 @ A3	Dwg No. FLU.445.02
Date 14.12.12	Rev
Drawn T.Millin	



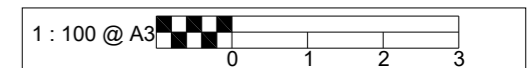
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3 Corsair Road, Stanwell

Proposed Floor Plan



Scale 1:100 @ A3	Dwg No. FLU.445.03
Date 14.12.12	Rev C
Drawn T.Millin	



Proposed Front Elevation

Proposed Side Elevation



Proposed Rear Elevation

Proposed Side Elevation

Rev	Date	Description

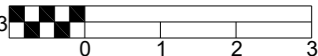


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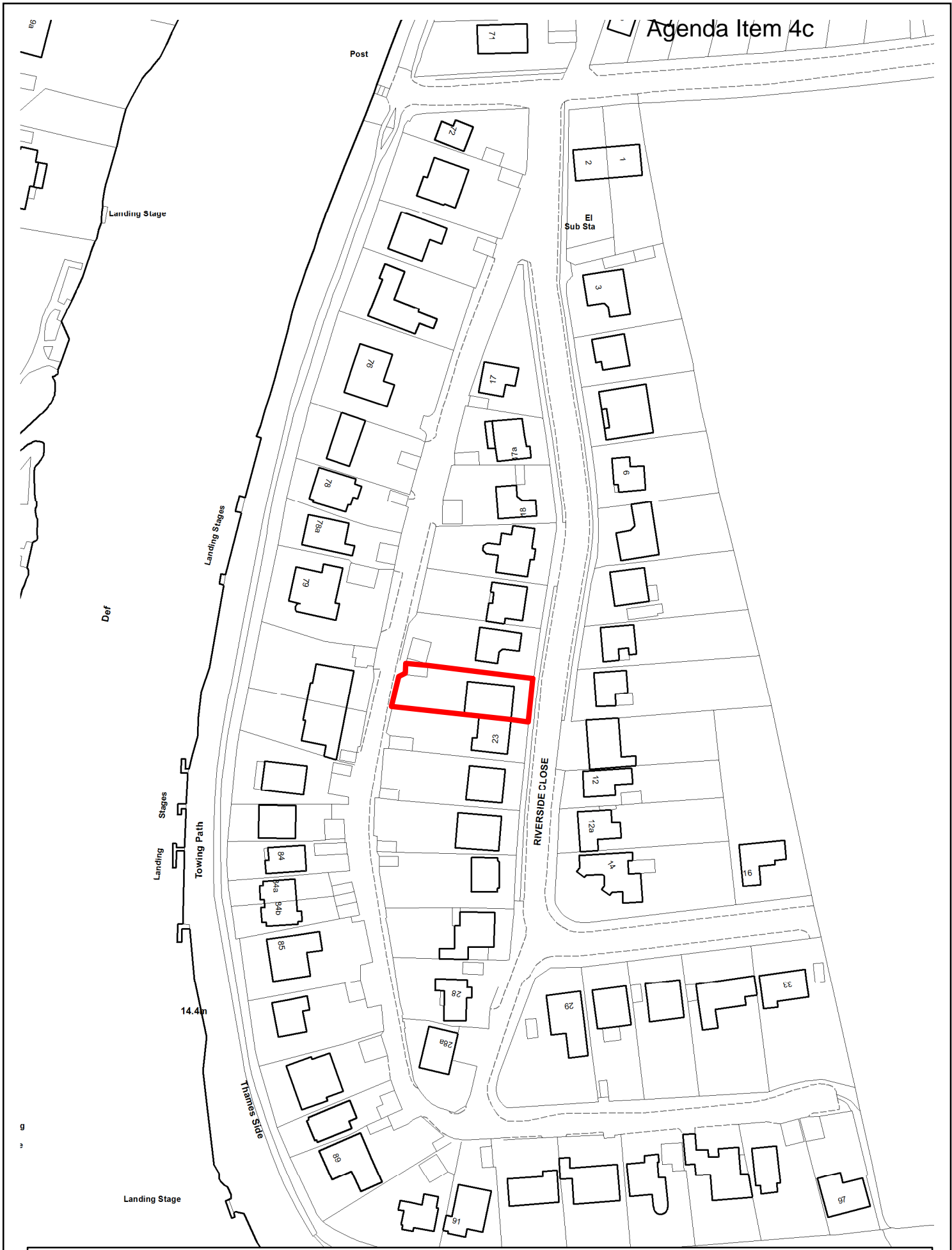
3 Corsair Road, Stanwell

Proposed Elevations

1:100 @ A3 

Scale 1:100 @ A3	Dwg No. FLU.445.04
Date 14.12.12	Rev C
Drawn T.Millin	

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17/00849/HOU
22 Riverside Close, Staines-upon-Thames, TW18 2LW

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Planning Committee

26 July 2017



Application No.	17/00849/HOU
Site Address	22 Riverside Close, Staines-upon-Thames, Tw18 2LW
Applicant	Mr Steven Slator
Proposal	Retention of existing decking in rear garden of dwelling and associated privacy screen.
Ward	Riverside and Laleham
Called-in	The application has been called in by Cllr Saliagopoulos due to concerns over the height of the development.
Case Officer	Siri Thafvelin

Application Dates	Valid: 22.05.2017	Expiry: 17.07.2017	Target: 8 weeks
Executive Summary	<p>This application seeks retrospective planning permission for the erection of decking and associated screening to the rear of 22 Riverside Close. Planning permission is required as the decking and screening exceed the height allowed to be built as 'permitted development' without explicit consent by the Local Planning Authority. Many properties in the area have decking and it is not an unusual feature within the area. Both nos. 22 and 23 Riverside Close have raised internal floor levels and it is considered that the screening provides an acceptable level of privacy to the neighbouring occupants without appearing overbearing or causing loss of light. It is therefore considered that the development has an acceptable impact on the amenity of adjoining residential properties and the character of the area.</p> <p>The proposal complies with Policy EN1 (Design of New Development) of the Spelthorne Borough Council Core Strategy and Policies DPD (2009)</p>		
Recommended Decision	Approve the application subject to the condition set out in Paragraph 8 of the Report.		

MAIN REPORT

1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- EN1
- LO1

2. Relevant Planning History

2.1 None

3. Description of Current Proposal

3.1 The application site is situated on the western side of Riverside Close and is currently occupied by a semi-detached bungalow. The site is located south of no. 21 Riverside Close which is occupied by a detached dwellinghouse, and to the north of no. 23 Riverside Close which is occupied by a semi-detached bungalow attached to the application site. The access road to Thames Side runs along the rear boundary of the site. The area is characterised by a mixture of chalet style bungalows with some two storey development with varying design characteristics.

3.2 This proposal seeks planning permission for the retention of raised decking and an associated privacy screen that have been constructed to the rear of the property. The decking has a height of 0.6m from the ground floor to allow level access from the kitchen and living room. It is L-shaped with a width of 8.6m and a depth of 4.84m nearest no. 23 Riverside Close and 2.7m nearest no. 21 Riverside Close. A privacy screen and a raised plant container have been installed along the south site boundary. When a site visit was carried out on 3 July 2017 the patio, planning and screen had been completed with the exception of the steps leading to the garden shown on drawings submitted with the application.

3.3 The Council was notified that building work was taking place in April 2017 and after inspecting the site the applicant was informed that planning permission was required. The Council's Enforcement Officer visited the site when the patio had been completed but the screening and planting had not yet been installed. Decking with a height of up to 30cm and fencing with a height of up to 2m can generally be constructed as permitted development and planning permission is required as the development exceeds these dimensions.

3.4 The site is situated within a 1 in 20 year flood event area (flood zone 3b).

4. Consultations

4.1 There are no relevant consultees for this proposal.

5. Public Consultation

5.1 Four letters of notification were sent out to neighbouring properties. At the time of writing, one letter of representation has been received from the neighbouring property of 23 Riverside Close. The following concerns have been raised:

- Loss of privacy
- Loss of outlook

6. Planning Issues

- Design and appearance
- Impact on neighbouring properties
- Flooding

7. Planning Considerations

Design and Appearance

- 7.1 Policy EN1(a) of the Core Strategy and Policies Development Plan Document 2009 ('the Core Strategy') states that the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated and pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
- 7.2 The development under consideration is situated at the rear of the property and as it is not readily visible from Riverside Close or Thames Side it does not have an impact on the street scene. The screening and planting along the south boundary to no. 23 Riverside Close is taller than the existing boundary fence and is visible from the neighbouring property, however, it is not considered so tall as to appear out of keeping with the scale, height, proportions or materials of either no. 22 or 23 Riverside Close.
- 7.3 It is considered that the development complies with the requirements of Policy EN1(a) and that it is in keeping with the character of the area. The screening measures 1.9m from the decking and 2.5m from the ground floor and is just 0.5m taller than a fence that could be erected without planning permission. Both nos. 22 and 23 Riverside Close have floor levels that are raised approximately 0.6m above ground and it is not considered that the taller screening is out of proportion with the pair of semi-detached houses.

Impact on Adjoining Properties

- 7.4 Policy EN1(b) of the Core Strategy states that the Council will require proposals for new development to demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.5 The decking extends across the width of the existing building and has a depth of up to 4.8m from the rear wall of the building. As a result of the screening and the raised plant container nearest the boundary to no. 23 Riverside Close the useable floor area of the decking is set in 1.05m from the boundary on this side. The decking has a depth of 2.7m closest to no. 21 Riverside Close and is set in 2.8m from the property boundary to the north.
- 7.6 One letter has been received from the residents of no. 23 Riverside Close in response to the public consultation for this application. They are concerned that as the decking is the same height as their internal floor level it causes

loss of privacy. They are also concerned that the screening that has been installed to prevent overlooking has an unacceptable impact on the outlook from their living room window and adjacent patio.

- 7.7 The existing boundary fence has a height of approximately 1.8m and so if the decking was built without any additional screening there would be clear views across the boundary as the existing fence would only be 1.2m higher than the decking. However, the applicant has installed a privacy screen with a height of 1.9m from the decking and 2.5m high as measured from the ground which is sufficient to prevent any overlooking into the neighbouring garden or habitable rooms. The screening has been reinforced by the installation of a planting box with hedging, and it is recommended that a condition is imposed to ensure that both the screening and planting are retained to ensure that the scheme does not overlook the neighbouring property and cause loss of privacy.
- 7.8 As mentioned, the screening has a height of 2.5m as measured from the ground and 1.9m from the decking. As both nos. 22 and 23 Riverside Close are raised approximately 0.6m above ground the impact on the adjacent windows is similar to that of a 2m boundary fence separating two semi-detached houses that are not raised above ground level. The screening is situated to the north of no. 23 Riverside Close which ensures that it does not cause unacceptable overshadowing or loss of sunlight and is not considered to have an unacceptable impact in terms of daylight and overbearing impact. It is recommended that a condition is imposed to ensure that the screening is permanently retained as approved and subject to this conditions it is not considered that there will be any loss of privacy. As a result the scheme is acceptable in accordance with the requirements of policy EN1 of the Core Strategy and Policies Development Plan Document 2009.

Flooding

- 7.9 The site is within the 1 in 20 year flood event area (flood zone 3b) and the edge of the decking is situated approximately 64m from the River Thames. The decking is a floodable structure and in the event of a flood there will not be a loss of flood storage capacity as a result of this decking. In any case, a similar structure with a height of up to 30cm and a larger footprint could be constructed without planning permission. Taking those matters into account it is not considered that an objection can be raised on flooding grounds.

Conclusion

- 7.10 For the reasons set out above it is considered that the decking and associated screening together have an acceptable impact on the character of the area and amenity of neighbouring properties. Accordingly, the application is recommended for approval, subject to conditions.

8. Recommendation

- 8.1 GRANT subject to the following condition:

1. The screening and raised planter container adjacent to the boundary with 23 Riverside Close shall be permanently maintained in accordance with the approved plans.

Reason: To safeguard the amenity of neighbouring properties.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 22RC-DECKING SH1, 22RC-DECKING SH2, and 7TA-HAMP Issue A SH3 received 22 May 2017.

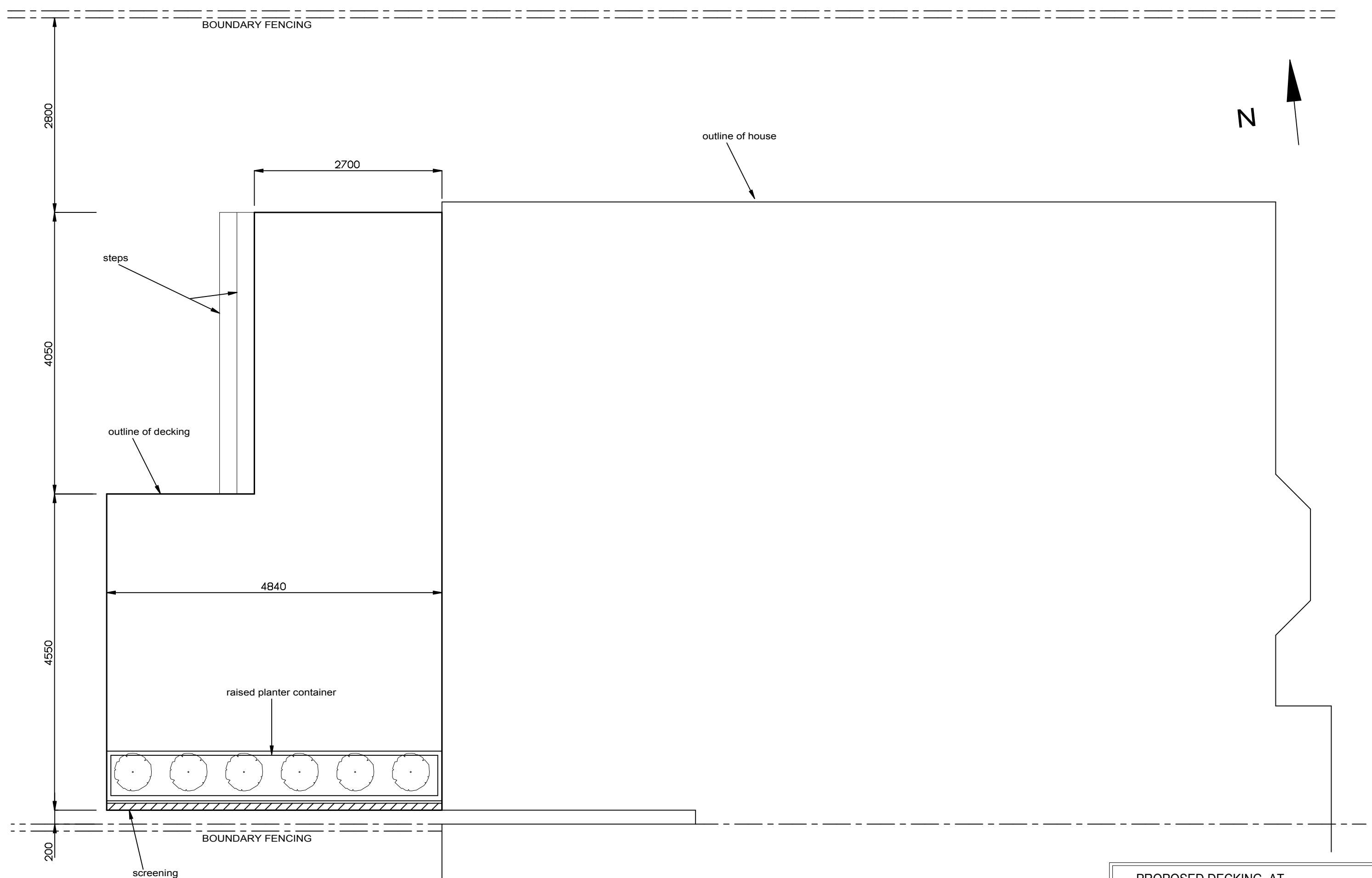
Reason: For the avoidance of doubt and in the interest of proper planning.

9. Informatives

- 9.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 Working in a positive/proactive manner

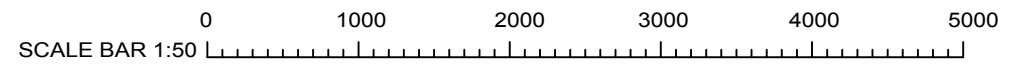
In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:

- a) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- b) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.



PROPOSED DECKING PLAN

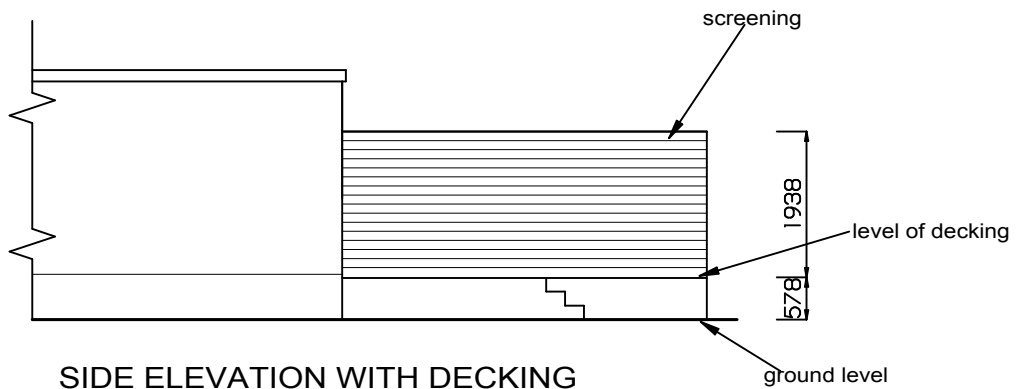
A3



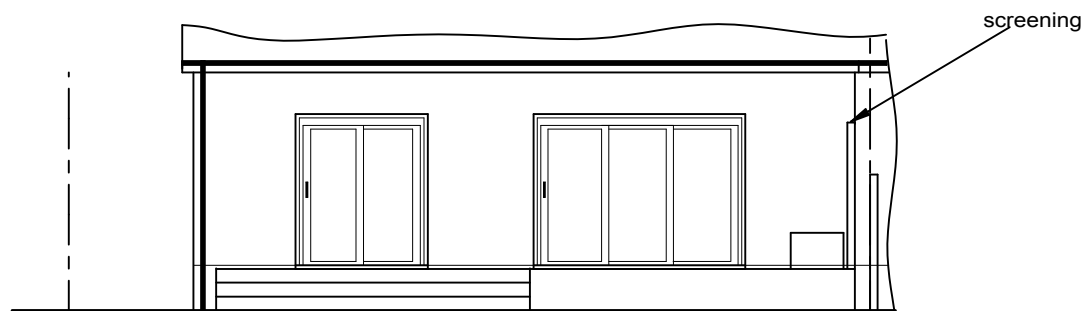
DRG NO. 22RC-DECKING
04/05/2017 SH1

SCALE 1:50

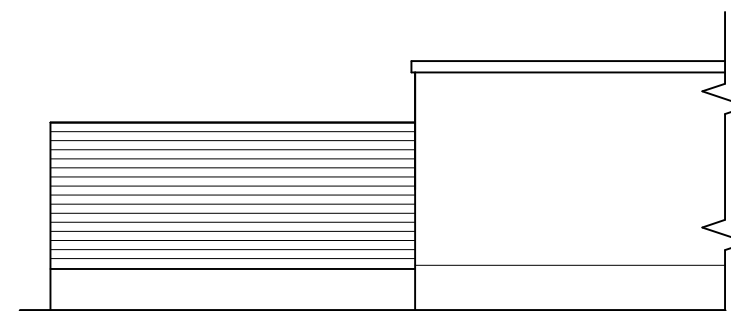
PROPOSED DECKING AT
22 RIVERSIDE CLOSE
STAINES
MIDDLESEX



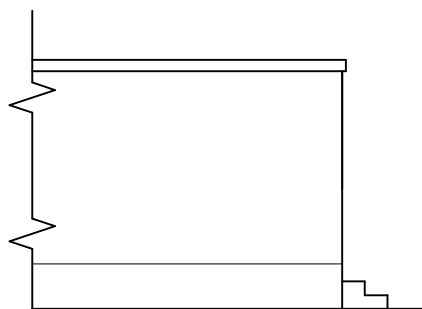
SIDE ELEVATION WITH DECKING



REAR ELEVATION WITH DECKING



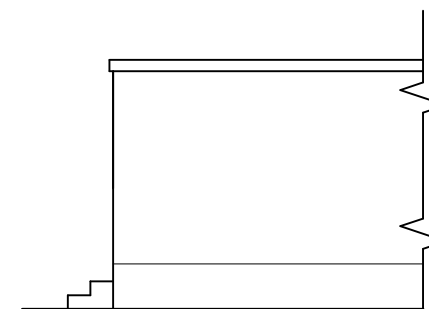
SIDE ELEVATION WITH DECKING



SIDE ELEVATION WITHOUT DECKING



REAR ELEVATION WITHOUT DECKING



SIDE ELEVATION WITHOUT DECKING

PLANNING APPEALS**LIST OF APPEALS SUBMITTED BETWEEN 14 JUNE AND 12 JULY 2017**

Planning Application / Enforcement Number	Inspectorate Ref.	Address	Description	Appeal Start Date
17/00255/FUL	APP/Z3635/D/17/3175986	99 School Road Ashford	Erection of rear dormer window. (Amended from Householder to Full Application).	20/06/2017
17/00288/HOU	APP/Z3635/D/17/3177081	11 Springfield Grove Sunbury On Thames	Erection of a first floor front extension	21/06/2017
16/00959/FUL	APP/Z3635/W/17/3176519	5 Sunbury Court Island Sunbury On Thames	Demolition of existing dwelling and erection of new 3 bed chalet style dwelling with first floor terrace and external staircase.	22/06/2017

APPEAL DECISIONS RECEIVED BETWEEN 14 JUNE AND 12 JULY 2017

<u>Site</u>	50 Hogarth Avenue, Ashford
<u>Planning Application no.</u>	16/00488/CPD
<u>Proposed Development:</u>	Certificate of lawfulness for the proposed development of loft alterations including a hip to gable alteration, the installation of a rear facing dormer, a single storey rear extension and a detached outbuilding.
<u>Reason for Refusal</u>	The proposed single storey detached outbuilding would not meet the requirements of Schedule 2 Part 1 Class E of the Town and Country Planning Act General Permitted Development) 2015, as the eaves of the proposed outbuilding would exceed 2.5 metres in height, and the size, use, layout and location of the outbuilding would not constitute

	development that would be regarded as incidental to the enjoyment of the dwelling house.
<u>Appeal Reference Number</u>	APP/Z3635/X/16/3164470
<u>Appeal Decision Date:</u>	14 June 2017
<u>Inspector's Decision</u>	CPD application is dismissed Application for costs by the appellant is dismissed
<u>Inspector's Comments</u>	<p>The Inspector noted the appeal related to a semi-detached house situated on the corner of Hogarth Avenue, near to the junction with Glenfield Road. It was noted the appellants' wanted to erect an outbuilding to the side of the dwelling that would have a pitched roof, and would be 10.6 metres in depth and 5.6 metres in width. The Inspector commented that the principle points at issue were the Council's determination that the use of the outbuilding would not be required for a purpose incidental to the enjoyment of the main dwelling house, and that the eaves height would exceed the limitations of Class E.</p> <p>With regard to whether the outbuilding would be incidental to the enjoyment of the dwelling, it was commented that Case Law confirmed that the key point was reasonableness. The inspector considered that the proposed lounge area provided primary living accommodation, and it could be argued the proposal for a toilet also fell within the scope of primary living accommodation. It was commented that the appellants' argument about the distance to the toilet within the main dwelling was undermined by the placing of the entrance to the outbuilding on the far side of the structure, creating a longer walk between buildings. As there would be a lounge and toilet within the outbuilding, the inspector found this use would not be incidental to the enjoyment of the dwelling.</p> <p>The Inspector commented that the onus of proof would be on the appellant to show on the balance of probabilities, that what is proposed is reasonably required for a purpose incidental to the use of the dwelling as a dwelling. It was noted that the existing dwelling was not unduly large and the outbuilding would be almost as wide as the dwelling. The Inspector also noted the Nationally Described Space Standards (2015) for a new single storey 1 bedroom/ 1 person flat (39sqm) or a 1 bedroom/2person flat (50sqm). He commented that while physical size is not in itself conclusive, it is nonetheless an important determinative in this case.</p> <p>The Inspector stated the appellants' have not demonstrated that space for an office, gm and additional lounge is reasonably required on such as scale in relation to the host dwelling.</p>

	<p>With regards to the eaves height, it was noted that the GDPO states that development is not permitted if the eaves height of the building would exceed 2.5 metres. It was stated that the appellants evidence as to whether this was the case, could have been clearer, and a figured eaves height would have been helpful. It was noted the onus was on the appellants to provide clear unambiguous evidence, and weight was given to the Council's findings that although minimal the eaves height limitation has been overstepped, and the outbuilding did not fall within the parameters of Class E of Part 1 Schedule 2 of the GDPO.</p> <p>The request for a reward of costs to the appellant against the Council was also refused as unreasonable behavior, resulting in unnecessary or wasted expense had not been demonstrated.</p>
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<u>Site</u>	104 Avondale Avenue, Staines-upon-Thames
<u>Planning Application no.:</u>	17/00130/HOU
<u>Proposed Development:</u>	Erection of an outbuilding (retrospective application).
<u>Reason for Refusal</u>	The outbuilding would, by reason of its height and close proximity to the common boundary, have an unacceptable and overbearing impact on, and would result in the loss of outlook to, the neighbouring residential properties, contrary to policy EN1 (b) of the Spelthorne Borough Local Plan, 2009.
<u>Appeal Reference Number</u>	APP/Z3635/D/17/3173712
<u>Appeal Decision Date:</u>	23/06/2017
<u>Inspector's Decision</u>	The appeal is allowed.
<u>Inspector's Comments</u>	<p>The Inspector considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 102 (a-d) and 106 Avondale Avenue and 47 and 49 Penton Avenue with particular regard to outlook and visual impact.</p> <p>The Inspector set out that various parts of the appeal building would be evident from most rear-facing windows and back gardens of the neighbouring residential properties but that these views would be largely</p>

	<p>screened by the boundary fence at 104 Avondale Avenue. Reasonably generous distances would also separate the appeal building from each of the neighbouring dwellings and the inspector considered that it would not be overbearing or result in an over-dominant impact on outlook for the occupiers of nos. 47, 49, 102 and 106. The boundary fences would also largely prevent overlooking from the openings of the new building and would not cause any significant loss of privacy.</p> <p>With regards to the concerns of an interested party that the appeal building could be used for residential purposes, the Inspector set out that if a residential use were sought planning permission would likely be required.</p> <p>The Inspector did not find a material conflict with Policy EN1 of the Council's Core Strategy and Policies Development Plan Document 2009 or the National Planning Policy Framework with regards to amenity and concluded that the appeal should be allowed.</p>
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<u>Site</u>	72 Charles Road, Laleham, Staines-upon-Thames
<u>Planning Application no.:</u>	16/01818/RVC
<u>Proposed Development:</u>	Variation of Condition 3 of PA ref 14/01091/HOU to reword the condition regarding the use of the existing outbuilding, to allow it to be used ancillary, (including a bedroom) to the domestic enjoyment of the main house by a family member.
<u>Reason for Refusal</u>	The use of the outbuilding for primary habitable purposes would result in an unacceptable level of noise and disturbance to neighbouring residential properties and would have a detrimental impact on their amenity and enjoyment of their houses and gardens. As such the proposal is considered to be contrary to policies EN1 and EN11 of the Core Strategy and Policies DPD 2009 and the Councils Supplementary Planning Document on the Design of New Residential Development (April 2011).
<u>Appeal Reference Number</u>	APP/Z3635/W/17/3169239
<u>Appeal Decision Date:</u>	29/06/2017
<u>Inspector's Decision</u>	The appeal is allowed. The application for costs against the Council is allowed.

<p><u>Inspector's Comments</u></p>	<p>The Inspector noted that the condition requires the building to remain incidental to the main dwelling and not contain any form of habitable accommodation, including as a separate unit of residential accommodation. The Inspector felt that whilst the condition may remove any ambiguity, he felt it was not necessary, which is one of the requirements for a condition as set out at paragraph 206 of the National Planning Policy Framework. The Inspector concluded that the removal of the condition would not cause harm to the living conditions of occupiers of neighbouring dwellings by reason of noise and disturbance, despite the Council's concerns that noise and disturbance from the building would be difficult to control under Environmental Health legislation as it would not be due to a specific noise nuisance.</p> <p>The Inspector also acknowledged that the building contains windows facing across the garden toward the house, which may result in some overlooking of neighbouring gardens and he understood concerns that the use of the building may have affected the health of a neighbouring occupier. However, he concluded that the building was incidental to the use of the existing dwelling and the removal of the condition would not materially affect the amount of overlooking and it would not result in a material increase in vehicular traffic and parking at the dwelling, such that it would not affect highway safety.</p> <p>With regards to the costs decision, the Inspector noted that the condition may have reduced ambiguity on the use of the building but concluded that it did not meet the test of necessity as required by the NPPF. As such, he considered that seeking to defend the condition following an application to use the building without compliance with that condition was unreasonable behaviour that has incurred unnecessary or wasted expense in the appeal process. Although he accepted that the Council sought to substantiate why the use of the building for primary living accommodation would be unacceptable and why issues of noise and disturbance could not be dealt with by the Council's Environmental Health Department, because the condition was unnecessary the award of costs was allowed.</p>
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<p><u>Site</u></p>	<p>Magna House, 18 - 32 London Road, Staines-upon-Thames</p>
<p><u>Planning Application no.:</u></p>	<p>17/00086/ADV</p>
<p><u>Proposed Development:</u></p>	<p>Retention of illuminated freestanding totem sign.</p>
<p><u>Reason for Refusal</u></p>	<p>Because of its size, height, prominent location and illumination the retention of the totem advertisement is considered to be detrimental to the appearance of the neighbouring building and to the visual amenity of the</p>

	surrounding area. For this reason, the proposal would not be in accordance with paragraph 67 of the National Planning Policy Framework dated March 2012.
<u>Appeal Reference Number</u>	APP/Z3635/Z/17/3175458
<u>Appeal Decision Date:</u>	07/07/2017
<u>Inspector's Decision</u>	The appeal is dismissed The application for costs by the appellant is dismissed
<u>Inspector's Comments</u>	<p>The Inspector considered that the main issue was the <i>“effect of the totem sign on the appearance of the appeal building and the amenity of the area”</i>. The Inspector accepted that the sign did not cause <i>“significant harm to the appearance of the appeal building”</i> but was concerned with the overall height and size of the sign within the streetscene. <i>He felt that the “sign, by virtue of its overall height, size, siting and illumination is at odds with the character of the locality where the commercial totem signs are predominantly understated and adversely harms the visual amenity of the locality”</i>.</p> <p>The appellant applied for costs against the Council because they felt the Council took an unreasonable view about the impact of the sign on the appeal building and surrounding area and other signs existed in the locality. However, the Officer's report considered these issues and the Inspector noted that it is important for each application to be considered on its merits. The Inspector stated that the reason for refusal was <i>“complete, precise, specific and relevant to the application and clearly states the National Planning Policy Framework as the appropriate supporting planning documents that the proposal would be in conflict with.”</i> He concluded that the Council had not acted unreasonably and <i>“unreasonable behaviour resulting in unnecessary or wasted expense during the appeal process has not been demonstrated.”</i></p>