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Date: 12 September 2017

## Notice of meeting

### Planning Committee

**Date:** Wednesday, 20 September 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 - 24**  
To confirm the minutes of the meeting held on 23 August 2017.
- 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) 17/00782/FUL - Headline House, Stanwell Road, Ashford, TW15 3HQ **25 - 46**
  - b) 17/00366/FUL - Monkey Puzzle House, 69-71 Windmill Road, Sunbury, TW16 7DT **47 - 64**
  - c) 14/00175/UNDEV - 6 Stanhope Heath Stanwell TW19 7PH **65 - 74**
- 5. Planning Appeals Report** **75 - 82**  
To note details of the Planning appeals submitted and decisions received between 11 August and 7 September 2017.
- 6. Urgent Items**  
To consider any items which the Chairman considers as urgent.

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**Minutes of the Planning Committee  
23 August 2017**

**Present:**

Councillor R.A. Smith-Ainsley (Chairman)  
Councillor H.A. Thomson (Vice-Chairman)

**Councillors:**

C.B. Barnard	S.M. Doran	A.T. Jones
I.J. Beardsmore	P.C. Forbes-Forsyth	D. Patel
S.J. Burkmar	M.P.C. Francis	R.W. Sider BEM

**Apologies:** Apologies were received from Councillor R.O. Barratt,  
Councillor R. Chandler and Councillor N. Islam

**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.

Councillor J. Sexton 17/00639/FUL – 524-538 London Road, Ashford,  
Councillor S.C. Mooney TW15 3AE

**515/17 Minutes**

The minutes of the meeting held on 26 July 2017 were approved as a correct record.

**516/17 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 R.A. Smith-Ainsley declared an interest on behalf of the Committee in relation to application number 17/01028/FUL – the Bugle Returns Public House, 173 Upper Halliford Road, Shepperton, as the applicant was Spelthorne Borough Council.

Councillors R.A. Smith Ainsley, C. Barnard, S. Burkmar, S. Doran, M. Francis, and R.W. Sider BEM reported that they had received correspondence in relation to application number 17/00752/FUL – 243 Thames Side, Chertsey, but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors R.A. Smith Ainsley, H.A. Thomson, C. Barnard, and P. Forbes-Forsyth reported that they had received correspondence in relation to application number 17/00639/FUL – 524-538 London Road, Ashford, but had maintained an impartial role, had not expressed any views and had kept an open mind.

**517/17 17/00752/FUL - 243 Thames Side, Chertsey**

**Description:**

The erection of a detached two storey dwelling and associated wheel chair access.

**Additional Information:**

The Planning Development Manager reported the following:

**Amendment to Planning Committee Report**

Paragraph 7.29 should say that two parking spaces rather than one will be provided at the existing dwelling.

Paragraph 7.33 on page 23 within the Officer's Report should read:

- (a) Shall give notice of the permission and its terms to Natural England, the notice to include a statement how (if at all) the authority has taken account of Natural England's advice ....

**Letter from Applicant's Agent**

The Council had received a letter from the agent acting for the applicant which raised the following concerns:

- The Committee report minimises the special circumstance of the applicant and queries when this would be applicable.
- The proposal mitigates each of the harms identified within the report.
- The creation of a fully wheelchair accessible house must be seen as a planning gain.
- The site is located in an area which could be called a village for green belt assessment purposes.
- An alternative plot is out of reach for most individuals, like the applicant in this case.
- The raising of the ground floor level above the 1 in 20 year river flood level mitigates any loss of flood storage capacity.
- The proposal would not increase the burden on the emergency services as the applicant is already living at the house and a new occupant is unlikely to be in a wheel chair.
- A report from a local arboriculturist was commissioned by the applicant indicating existing trees could be safely integrated within the proposal.

- The report does not reference the 1964 and current OS plans, which show how much development has taken place between 240 Thames Side and 15 Chertsey Bridge Road. (note: the plan is included within the appendix)
- Query over what the 'very special circumstances' were for the nearby Lock Keeper's facility.
- There is a loss of openness between 243 and 245 Thames side, but in the wider picture this is not significant.
- The proposed dwelling is comparable with neighbours, and would not adversely impact windows serving habitable rooms at no.243.
- The sewage systems of neighbouring dwellings would be equally overwhelmed in any catastrophic flood.
- The applicant has been in contact with the Surrey Wildlife Trust.
- Two parking spaces can be provided.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Gary Forbes spoke against the proposed development raising the following key points:

- Tragic circumstance associated with proposal
- Will only be 1m from his house
- Loss of privacy
- Concerns over tree, traffic, cess pit

In accordance with the Council's procedure for speaking at meetings, Oliver Probyn spoke for the proposed development raising the following key points:

- Referred to comments in letter in support of proposal which was circulated to all members
- Provision of a wheelchair house is a planning gain
- Doesn't affect wider openness of area

**Debate:**

During the debate the following key issues were raised:

- Demolition of garage and replaced with a substantial building in green belt
- Flood plain/flood risk concerns; affect free flow of water
- Whether very exceptional circumstances in green belt exist
- Can mitigate flood risk
- Must look at planning merits of proposal
- Large development in green belt at Kingfisher Public House nearby
- Detrimental impact on openness of green belt is of major concern
- Additional car parking space provided therefore car parking provision is adequate for the scheme
- Disabled access doesn't trump green belt policy
- Applicant's agent should have assessed green belt and very special circumstances more thoroughly

- Should consider extending existing house
- Would set a precedent in green belt

**Decision:**

The application was **REFUSED** planning permission, subject to the removal of reasons numbers 3, 5, 6, 7 and 8.

**518/17 7/01028/FUL - The Bugle Returns Public House, 173 Upper Halliford Road, Shepperton**

**Description:**

Demolition of the existing public house and erection of a new building to provide 8 flats together with associated access, parking, amenity space and other associated works.

**Additional Information:**

The Planning Development Manager reported the following:

**Amendment to Planning Committee Report**

Para. 7.13 on page 42, The proposed amenity space is 215 sq. m and the required standard is 205 sq. m.

**Consultation response**

The County Highway Authority raised no objection to the amended plan, subject to the following conditions and informatives:

Condition

Notwithstanding the submitted plans, the development shall not be occupied until the existing access to the site has been modified and provided with a 6 metre kerbed radii on the north side of the access to tie into the footway on the west side of Upper Halliford Road and the footway into site on the north side of the access road in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, all to be retained and the visibility splays within the site boundary shall be kept free of any obstructions between 0.6 metres and 2.0 metres high above the ground.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

Condition

No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials



- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (h) measures to prevent the deposit of materials on the highway has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are commenced.

#### Informatives

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-managementpermit> scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
2. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to bus stops, street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
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).

**Public Speaking:**

There was none

**Debate:**

During the debate the following key issues were raised:

- There is a need for housing
- Removal of public house is welcomed
- Moving building forward, partly onto urban land is welcomed
- Building is larger/very large
- Replaces a building already there
- Adequate car parking

**Decision:**

The application was **APPROVED** as per agenda subject to the additions referred to above.

**519/17 17/00639/FUL - 524-538 London Road, Ashford, TW15 3AE**

**Description:**

The demolition of existing buildings and erection of a 132 room hotel with parking spaces, access and landscaping.

**Additional Information:**

The Planning Development Manager reported the following:

Consultation response

A late response had been received from the Surrey Wildlife Trust which recommended an Ecological Management Plan. The applicant had agreed the wording of an appropriate planning condition requiring the submission and approval of an Ecological Management Plan as follows:

Condition

Prior to implementation of the landscape scheme shown on the approved plans P202.1 and P202.2 an Ecological Management Plan shall have been submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved Ecological Management Plan for a period of 5 years, unless the Local Planning Authority gives written permission to any variation.

Reason: To ensure the conservation and enhancement of biodiversity in accordance with the National Planning Policy Framework paras 109 and 118.

Condition 17

Amendment to condition No. 17, which requires details of ventilation and infiltration equipment, which should refer in the first line to '**occupation of the development**' not 'commencement of the development'.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Paul West spoke against the proposed development raising the following key points:

- Too wide and high
- Mass overdevelopment
- Loss of privacy
- Inadequate landscaping
- Noise to surrounding residents associated with car parking
- Inadequate car parking – overflow to surrounding roads
- Traffic congestion
- Previously recommended for refusal in 2014

In accordance with the Council's procedure for speaking at meetings, Alison Knight spoke for the proposed development raising the following key points:

- Essentially a renewal
- High quality
- Will enhance street scene
- Economic benefits – employment
- Long overdue
- Regeneration of a tired site
- New native species, new habitats
- Will help screen residents from noise
- Is a bus stop outside site
- Requested a change to condition 11

In accordance with the Council's procedure for speaking at meetings, Councillor J. Sexton spoke as Ward Councillor against the proposed development raising the following key points:

- Loss of two residential units
- Should be developed for residential purposes
- Should not be renewed
- Planning officers previously recommended refusal

In accordance with the Council's procedure for speaking at meetings, Councillor S.C. Mooney spoke as Ward Councillor against the proposed development raising the following key points:

- Out of keeping with character of Ashford Park Estate
- Impact on residential properties
- Hotel bus service not guaranteed
- Hotel occupiers will park in surrounding streets

- Residents do not agree with para. 7.11 of committee report

**Debate:**

During the debate the following key issues were raised:

- Application is identical to last one, not convinced it can be refused
- Queries over whether 2014 permission could be implemented
- No material changes since last permission
- Cannot refuse
- Query over access
- Query over travel plan
- Hotel needs to have good dialogue with residents

**Decision:**

The application was **APPROVED** as per agenda subject to the additions and amendments referred to above.

**520/17 17/00560/FUL - 55A Woodthorpe Road, Ashford**

**Description:**

Redevelopment of the site to provide one building comprising 9 apartments with associated parking and communal amenity space.

**Additional Information:**

There was none.

**Public Speaking:**

There was none.

**Debate:**

During the debate the following key issues were raised:

- Would lead to a considerable improvement within the street scene
- Footprint of new build is less than the existing

**Decision:**

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

**521/17 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.

**522/17 Urgent Items**

There were none.

**523/17 Exempt Business**

**RESOLVED** to move the exclusion of the Press and Public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.

**524/17 Exempt Report - 16/00972/FUL - Former Brooklands College, Church Road Ashford**

The Planning Committee considered a report from officers containing advice from the Council's consultants and legal advisors about matters arising in the Inland Homes appeal against refusal of permission at the former Brooklands College site. Members considered the matters arising and gave instructions to officers in order to progress the appeal. Given that this advice is legally privileged, the report arising from it and the discussions of members are necessarily confidential and cannot be published at this time. This confidentiality is in the public interest as it allows the Council to progress the legal proceedings without prejudicing its position.

The conclusions reached by the Committee have now been communicated to the representative for Inland Homes and PINS and these decisions are:

- (i) Not to defend the highways reason for refusal at the forthcoming appeal; and
- (ii) to agree that the decision made by the Planning Committee had regard to the current housing land supply position of the Borough and the advice set out in the NPPF for the determination of planning applications where there is a shortfall of housing land supply.

The Council will continue to defend Reason for Refusal 1 and 2 at appeal.

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Planning Committee

20 September 2017



<b>Application No.</b>	17/00782/FUL
<b>Site Address</b>	Headline House, Stanwell Road, Ashford TW15 3HQ
<b>Applicant</b>	Mr Mike Daly
<b>Proposal</b>	Erection of a two storey building with second floor accommodation to provide 5 no. one bedroom flats and 5 no. two bedroom flats with associated parking and amenity space following demolition of the existing commercial building on site.
<b>Ward</b>	Ashford Town
<b>Called-in</b>	N/A
<b>Case Officer</b>	Siri Thafvelin

<b>Application Dates</b>	Valid: 27/07/2017	Expiry: 26/10/2017	Target: Under 13 weeks
<b>Executive Summary</b>	<p>The application site comprises a broadly rectangular plot of land located on the eastern side of Stanwell Road, on the junction with Chaucer Road. The site is currently occupied by a single storey commercial building with a mezzanine floor. The current structure covers the majority of the site with a small grass area on the Stanwell Road frontage and some off street parking/access on the Chaucer Road frontage. The wider area is characterised by two storey residential dwellings, with a mix of both detached and semi-detached. On the opposite side of the street to the west is St Hildas Church, a Grade II listed building.</p> <p>The proposal involves the demolition of the existing building on site and the construction of a single building which would be two storey in appearance with second floor accommodation within the roofspace. The building would have staggered frontage onto Stanwell Road and would 'turn the corner' into Chaucer Road. The flats would be served by a car parking area to the rear accessed from Chaucer Road, and a communal garden area.</p> <p>The proposal is similar to the previously approved scheme for 9 no. flats approved earlier this year (17/00099/FUL) and the principle of demolishing the existing commercial building and creating a new residential development continues to be acceptable. It is considered that the design and appearance would have an acceptable impact on the character of the area and that it would not harm the setting of the adjacent Grade II listed building. The proposal would continue to have an acceptable relationship with neighbouring properties and would have an</p>		

	appropriate impact on their amenities. The proposal would provide 14 off-street car parking spaces which meets the Council's minimum car parking standards and is considered acceptable.
<b>Recommended Decision</b>	Approve the application subject to conditions as set out at 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 – Design of New Development
- EN5 – Buildings of Architectural and Historic Interest
- HO4 – Housing Size and Type
- HO5 – Density of Housing Development
- CC3 – Parking Provision
- CC1 – Renewable Energy

### 2. Relevant Planning History

2.1 The current structure on site was constructed in the late 1980s and prior to that the site was used as a garage. In recent years an application to redevelop the site for residential use was refused on design and layout grounds. Two applications for residential development on the site have since been granted planning permission. The relevant applications are listed below:

17/00099/FUL	Erection of a two storey building with second floor accommodation to provide 2 no. one bedroom flats and 7 no. two bedroom flats with associated parking and amenity space following demolition of the existing commercial building on site	Grant Conditional 13.03.2017
15/01513/FUL	Erection of two storey building to provide 1 no. one bed flat, 6 no. two bed flats and 1 no. three bed flat with associated parking and amenity space following demolition of the existing commercial building on site.	Grant Conditional 18.01.2016
14/01836/FUL	Erection of 2 no. two storey blocks containing a total of 4 no. one bed flats and 4 no. two bed flats (2 no. one bed and 2 no. two bed in each block) with associated parking and amenity space following demolition of existing industrial unit on site.	Refused 20.05.2015

SPW/FUL/87/5 Conversion of existing garage building to provide 422.4 sq m (4,547 sq ft) of office accommodation (involving the provision of a mezzanine floor in part), elevation alterations, alterations to Chaucer Road vehicular access and provision of 16 car parking spaces. Grant Conditional 11.03.1987

### 3. Description of Current Proposal

- 3.1 The application site comprises a broadly rectangular plot of land located on the eastern side of Stanwell Road, on the junction with Chaucer Road. The site is currently occupied by a single storey commercial building with a mezzanine floor. The current structure covers the majority of the site with a small grass area on the Stanwell Road frontage and some off street parking-access on the Chaucer Road frontage. The wider area is characterised by two storey residential dwellings, with a mix of both detached and semi-detached. On the opposite side of the street to the west is St Hildas Church, a Grade II listed building.
- 3.2 The proposal would involve the demolition of the existing building (which has a footprint of 585m<sup>2</sup>) on site and the erection of a two storey building with habitable accommodation within the roofspace. The building would have a broadly L-shaped footprint with a width of 21.9m along Stanwell Road and 17.1m along Chaucer Road. The building would have a pitched roof with a central flat roof section and gable ends in the east, west and south elevations. The maximum height of the main roof and ridge height of the gables would be 8.9m and the height to the eaves would be 5.9m.
- 3.3 The proposed building would comprise 1 no. one bedroom 2 no. two bedroom units unit at ground floor, 1 no. one bedroom unit and 3 no. two bedroom units at first floor, and 3 no. one bedroom units at second floor. The main access to the building would be from Chaucer Road and there would be a rear entrance in the east elevation with access from the parking and amenity area.
- 3.4 The building would be served by a parking area to the rear (east) of the building with a total of 14 spaces, including one disabled bay with access from Chaucer Road. A communal amenity area would also be located to the rear of the building and the front and sides of the site would be landscaped. An existing tree on the side of the Stanwell Road frontage would be retained. The building would incorporate a bin store, and an integral cycle store with space for ten bicycles.
- 3.5 Directly opposite the site to the west lies St Hildas Church which is a Grade II listed building. This church was completed in 1928 and is a prominent landmark within the area. Its design use of red brick is distinctive and the proposal has reflected elements of the design and incorporated red brick.

### 4. Consultations

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

Consultee	Comment
County Highway Authority	No objection subject to imposition of conditions

<b>Thames Water</b>	No objection. Has made comments in relation to surface water drainage which are to be attached to the decision notice as an informative.
<b>Surrey Police</b>	No objection. Requests a condition that requires the development to achieve the full Secured by Design award.
<b>The Council's Tree Officer</b>	Any comments will be reported orally at the meeting.
<b>The Council's Heritage Officer</b>	No objection
<b>The Council's Head of Streetscene</b>	No objection
<b>Environmental Health – Pollution Control Officer (Contaminated Land)</b>	No objection subject to imposition of conditions
<b>Environmental Sustainability</b>	No objection
<b>SCAN</b>	Objection

## 5. Public Consultation

5.1 39 neighbour notification letters were sent. A site notice was displayed and a notice was published in the local press. 24 responses from 21 residences have been received to date, including comments from SCAN. Issues raised include:

- Out of character
- Height of proposed development
- Lack of parking
- Parking is below minimum standards (*Officer note: Amended plans have been submitted that increase the number of parking spaces from 13 to 14 to meet the Council's minimum parking standards.*)
- Impact on local business and customer parking
- Overdevelopment
- Overlooking
- Noise
- Rubbish and flytipping at future development
- Wheelchair access

## 6. Planning Issues

- Design, appearance and visual impact
- Residential amenity
- Housing size, type and density
- Parking
- Impact on a listed building
- Impact on existing trees

## 7. Planning Considerations

Comments on the Previous Application

- 7.1 The most recent application (reference 17/00099/FUL) was granted planning permission on 13 March 2017. The scheme was very similar to the current proposal in terms of design but comprised 2 no. one bed flats and 7 no. two bed flats with associated parking and amenity space to the rear. The layout of the current proposal is very similar to the approved scheme; the design of the building has not changed externally and the overall height, gable features facing Stanwell Road and Chaucer Road, the fenestration and use of private balconies, remain the same.
- 7.2 The main difference between the two schemes is the internal layout of the second floor and mix of flat sizes. There have also been some changes to the site layout to create an additional parking space and increased private amenity space for two of the ground floor units.
- The most recently approved scheme was for:
1. 2 no. one bed and 7 no. two bed flats with 13 parking spaces
- The proposed scheme is for:
2. 5 no. one bed flats and 5 no. two bed flats with 14 parking spaces
- 7.3 Compared with the last approved scheme, the layout, footprint, massing, height and location of windows have not changed with the current revised scheme. The external changes relate to an additional parking space, insertion of two privacy screens on the northern elevation and an increase in the size of two patios.
- 7.4 Like the previous proposal, the scheme under consideration has been designed to pick up on features of the adjacent listed building whilst maintaining its own distinct identity. It is considered that the staggered gables, balconies and choice of materials would not cause harm to the setting of the listed building and that it would represent an improvement over the existing industrial looking building on site.

#### Design, Appearance and Visual Impact

- 7.5 The building has been designed to address both the Stanwell Road and Chaucer Road frontages. The Stanwell Road frontage would include staggered gable ends with glass balconies at first floor level. The gables would be staggered in such a way that on the corner of Stanwell Road and Chaucer Road the gable would be set back from the junction and would allow the building to 'turn the corner' into Chaucer Road. The Chaucer Road frontage would again feature a gable end to help link the whole building together. The overall design, form and choice of materials would give the building a contemporary feel, albeit with a pitched roof and strong gable features. The building would have an area of flat roof, but this would be mostly obscured by the pitched roofs and it is not considered it would be viewed from within any street aspect as a flat roof structure.
- 7.6 The proposed building would have a smaller footprint than the existing building. The existing building has a shallow pitch over with a maximum height of 7.31m. The proposed building would have a maximum height of 8.9m. Whilst this is clearly higher than the existing, due to the significantly reduced footprint it is considered the increase in height would not have an unacceptable impact on the streetscene. The height of the building would not appear out of context within both the Stanwell Road and Chaucer Road frontages and would not 'compete' with the adjacent church in terms of scale. As set out in paragraph

- 7.3 the height of the current proposal is the same as the previous proposal and it is considered the scale of the building when viewed in relation to the whole site and its parking, amenity and landscaped areas would be acceptable.
- 7.7 The proposal would respect the building line within both Stanwell Road and Chaucer Road. The element closest to no. 104 Stanwell Road (the adjoining detached dwelling to the north) would be in line with the frontage of that property before stepping out slightly to the first of three staggered gable frontages. The northernmost gable would be set forward of the prevailing building line and the other two gables would be set in line with no. 104 Stanwell Road and then further back, respectively. The corner closest to no. 106 Stanwell Road (the dwelling to the south on the other side of Chaucer Road) would be set behind the front elevation of this building. The gable feature on Chaucer Road would be slightly forward of the prevailing building line but the majority of this frontage would be broadly in line with the properties on the northern side of the street.
- 7.8 It is therefore considered that the proposal would be of a layout and form that would respect the character of the area and that it would successfully address the prominent corner plot. The building would be of a comparable height to the adjoining dwellings and its contemporary design and choice of materials including red brick would help to reflect the red brick of the adjacent church, whilst the more modern materials such as the glass balustrades would help the building maintain its own identity.
- 7.9 Like the previously approved scheme the proposal would include habitable accommodation within the roof. In order to provide sufficient light to these rooms a number of rooflights have been included. The rooflights have been positioned symmetrically and it is considered that the design of the roof would not appear out of scale with the host building. The proposal would include an area of flat roof and it is considered that this would not be so visually prominent as to cause harm to the wider area. It should be noted that the existing building has two parapet roof edges on both flanks which give the impression of a flat roof and that the adjoining church hall building has a flat roof section. It is therefore considered that the flat roof element would be an acceptable design form in this location.
- 7.10 The proposed shared amenity area would be located in the north east corner of the site and would be relatively well screened from the surrounding area so as not to feel unacceptably overlooked. The proposal would include a landscaped frontage along both Stanwell Road and Chaucer Road and would retain an existing tree located at the front of the site.
- 7.11 The proposed parking area would be located to the rear (east) of the proposed building. It would include a total of 14 spaces, one of which would be a disabled parking space. It is considered its position to the rear of the building would be acceptable and that it would not lead to the parking area having a dominant appearance on the site. The car park would be partially screened by the building and landscaped planting, which can be controlled by a condition.

#### Residential Amenity

- 7.12 The proposed building would have an acceptable impact upon the amenities of the adjoining neighbouring properties. The scheme would not have an overbearing impact and would not result in an unacceptable loss of light to the adjoining properties. The nearest existing residential property to the proposed

building is no. 104 Stanwell Road which is a detached property to the north of the site. Whilst the existing building, Headline House, is lower, it is located directly on the boundary of the site, whereas the proposed building would be set in from the boundary by 1.3m. There is also an access road which runs between the application site and no. 104 which serves a trio of garages. The 45 and 25 degree lines are used as a guide to ensure that new development does not block light reaching the windows serving habitable rooms and the proposal would not infringe either a vertical or horizontal 45 degree line when measured from the closest windows serving habitable rooms of the adjoining dwellings. The 25 degree line would not be infringed from any fronts or rears of adjoining dwellings.

- 7.13 Along Stanwell Road the proposed ground and first floors would have full height windows with private patios at ground floor and balconies at first floor. These windows would allow the maximum amount of natural light into habitable rooms and provide an outlook to the adjacent church. There would also be full height windows at ground and first floor level along Chaucer Road. To ensure no loss of privacy to no. 106 Stanwell Road, situated on the south side of Chaucer Road, the two clear glazed first floor windows in this elevation have been positioned to avoid views into the rear garden of the neighbouring property. One second floor window is proposed in the gable, however this will be obscure glazed. There would be no clear glazed window openings on the northern flank elevation closest to no. 104 Stanwell Road that could give rise to unacceptable overlooking. The rear elevation would feature ground and first floor full height windows and the first floor units would also be served by balconies which would overlook the shared amenity area. It is considered that these rear facing windows and balconies would not lead to an unacceptable loss of privacy to the adjoining dwellings due to their separation. The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (2011) sets out minimum separation distances. The proposal would have a separation distance of over 17m which exceeds the minimum of 13.5m set out in the SPD.
- 7.14 Objections have been raised by some local residents to the positioning of balconies and their impact on the privacy of the neighbouring properties. The proposed balconies would be situated a minimum of 16.5m from the nearest property in the direction they face and privacy screens would be required to prevent overlooking sideways which is considered acceptable. Furthermore, balconies were approved in these locations in the previous scheme and were considered acceptable and the current balconies will have the same impact. It is therefore considered that the impact is acceptable and that refusal can be justified on these grounds.
- 7.15 It is considered that due to their angle, the proposed rooflights would not constitute a third story in terms of assessing overlooking impact, and that they would not lead to unacceptable overlooking due to their skyward orientation.
- 7.16 With regards to the amenity of the future occupiers of the proposed ten flats, it is considered that the proposal would provide an acceptable level of residential amenity. The Department for Communities and Local Government's Technical housing standards (March 2015) sets out minimum floor areas for new units which each unit would comply with or exceed. The flats would be well provisioned with windows to allow natural light and rooms within the roofspace would be served by rooflights.



- 7.17 The scheme would require a minimum of 225m<sup>2</sup> of amenity area to fulfil the minimum amenity standards set out in the SPD. The proposal would exceed this by providing a communal garden, 5 no. balconies and 4 no. patios for a total of 229.3 m<sup>2</sup> of amenity space.

#### Housing Size, Type and Density

- 7.18 All the ten proposed units would be 1 or 2 bed units and so would comply with Policy HO4 which requires new development of over four units to provide at least 80% of new units as one or two bedroom units.
- 7.19 The proposed site has an area of 0.094ha and would have a density of 106 dwellings per hectare. The high density is a result of the proposed units being 1 and 2 bed flats with shared amenity space (compared for example to larger dwellings with private gardens). Whilst this is above the recommended range of 35 to 55 dwellings per hectare, Policy HO5 states that higher density development 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. The development complies with Policy EN1 (as explained above) and is also in a location accessible by non-car based travel, for example Ashford railway station is situated only 400m from the development (approx. 5 minutes away on foot) and the nearest bus stops are approx. 110m (approx. 2 minutes on foot) on Woodthorpe Road.

#### Parking

- 7.20 The proposal would provide a total of 14 off street parking spaces which would be located to the rear of the building. This would comply with the minimum parking requirements for a development of this size as required by the Council's Parking Standards Supplementary Planning Guidance (1.25 spaces per one bed unit and 1.5 spaces per two bed unit: 1.25 x 5 + 1.5 x 5 = 13.75). The proposal would provide a total of 10 secure cycle parking spaces within the main building which complies with the required one cycle space per flat.

#### Impact on the Adjacent Listed Building

- 7.21 Section 66 of the Listed Building Act 1990 requires a planning authority to have 'special regard' to the desirability of preserving a listed building and its setting. The application site is opposite the Grade II listed building St Hilda's Church which is a red brick building that was completed in 1928 featuring high gable ends. Any proposal for new development should demonstrate that it would not harm the building or its setting. The proposed building has been designed with staggered gable frontages to add both visual interest to the building and to reflect the large gable end of this part of the listed church facing the application site and in ancillary elements of that building. The use of strong gable features and of red brick within parts of the proposed frontage would pay regard to those design features and materials within the church, and the modern materials such as the glass balustrades would contrast and allow the new building to maintain its own identity. The National Planning Policy Framework (the NPPF) states that any harm caused to a Grade II listed building should only occur in exceptional circumstances. It is not considered that the proposal would cause harm to the listed building but rather that the proposal would serve to significantly improve the setting of the listed building by the removal of the 1980s factory building with no comparable design merit.

and replacement with a sympathetic design which would enhance the setting of St Hildas Church.

- 7.22 The Council's Heritage and Conservation Area Officer has raised no objections to the proposal and stated that: *I previously supported the approved scheme as being appropriate to the corner site and as not being harmful to the setting of the nearby listed church building. The current scheme is similar to the approved one but has now managed to accommodate an extra apartment in the roof space. This is good use of available space and does not prejudice the acceptability of the recently approved scheme.* It is therefore considered that the proposal will have no detrimental effects on the setting of the nearby Grade II listed church.

#### Impact on Existing Trees

- 7.23 The Council's Tree Officer has been consulted and any comments will be reported orally at the committee meeting. However, it is worth noting that the tree officer raised no objections to the previous proposal and its impact upon the existing trees on the site, subject to the imposition of a condition to ensure that the trees are not damaged during construction. The proposed planting can be agreed by the imposition of a suitable planning condition.

#### Need for Housing

- 7.24 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.
- 7.25 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 the NPPF).
- 7.26 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD (February 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 (November 2015)). On the basis of its objectively assessed housing need the Council is unable to demonstrate a five-year supply of deliverable sites.
- 7.27 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.
- 7.28 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 should be given to the merits of this development. There are no significant adverse impacts from this proposal and given that it will meet our acknowledged housing shortfall, it is considered that planning permission should be granted.

#### Local Finance Considerations

- 7.29 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.
- 7.30 In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate approximately £8301 in CIL Payments. This will be at a rate of £140 per square metre of new floorspace. This is a material consideration in the determination of this planning application. 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

- 7.31 With regard to the Crime Prevention Officer's comments, I do not consider it is appropriate to impose a condition, as requested, relating to "Secured by Design". Many of the requirements are very detailed (e.g. types of laminated glazing and window locks), elements which are not normally covered and enforced under the planning regulations. Conditions are to be imposed requiring an external lighting scheme to be implemented, partly for security purposes, and that a secure and satisfactory cycle parking area is provided. However, a copy of the officer's response has been forwarded to the applicant and it is proposed to add a relevant informative to the decision notice (see below).
- 7.32 The County Highway Authority has raised no objection to the proposal on highway grounds and has requested that relevant conditions and informatives are attached to the decision notice to ensure that the proposal has an acceptable impact on highway safety.
- 7.33 A renewable energy statement was submitted with the application and the Council's Environmental Sustainability officer is satisfied that the renewable energy requirement will be met. It is recommended that a condition is imposed to ensure that no development shall commence until details have been submitted demonstrating how 10% of the energy requirements generated by the development will be achieved utilising renewable energy methods to meet the Council's requirements.
- 7.34 An objection has been received from SCAN that the units have not been designed to provide access and facilities for wheelchair users. The proposed parking involves one disabled parking space and the applicant has advised that accessible approaches and level thresholds have been incorporated into the new building. In addition, external and internal circulation, including minimum door, corridor and stair dimensions, together with cloakroom

requirements are all in compliance with Part M of the Approved Building Regulations. It is also noted that under the Equalities Act 2010, which is separate legislation from planning, a duty of responsibility is placed on the owner of the premises to provide facilities for disabled persons to access a building. In addition, the building will be subject to building control regulation. It is recommended that an informative is to be attached to the decision notice advising the applicant of the duty to make adjustments to the property under the Equalities Act to make it accessible to disabled people.

- 7.35 Third party representations have also raised concern about the impact of the proposal on noise. The proposed building would have to meet building regulation requirements in terms of noise insulation and it is not considered that a residential development of this size would generate unacceptable levels of noise sufficient to justify refusal.
- 7.36 The proposal is not substantially different to the most recently approved scheme for this site (reference 17/00099/FUL). It is considered that it would have an acceptable impact on the character of the area and the adjacent Grade II listed building. The proposal would provide sufficient on-site car parking to meet the Council's standards and the site's location close to Ashford town centre would be considered sustainable and encourage non-car based travel.
- 7.37 Accordingly the application is recommended for approval.

## **8. Recommendation**

- 8.1 The application is recommended for approval 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: L2436/LP Revision A; L2436/20; L2436/21; L2436/22 received 11 May 2017, and L2436/23 Revision B and L2436/24 Revision B received 4 September 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(s) and surface material for parking areas 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. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the

positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details and 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. No development shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development. In accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. The measures set out in the Arboricultural report (ref: APA/AP/2017/091) be adhered to at all times, and any variation be submitted to and agreed in writing by the Local Planning Authority

Reason:- To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

7. Before any development commences, 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.

Reason:- To safeguard the amenity of neighbouring residential properties and in the interest of security.

8. No demolition, site clearance or building operations shall commence until protective fencing consisting of weld mesh panels on a scaffold framework as shown in Figure 2 of BS5837 2012 has been erected around each tree or tree group to be retained on the site in accordance with details to be submitted to and approved by the Local Planning Authority before any work on the development hereby permitted is first commenced, such details to include trenches, pipe runs for services and drains. Such fencing shall be maintained during the course of the development and no storage of materials or erection of buildings shall take place within the fenced area.

(b) The destruction by burning of materials shall not take place within 6 m (19 ft 8 ins) of the canopy of any tree or tree group to be retained on the site or on land adjoining.

Reason:- To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and En1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

9. Prior to the occupation of the development hereby permitted the ground and first floor kitchen/dining windows in the most northern side elevation and the second floor kitchen window in the most southern Chaucer Road elevations shall be obscure glazed and be non-opening to a minimum height of 1.7m above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. These windows shall thereafter be permanently retained as installed.

Reason:- To safeguard the privacy of the adjoining properties in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

10. Notwithstanding the details shown on the submitted drawings, prior to the occupation of the dwellings privacy screens shall be installed on the northern side of the east-facing and west-facing balconies of the most northern first floor unit, and the eastern side of the north-facing balcony of the most eastern first floor unit in accordance with details to be submitted and approved in writing by the Local Planning Authority. These details shall provide privacy screens measuring at least 1.8m in height which shall be installed prior to the first use of the balconies and thereafter retained.

Reason:- To safeguard the amenity of neighbouring residential properties.

11. Prior to the occupation of the building the enclosed cycle storage facility shall be provided on the site in accordance with the approved plans and thereafter shall be maintained as approved.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC3 (Parking) of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

12. Notwithstanding the submitted plans the development hereby approved shall not be first occupied unless and until the existing vehicular access to Chaucer Road has been modified and provided with tactile paving in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, all to be permanently retained.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 (highway safety) and CC3 (parking) of

13. No new development shall be occupied until three car parking spaces have been provided with electric vehicle trickle charging points in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The trickle charging points shall be used and retained exclusively for their designated purpose.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC3 (parking) of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

14. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking areas shall be retained and maintained for their designated purposes.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 (highway Safety) and CC3 (Parking) of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

15. The development hereby approved shall not be first occupied unless and until the existing vehicular access to Chaucer Road has been modified in accordance with the approved plan, and redundant sections of the existing access have been reinstated to kerb and footway, all to be permanently retained.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC2 (highway Safety) and CC3 (Parking) of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

16. No development shall commence until a Construction Transport Management Plan has been submitted to and approved in writing by the Local Planning Authority, containing details of:

- a) Parking for vehicles of site personnel, operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials
- d) Provision of boundary hoarding behind any visibility zones
- e) Measures to prevent the deposit of materials on the highway

The Construction of the development shall be implemented in accordance with the agreed Construction Transport Management Plan.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy

Framework 2012 and policy CC2 (highway safety) and CC3 (parking) of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

17. The proposed hardstanding area shown on the submitted plan shall be constructed to be permeable, or be designed to run off to a permeable surface within the site, in accordance with details to be submitted to, and approved in writing by the Local Planning Authority before the commencement of the development. The hardstanding area shall be completed and maintained in accordance with the approved details.

Reason:- To minimise the risk of flooding from surface water runoff.

18. No development shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason:- To ensure that the development is sustainable and complies with policies SP7 and CC1 of the Spelthorne Core Strategy and Policies Development Plan Document February 2009.

19. That within 3 months of the commencement of any part of the development period, or any 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 details hereby approved, and thereafter 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.

20. No development shall take place until:

(i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site has been submitted to and approved in writing by the Local Planning Authority.

(ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.



- (iii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without express written agreement of the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

#### NOTE

The requirements of the above condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected by Contamination: Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk).

- 21. Prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

#### NOTE

The requirements of the above condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected by Contamination: Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk).

#### INFORMATIVES TO APPLICANT

- 1. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land

Drainage Act 1991. Please see <http://www.surreycc.gov.uk/people-and-community/emergency-planning-andcommunity-safety/flooding-advice/ordinary-watercourse-consents>.

2. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damages the highway from unclean 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).
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
  - a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
  - b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels'
  - c) Deliveries should only be received within the hours detailed in (a) above;
  - d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses included the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
  - e) There should be no burning on site;
  - f) Only minimal security lighting should be used outside the hours stated above; and
  - g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme ([www.ccscheme.org.uk/index.php/site-registration](http://www.ccscheme.org.uk/index.php/site-registration)).

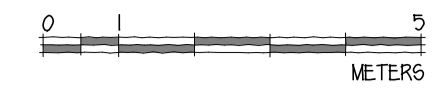
5. The applicant is advised that the essential requirements for an acceptable communication plan for surrounding properties forming part of a Method of Construction Statement are viewed as:

- a) How those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
  - b) How neighbours will be notified prior to any noisy/disruptive work or of any significant changes to the site activity that may affect them;
  - c) The arrangements that will be in place to ensure a reasonable telephone response during working hours;
  - d) The name and contact details of the site manager who will be able to deal with complaints; and
  - e) How those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.
6. The applicant is reminded that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant ensures that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate or combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be reached on 0800 009 3921. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
  7. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at [www.securedbydesign.com](http://www.securedbydesign.com).
  8. The applicant is recommended to install a dropped kerb outside the bin storage and hatched lines be placed kerbside to ensure that the bins can be safely transported up and down the footpath to be emptied.
  9. The applicant's attention is drawn to the Equalities Act 2010, which requires the property to be accessible to disabled people.
  10. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately

If you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development.

Further information on CIL and the stages which need to be followed is available on the Council's website. [www.spelthorne.go.uk/CIL](http://www.spelthorne.go.uk/CIL).





- NOTES
- 1 THE CONTRACTOR IS RESPONSIBLE FOR ALL GETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
  - 2 WRITTEN DIMENSIONS ONLY TO BE TAKEN THIS DRAWING MUST NOT BE SCALED
  - 3 THE ARCHITECT IS TO BE IMMEDIATELY NOTIFIED OF SUSPECTED OMISSIONS OR DISCREPANCIES

TREES TO BE PROTECTED & RETAINED INDICATED THIS (REFER TO APARBORICULTURE REPORT FOR T1 - T5)

DOTTED LINE INDICATES OUTLINE OF APPROVED SCHEME

SHARED AMENITY SPACE 172.3m<sup>2</sup> PLUS 2% BALCONIES & 27m<sup>2</sup> AND 4% PATIOS @ 24.0m<sup>2</sup> GIVES TOTAL = 224.3m<sup>2</sup> (REQUIRED 222m<sup>2</sup>)

NORTHERN & EASTERN BOUNDARIES TO BE FORMED FROM EXISTING BRICK WALL REDUCED TO 2m HEIGHT WITH BRICK COPING

REFER TO APARBORICULTURE REPORT FOR T1, T2 & T3 LOCATIONS HERE

BOUNDARIES TO STANWELL ROAD & CHAUCER ROAD TO BE 750mm HIGH METAL RAILINGS WITH HEDGING BEHIND

ALTERED VEHICULAR ACCESS FROM CHAUCER ROAD HERE

GENERAL NOTES:

- PROPOSED 2 STOREY BUILDING TO PROVIDE 10% FLATS 2% x 1 BED AND 2% x 2 BED
- 14% CAR PARKING SPACES PROVIDED (REQUIRED 14%)
- AMENITY SPACE PROVIDED 224.3m<sup>2</sup> (REQUIRED 222m<sup>2</sup>)
- CYCLE SPACES PROVIDED 10% (REQUIRED 10%)
- BIN ENCLOSURE PROVIDED TO LA REQUIREMENTS
- COMPOST BINS, WASHING LINES & WATER BUTTS TO BE PROVIDED
- GENERAL PURPOSE (MT) BOXES TO BE PROVIDED
- ACCESS PATHS TO BE PAVED WITH FALLS TO MEET BUILDING REGULATION AD PART M

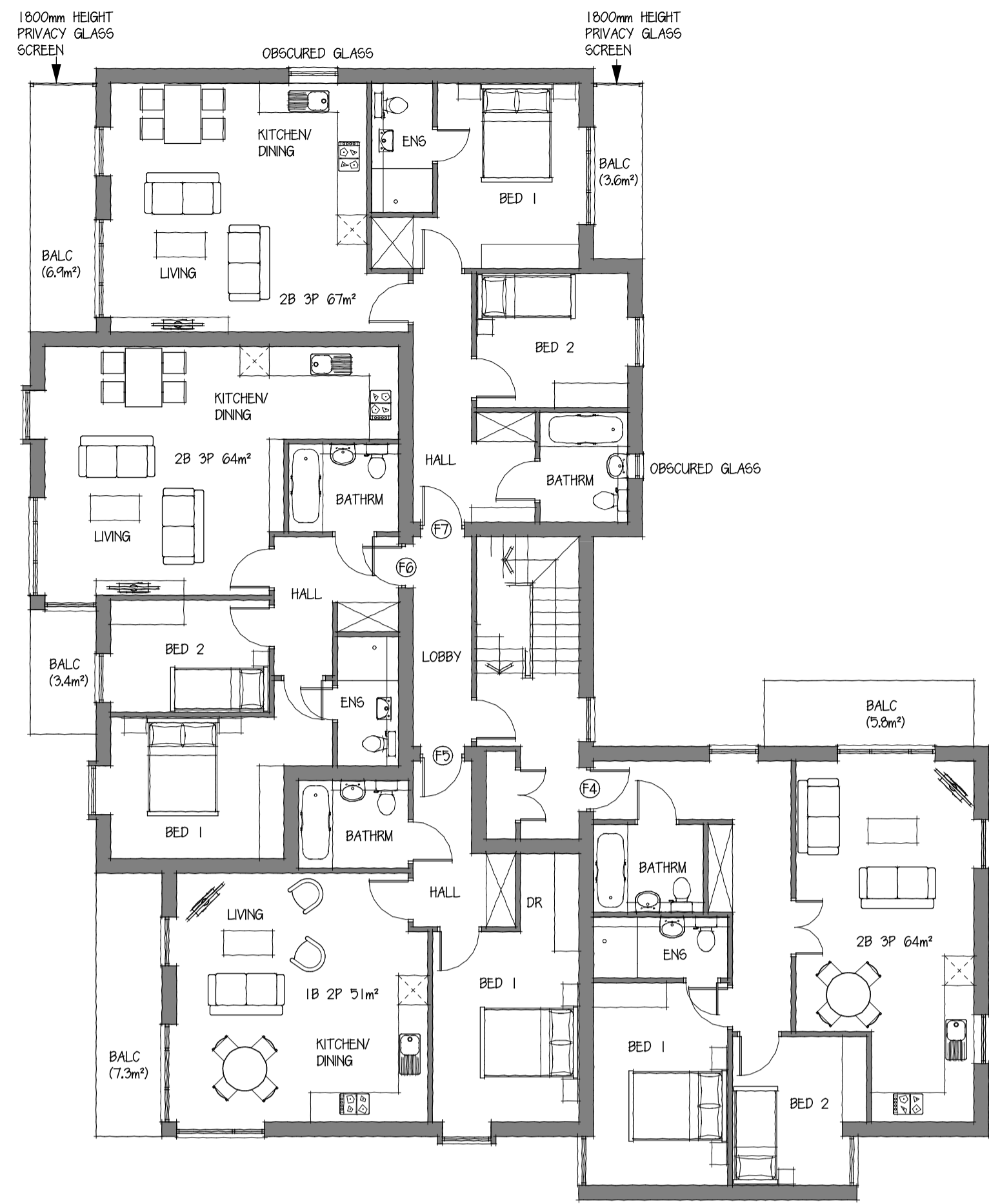
B PARKING, BINS, PATIOS & NOTES AMENDED KMD 01/09/17  
 A BOUNDARY WALL NOTE AMENDED TO 2m HEIGHT KMD 10/09/17  
 REVISION CHECKED DATE

**ROBERT DAVIES JOHN WEST LIMITED**  
 RIBA Chartered Practice  
 The Courtyard 59 Church Street  
 Staines upon Thames Middx TW18 4XS  
 Tel: 01784 459211 E-mail: info@rdjwtd.com

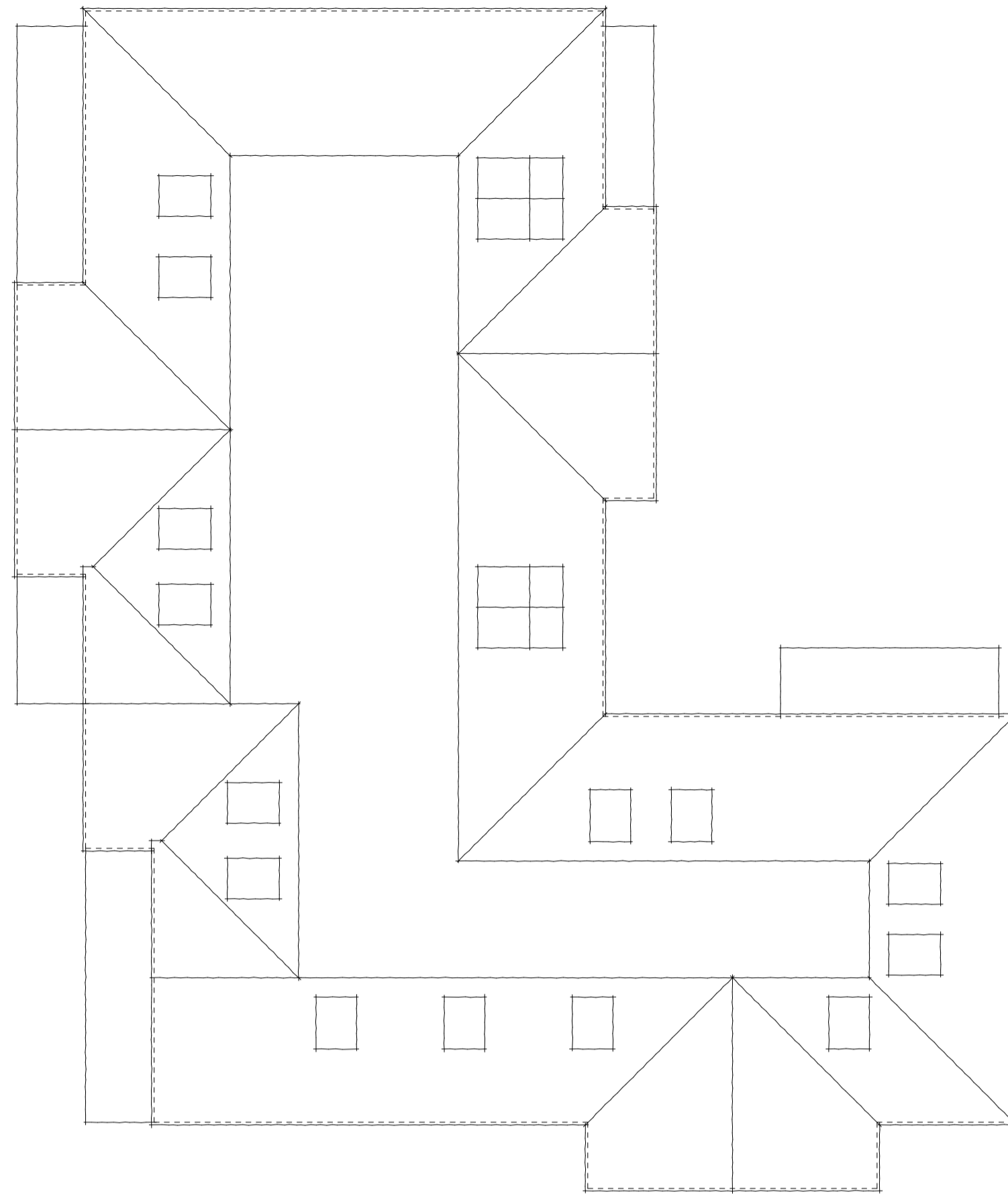
DATE: 02/04/17  
 SCALE: 1:100 @ A1  
 DRAWN: JY  
 CHECKED: KMD  
 PROPOSED DEVELOPMENT, HEADLINE HOUSE ASHFORD  
 PROPOSED SITE LAYOUT

DNW NO: **L2436/23** REV B





FIRST FLOOR PLAN

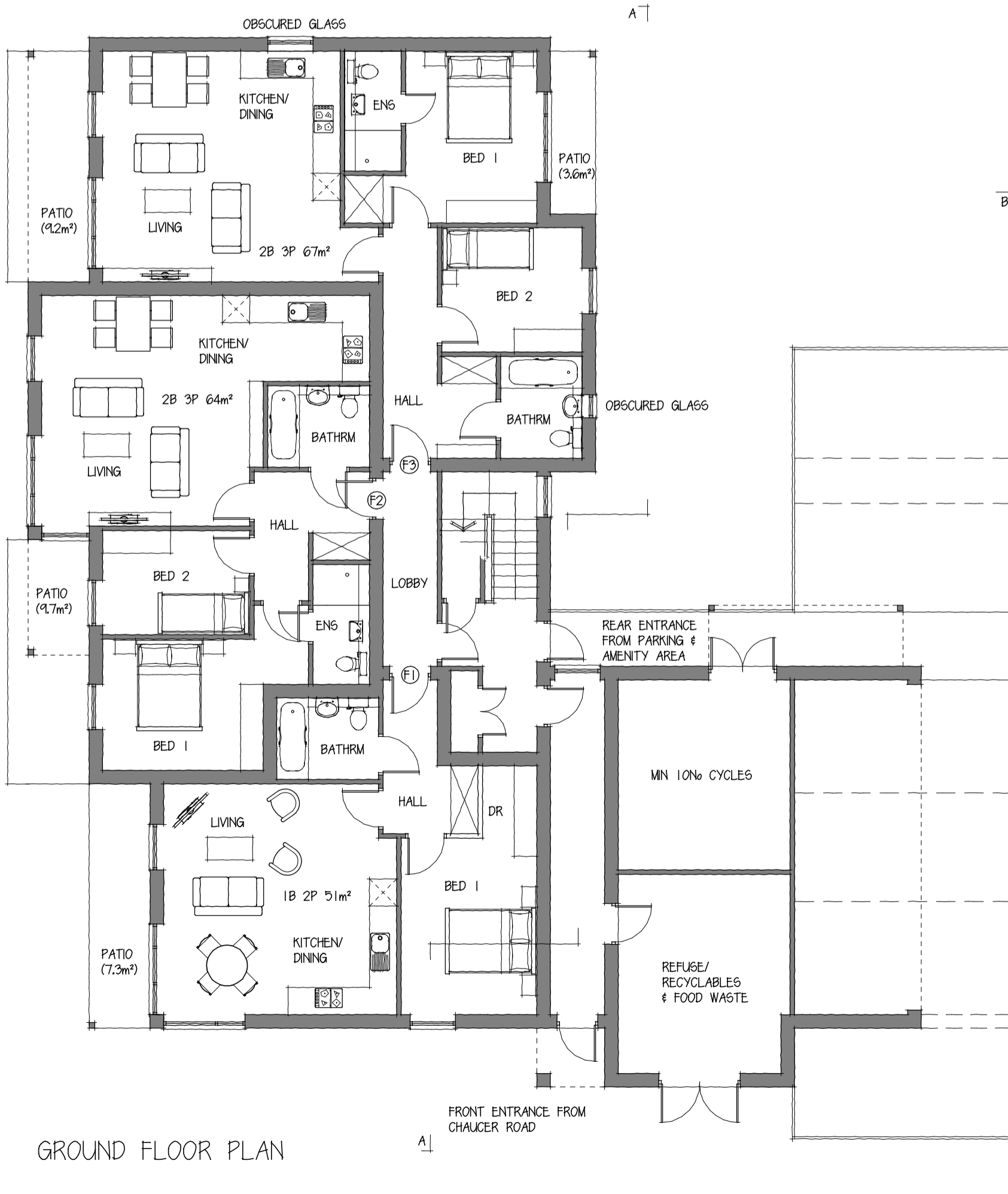


ROOF FLOOR PLAN

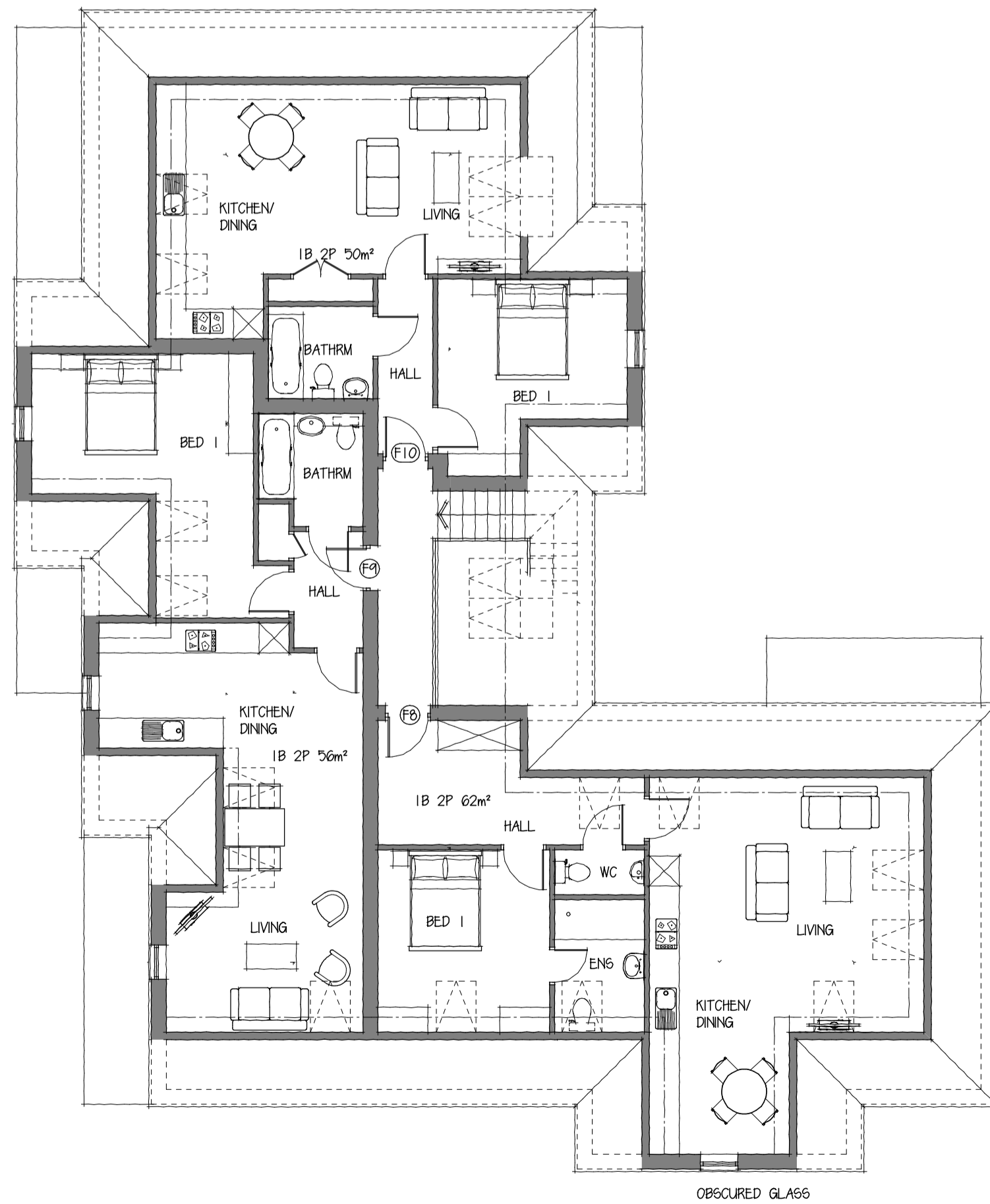
FOR EXTERNAL MATERIALS PLEASE REFER TO DRWG L2436/07 LATEST REVISION



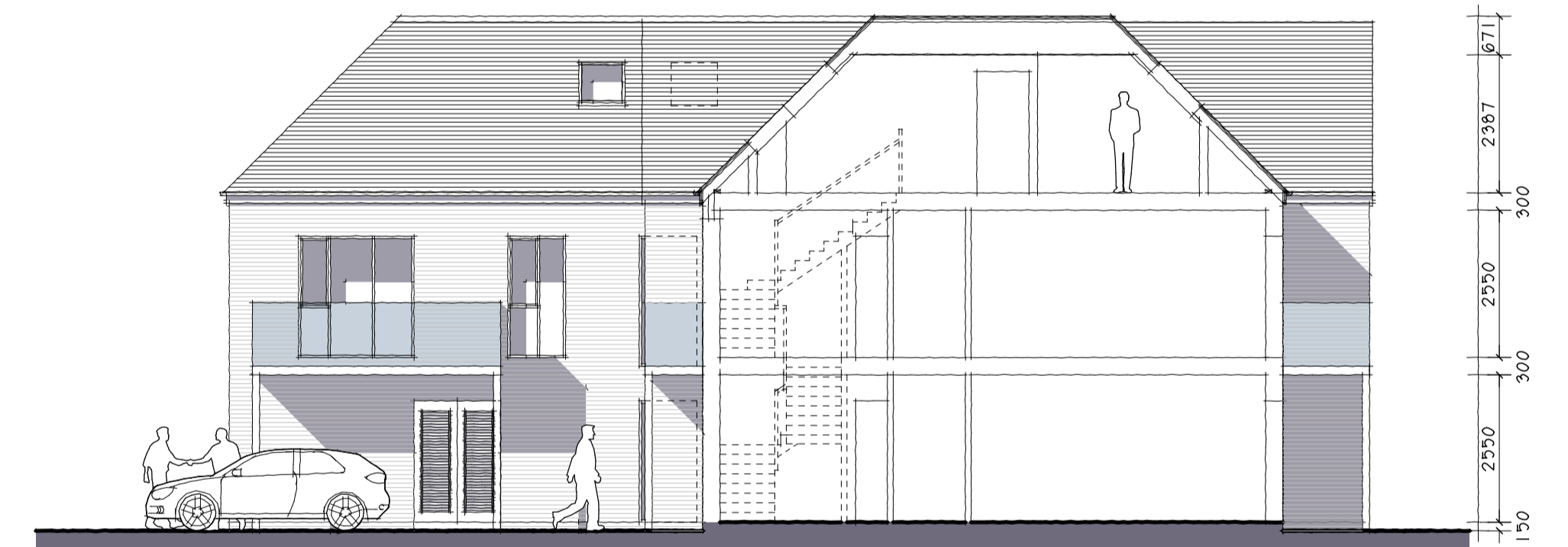
SECTIONAL ELEVATION AA



GROUND FLOOR PLAN



SECOND FLOOR PLAN



SECTIONAL ELEVATION BB

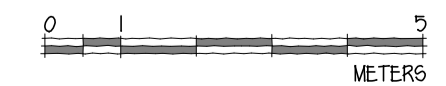
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B PATIOS & BRG AMENDED KMD 01/09/17  
 A FURNITURE & KITCHENS ADDED TO 2ND FLOOR KMD 10/05/17  
 REVISION CHECKED DATE

**ROBERT DAVIES JOHN WEST LIMITED**  
 RIBA Chartered Practice  
 The Courtyard 59 Church Street  
 Staines upon Thames Middx TW18 4XS  
 Tel: 01784 459211 E-mail: info@rdjwld.com

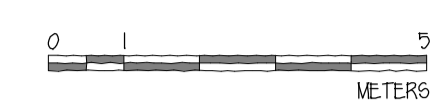
DATE: 28/11/16  
 SCALE: 1:100 @ A1  
 DRAWN: KMD  
 CHECKED: AJ  
 PROPOSED DEVELOPMENT,  
 HEADLINE HOUSE  
 ASHFORD  
 PROPOSED FLOOR PLANS  
 & SECTIONAL ELEVATIONS

DRWG NO: **L2436/24** REV: **B**





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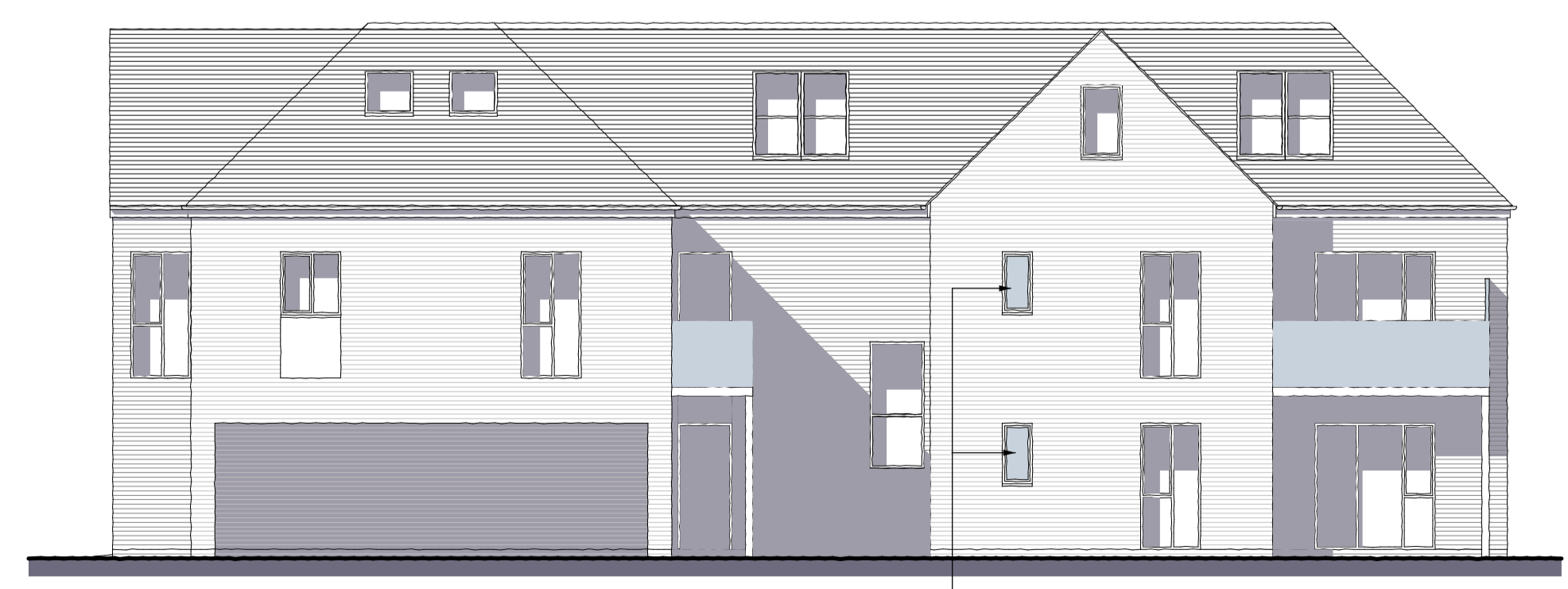


WEST ELEVATION (STANWELL ROAD)

EXTERNAL MATERIALS:  
 ROOF - PITCHED 45° FINISH PLAN TILES  
 PRE-FINISHED FASCIAS, SOFFITS & BARGE BOARDS, COLOUR LIGHT GREY  
 DOWNPIPES & GUTTERS - GALVANISED LINDBLAD  
 WALLS - BUFF & RED BRICK AS INDICATED  
 WINDOWS AND DOORS - GREY POWDER COATED ALUMINIUM  
 BATHROOMS & ENCLAVES TO BE OBSCURED GLAZING AS INDICATED  
 GREY METAL LOUVER DOORS TO CYCLE & BIN STORES  
 BALCONIES - STEEL FRAME WITH GLASS BALUSTRADES AS INDICATED  
 OBSCURED GLAZING SHADED THIS:



SOUTH ELEVATION (CHAUCER ROAD)



EAST ELEVATION



NORTH ELEVATION

REVISION CHECKED DATE

**ROBERT DAVIES JOHN WEST LIMITED**  
 RIBA Chartered Practice  
 The Courtyard 59 Church Street  
 Staines upon Thames MIDDLESEX TW20 4XS  
 Tel: 01784 459211 E-mail: info@rdjwtd.com

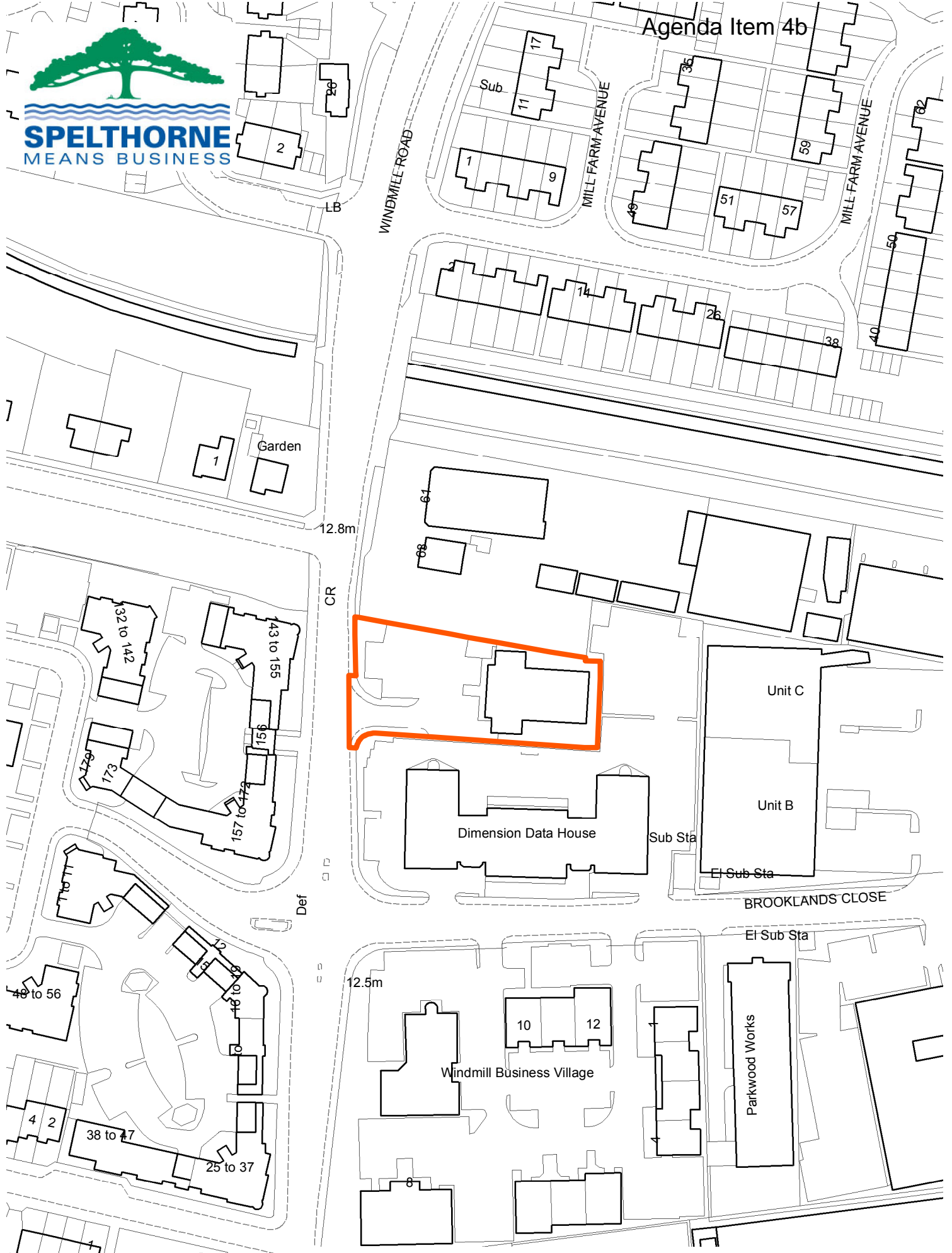
DATE: 05/05/17  
 SCALE: 1:100 @ A1  
 DRAWN: CL  
 CHECKED: KMD  
 PROPOSED DEVELOPMENT,  
 HEADLINE HOUSE  
 ASHFORD  
 PROPOSED ELEVATIONS

DWG NO: **L2436/25** REV: -





Agenda Item 4b



Monkey Puzzle – 17/00366/FUL.

Scale 1:1,250

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# Planning Committee

20 September 2017



<b>Application No.</b>	17/00366/FUL		
<b>Site Address</b>	Monkey Puzzle House, 69-71 Windmill Road, Sunbury		
<b>Proposal</b>	Alterations and extension to existing building to provide 14 apartments (12x2 bed and 2x3 bed)		
<b>Applicant</b>	Monkey Puzzle Holdings Ltd		
<b>Ward</b>	Sunbury Common		
<b>Case Officer</b>	John Brooks		
<b>Application Dates</b>	Valid: 6.3.2017	Expiry: 5.6.2017	Target: Over 8 weeks
<b>Executive Summary</b>	<p>The proposal involves the extension and conversion of the existing premises to provide 14 flats. A Prior Approval application was agreed in September 2-0116 for the conversion to 16 flats and therefore the principle of the change of use has already been established.</p> <p>The scheme will meet a pressing need for additional housing in the Borough.</p> <p>The extension of the premises is in design terms consistent with other more modern buildings in the vicinity and also reflects the existing material in the current building. There are no adverse amenity or highway impacts and the scheme complies with the Council's policies for parking and amenity space.</p>		
<b>Recommended Decision</b>	Approve		



## 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:

- SP2 (Housing provision)
- HO1 (Providing for New Housing Development)
- HO4 (Housing Size and type)
- HO5 (Density of Housing Development)
- EM1 (Employment Development)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

### 2. **Relevant Planning History**

15/00758/CLD – Certificate of Lawfulness application for existing use of the building as B1a (Offices). Certificate Granted 11 August 2015.

16/01179/PDO – Prior approval for the change of use from Office (Class B1a) to 16 residential flats (Class C3) comprising 4x1bed and 12x2 bed flats. Prior Approval Granted 26 Sept 2016.

### 3. **Site Description**

3.1 The site is 0.17ha and is located on the east side of Windmill Road, opposite International Way (a large residential estate) and just north of the signalised junction of Windmill Road with Brooklands Close. Immediately to the south of the site is an office building occupied by RBS and to the north of the site is a factory with outside storage occupied by River Plastics. Further to the east is a car park associated with commercial premises within the Windmill Trading Estate. The site has direct access onto Windmill Road.

### 4. **Description of Current Proposal**

4.1 The proposal involves the extension of the existing office premises by the removal of the pitched roof and creation of a third floor with a flat roof and extending the building forward by some 4.5 metres and conversion to residential use with 14 flats. With a flat roof the building will be 9.5 metres high – some .35metres less than the existing pitched roof. To the front of the

site will be a parking area for 23 cars as well as secure cycle parking for 14 cycles and bin stores. 297m<sup>2</sup> of amenity space will be provided.

4.2 The current building is of a modern design and constructed with red brick and the extension will use materials to match.

## 5. Consultations

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

Consultee	Comment
<b>County Highway Authority</b>	No objection but recommends a planning condition requiring a Construction Transport Management Plan.
<b>Neighbourhood Services</b>	Required dropped kerbs to allow easy movement of refuse bins and some related detailed design adjustments. (These have all been addressed in an amended plan).
<b>Environmental Health (Pollution)</b>	No objections but request conditions relating to mechanical ventilation, charging points for electric cars, cycle parking, an asbestos refurbishment and demolition survey and boiler efficiency.

## 6. Public Consultation

6.1 21 properties were notified of the planning application. No objections were received.

## 7. Planning Issues

- Need for housing and loss of employment
- Design and amenity
- Highways issues and parking
- Air quality

## 8. Planning Considerations

### Need for housing and loss of employment

8.1 In terms of the principle of housing development regard must be had 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* “.

- 8.2 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 (NPPF para 49).
- 8.3 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD (CS&PDPD) -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.
- 8.4 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.
- 8.5 Taking into account the above and adopted policy HO1, which encourages new housing development, it is considered that particular weight should be given to the use of this urban site for housing.
- 8.6 Whilst this proposal will lead to the loss of 998m<sup>2</sup> of employment floor space the principle of the conversion of offices to residential is strongly supported by the government as a means of boosting housing supply. It is for this reason that in 2013 it introduced the Prior Approval process to provide a ‘fast track’ means of facilitating the conversion of offices to residential. Such an application was approved in September 2016 for conversion to 16 units. The existence of this approval is an important material consideration in determining this proposal. For this reason an objection in principle to the loss of these offices could not be sustained.

#### Housing type, size and density

- 8.7 Policy H04 of the CS&P DPD and the Council's Supplementary Planning Document (SPD) on Housing Size and Type seeks 80% of dwellings in development of 4 or more units to be 1 or 2 bed in size. This is to ensure the Borough's overall dwelling stock meets the demands that exist including the greater demand for smaller dwellings. The provision of 4x1 bed and 12x2 bed flats helps to meet this need and therefore the proposed dwelling mix is acceptable.
- 8.8 The government's technical Housing Standards prescribe minimum internal floor space standards for different sizes of dwelling. All of the 14 units proposed exceed these standards and therefore on this point are acceptable.
- 8.9 Policy HO5 of the CS&P DPD sets out general guidance on density although this must be interpreted in the context of the particular mix of dwellings proposed. Whilst the east side of Windmill Road is generally in employment

use the wider area contains some higher density residential development as well and in such an area Policy HO5 indicates a guide density range of 40 to 75 dwellings per hectare. This scheme has a density of 82.3dph and, being a wholly flatted development where higher numerical densities can be achieved, it is consistent with the policy guide range.

#### Design and Appearance

- 8.10 Policy EN1 of the CS&P DPD, which is supported by the Supplementary Planning Document on the 'Design of Residential Extensions and New Residential Development', requires a high standard of design and sub point (a) requires new development to demonstrate that it 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”*
- 8.11 The development is located in a commercial area of limited architectural merit and the existing building is already arguably one of the more attractive structures on this side of the road. The extension and conversion of the premises with additional landscaping will further enhance this site.
- 8.12 Policy EN1 (b) requires that new development *“achieves a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight, sunlight, or overbearing effect due to bulk, proximity or outlook”*.
- 8.13 There are no residential properties in the near vicinity on this side of Windmill road and the converted premises are physically set back and some distance from the residential estate on the opposite side of the road. There is no infringement of this policy.
- 8.14 The scheme is designed with 297m<sup>2</sup> of amenity space which exceeds the minimum requirement of 245m<sup>2</sup>. This provision is acceptable.

#### Highway Issues and Parking

- 8.15 There is already significant commercial use on the site. The current commercial use would generate some 140 vehicle movements a day compared to 112 for the 14 flats proposed. The projected traffic levels at peak times are lower by a slightly greater margin. There can be no traffic based objection to the proposal.
- 8.16 The scheme provides 23 parking spaces which fully complies with the Council parking standards. Cycle parking is also to the Council's standards.

#### Air Quality

- 8.17 The proposed scheme is close to air quality hot spots but it will generate less traffic than existing and therefore have a marginally beneficial effect. The Council's Environmental Health officers have recommended several planning conditions relating to mechanical ventilation, charging points for electric cars, cycle parking, an asbestos refurbishment and demolition survey and boiler efficiency. Other than the condition relating to cycle parking numbers – the scheme already meets the Councils standards and boilers – efficiency levels

are set nationally and to which appliances must comply – all other points are reflected in the conditions or informatives proposed.

#### Other matters - Local Finance Considerations

- 8.18 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. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate a CIL Payments based on a rate of £140 per sq. metre of net additional gross floor space. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

#### Conclusions

- 8.19 The NPPF at para 14 requires permission for housing to be granted unless the impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. There are no significant adverse impacts of this proposal and given it will meet an acknowledged shortfall in housing there is a compelling case to approve.

### **9. Recommendation**

**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: MPS 1,4,5,6 and 16203 - LSX ,E, G, I, R submitted on 6 March 2017 and revised plans MPS 2,3 and 7 submitted on 29 August

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. Prior to occupation of any part of the development permitted 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. That the parking spaces shown on the submitted plan be constructed and the spaces shall be completed prior to the occupation of the dwellings and thereafter the approved facilities together with the means of access thereto shall be maintained as approved, and be reserved for the benefit of the development hereby permitted.

Reason: - To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway(s) and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required, in accordance with policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans to provide secure and covered cycle parking to the satisfaction of the Local Planning Authority and shall thereafter be permanently maintained.

Reason: The condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the National Planning Policy framework.

7. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (h) measures to prevent the deposit of materials on the highway
- (k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway

users, and to accord with the National Planning Policy Framework 2012 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

8. The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:

Bedrooms – 35dB LAeqTT\*, 20dB LAeqTT+, 45dB LAFmax T\*

Living Rooms – 35dB LAeqT+

Dining Room – 40dB LAeqT+

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with policy.

9. Prior to the occupation of the development hereby approved details shall be submitted for the approval of the Local Planning Authority of onsite mitigation measures for mechanical ventilation/ air filtration to protect the occupiers of the development from poor air quality. The development shall not be occupied until such mitigation measures have been provided and shall thereafter be retained with the approved details.

Reason: To provide appropriate protection from potential levels of poor air quality from vehicles in the vicinity.

10. Prior to the occupation of the development hereby approved double headed 7kW charging points shall be installed at the three locations within the car park as shown on Drg No.101. The 7kW charging points shall be retained exclusively for its designated purpose.

Reason: - The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF and to ensure charging points are of sufficient power to enable rapid charging.

### **Informatives to be attached to the planning permission**

1. Access by the Fire Brigade Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings. There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

2. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at [www.securedbydesign.com](http://www.securedbydesign.com).

3 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

4 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

5 Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately. If you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development. Further information on CIL and the stages which need to be followed is available on the Council's website.  
[www.spelthorne.go.uk/CIL](http://www.spelthorne.go.uk/CIL)

6. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

- (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
- (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
- (c) Deliveries should only be received within the hours detailed in (a) above;
- (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
- (e) There should be no burning on site;
- (f) Only minimal security lighting should be used outside the hours stated above; and



(g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - [www.ccscheme.org.uk/index.php/site-registration](http://www.ccscheme.org.uk/index.php/site-registration).

7. The applicant is advised that the essential requirements for an acceptable communication plan for surrounding properties forming part of a Method of Construction Statement are viewed as:

- (a) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
- (b) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
- (c) the arrangements that will be in place to ensure a reasonable telephone response during working hours;
- (d) the name and contact details of the site manager who will be able to deal with complaints; and
- (e) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

### **Article 2(3) Development Management Procedure (Amendment) Order 2012**

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 or made available 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 proactively communicated with the applicant through the process to advise progress, timescales or recommendation.



WINDMILL ROAD



**ACCOMMODATION SCHEDULE:  
GROUND FLOOR**

- UNIT 1 2B/4P @ 80.7 M<sup>2</sup> (868 FT<sup>2</sup>)
- UNIT 2 2B/4P @ 86.5 M<sup>2</sup> (931 FT<sup>2</sup>)
- UNIT 3 2B/4P @ 77.0 M<sup>2</sup> (828 FT<sup>2</sup>)
- UNIT 4 2B/4P @ 86.6 M<sup>2</sup> (932 FT<sup>2</sup>)
- UNIT 5 2B/4P @ 80.7 M<sup>2</sup> (868 FT<sup>2</sup>)

**FIRST FLOOR**

- UNIT 6 2B/4P @ 84.3 M<sup>2</sup> (907 FT<sup>2</sup>)
- UNIT 7 2B/4P @ 86.5 M<sup>2</sup> (931 FT<sup>2</sup>)
- UNIT 8 2B/4P @ 77.0 M<sup>2</sup> (828 FT<sup>2</sup>)
- UNIT 9 2B/4P @ 86.6 M<sup>2</sup> (932 FT<sup>2</sup>)
- UNIT 10 2B/4P @ 84.3 M<sup>2</sup> (907 FT<sup>2</sup>)

**SECOND FLOOR (ADDITIONAL FLOOR)**

- UNIT 11 2B/4P @ 72.1 M<sup>2</sup> (776 FT<sup>2</sup>)
- UNIT 12 3B/5P @ 114.3 M<sup>2</sup> (1230 FT<sup>2</sup>)
- UNIT 13 3B/6P @ 114.4 M<sup>2</sup> (1231 FT<sup>2</sup>)
- UNIT 14 2B/4P @ 72.2 M<sup>2</sup> (777 FT<sup>2</sup>)

12 No 2 BED APARTMENTS  
2 No 3 BED APARTMENTS

APARTMENTS GIFA: 1206M<sup>2</sup> (12,981 FT<sup>2</sup>)

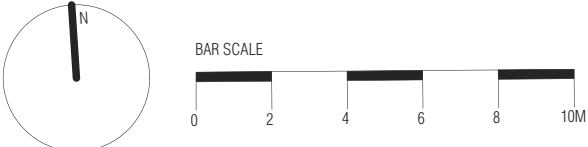
**PARKING:**  
23 SPACES & 14 BICYCLE SPACES

**PLANNING**

Revisions  
A - 29.08.17: Reconfigured security gates allowing clear access to bin stores. Recycling and general refuse separated within bin store. Dropped kerbs noted and bin store reinforced with brick walls/railings and metal frame.

Project <b>MONKEY PUZZLE HOUSE, 69-71 WINDMILL ROAD, SUNBURY-ON-THAMES, TW16 7DT</b>		
Drawing <b>PROPOSED SITE LAYOUT &amp; GROUND FLOOR PLAN</b>		
Drawing No. <b>MPS-03A</b>	Scale <b>1:100 @ A1 / 1:200 @ A3</b>	Date <b>01.03.17</b>

**CLIVE CHAPMAN ARCHITECTS**  
SUSTAINABILITY CONSULTANTS  
4 EEL PIE ISLAND  
TWICKENHAM MIDD  
T W I 3 D Y  
TELEPHONE 020 8891 4837  
EMAIL INFO@CCAR.CO.UK  
WEBSITE WWW.CCAR.CO.UK





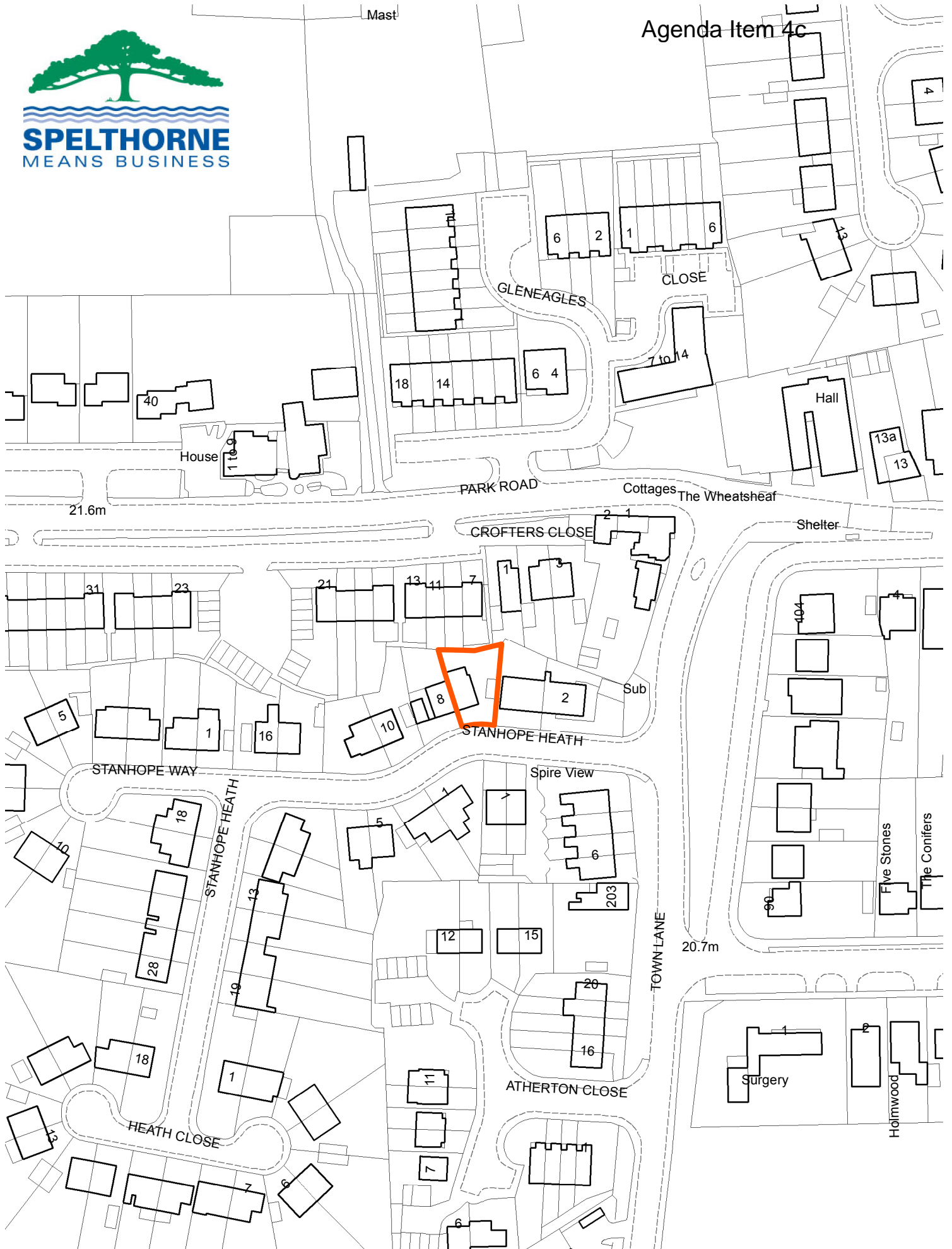






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6 Stanhope Heath, Stanwell – 14/00175/UNDEV.

Scale 1:1,250

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**Planning Committee**

**20 September 2017**



<b>Enforcement Ref:</b>	14/00175/UNDEV
<b>Site Address</b>	6 Stanhope Heath Stanwell TW19 7PH
<b>Breach</b>	Unauthorised conversion of dwelling to three flats
<b>Ward</b>	Stanwell North
<b>Recommended Decision</b>	That an Enforcement Notice be issued to secure the removal of the three unauthorised flats and the property be reinstated as one family dwelling. Such notice to be complied with within 3 months of it taking effect.

**MAIN REPORT**

**1. Background**

- 1.1 The application site is located on the northern side of Stanhope Heath and is an irregular shaped plot occupied by a semi-detached dwelling which has been extended to the side at 2 storey and the rear at single storey. The site is located in the urban area and is characterised by family semi-detached houses.
- 1.2 The breach of planning control relates to the unauthorised conversion of the dwelling into 3 separate residential units.
- 1.3 The conversion has already been carried out and a planning application was submitted on 24 September 2015 at the request of the Council's Enforcement Officers, following the receipt of a complaint. Planning permission has subsequently been refused (Ref 15/01283/FUL) for the conversion of the original dwelling house into 3 flats on 25 July 2017 for the following reason:-

*'The conversion of the dwellinghouse into 3 separate flats is considered to be an overdevelopment of the site that would provide a poor standard of accommodation for its occupants by reason of the lack of internal floor space, lack of usable garden area, poor outlook, lack of parking provision and provision of refuse storage facilities. This results in a poor visual appearance and increased noise and disturbance to neighbouring properties contrary to Policies EN1 and CC3 of the Core Strategy and Policies DPD 2009, the Supplementary Planning Document on the Design of Residential Extensions*

*and New Residential Development 2011, and the Supplementary Planning Guidance on Parking Standards updated September 2011.'*

1.4 Enforcement Notices requiring the removal of the unauthorised residential units are required to be agreed by the Planning Committee because of the potential consequences of making someone homeless.

2. Development Plan

- Within the urban area

3. Relevant Planning History

15/01283/FUL	Conversion of existing property into 3 self-contained flats (retrospective)	Refused 30.05.2017
05/00646/FUL	Erection of a part single-storey, part two-storey side and rear extension.	Granted, 13.10.2006
04/01081/FUL	Erection of a part single-storey, part two-storey side extension incorporating a garage.	Refused 21.12.2004
STAINES/FUL/P3783/2	Erection of a conservatory.	Granted 23.07.1963

4. **Details of complaint and unauthorised development:**

4.1 In 2014 complaints were made about the dwelling being used as residential flats. The applicants were requested to submit a planning application. After some time an application was submitted and eventually sufficient information was provided to make the application valid.

4.2 This building currently has 1 no. 3 bedroomed flat on the first floor and the ground floor is split into 2 flats - one 2 bedroomed flat on the left hand side of the dwelling incorporating the rear extension and one 1 bedroom flat on the right hand side. Each flat is accessed via the main front entrance porch. Each has its own garden area. The area to the side of the dwelling is assigned to the upstairs flat accessed via the gate to the side. The area to the rear of each of the downstairs flats is used by each flat and is separated by a 2m high fencing. There is no provision for refuse storage.

## **5. Planning considerations**

- 5.1 The main planning considerations relate to the impact of the development on the amenity of the occupants living in them and also on the neighbouring area,
- 5.2 The proposal to create 3 flats from one extended family dwelling results in an increase of 2 residential units at the site.
- 5.3 The provision of hard standing to the front of the site for parking, would result in the entire frontage of the dwelling being laid to hardstanding which would be visually poor. There is no provision for the storage of bins. The 3 flats would require more storage than required by one family dwelling and would also need somewhere to store the bins. It is likely they would be stored to the front of the site which would create a poor visual impact, contrary to Policy EN1.
- 5.4 The use of the property as 3 units of accommodation, providing 1 x three bed, 1 x two bed and 1 x one bed is likely to result in more people living at the site and coming and going to the property compared to one family dwelling. As such there is concern about the noise and disturbance caused.
- 5.5 Off street parking is only provided for 1 car at present. The applicants note on their planning application form that they are looking to create another drop kerb for an additional car parking space to the front of the dwelling. However, this would result in a substandard parking space given the small depth of the front of the site between the footpath on the highway and the front of the bay window. There is also a lamp post located in front of the house on the footpath. As such there is not enough space for a car to pull off the highway. In addition this would result in a car being parked directly outside the front bedroom window of the 2 bed flat on the ground floor, creating a poor outlook which adds to the poor level of amenity to the occupiers of the 2 bed roomed flat, which is discussed further below.
- 5.6 The Council's Supplementary Planning Document on parking requires a minimum of 5 spaces for the proposal. (1 bed requires 1.25 spaces, 2 bed requires 1.5 spaces and 3 bed 2 spaces which totals 4.75 rounded up to 5 spaces). In comparison a four bed house would require 2.5 spaces. This proposal falls substantially below this, providing only 1 space. This site is not within a particularly sustainable location and as such there is no reason why parking provision should be below standard. This is a further indication of the overdevelopment of the site.
- 5.7 The units themselves provide 3 flats, a 3 bed unit on first floor with front and rear facing windows with good outlook. However the ground floor flats do not have a good level of outlook with the front windows looking out onto a car parking space directly in front of the bedroom window and fencing located within close proximity to the rear doors out onto a small garden. The 1 bed flat has a very small floor area of some 28 sq. m which falls significantly below the National Technical Standards and the Council's minimum requirement for internal floor space as set out in the Supplementary Planning Document

(SPD) on design of (50 sq. m for a 1 bed flat). It also has a very small garden area.

- 5.8 The 2 bedroomed flat would also have a poor level of outlook. If an additional parking space is created to the front, it would be directly in front of the ground floor front window. In addition the rear facing window, the only other one to the flat, is in close proximity to the rear boundary of the site and as such it again provides a poor level of outlook. This flat is only approx. 50 sq. in internal area and it too fails to meet the National Technical Standards and the Council's minimum size requirement of 61 sq. m. The garden is also very small and of limited use. Three bedroom flats should have a minimum floor area of 74 sq. m, however the proposed one has only approx. 60 sq. m.
- 5.9 The Councils SPD also sets out minimum garden size requirements of 35 sq. m per flat. The spaces provided are very limited in size, have 2m fences surrounding them which results in the space having limited use. Shading by the fences, limited size (all are less than the 35 sq. m required for flats) and the irregular shape means that they only have limited use. While a garden is often a bonus to a flat, in this instance the area contains family dwellings and as such the small gardens are out of character. The proposal is considered to provide substandard level of living accommodation with poor outlook, small internal floor space, limited parking areas and lack of parking. Therefore the proposal provides a poor level of amenity to its occupants and is considered to be an overdevelopment of the site contrary to Policy EN1 of the Core strategy and Policies DPD.
- 5.10 The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol, Article 8 and Article 14 are relevant when considering enforcement action. There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control. In view of the need to enforce planning law for the public good it is not considered that this would contravene the Human Rights Act. Given the harm caused to the amenity of surrounding neighbours due to the unacceptable noise and disturbance, it is considered to be expedient to take enforcement action against this use.
- 5.11 It is therefore recommended that enforcement action be taken to :-
- a) Secure the removal of these unauthorized residential units and conversion back into one dwelling house. However, regard must also be had to the need to give sufficient time for compliance and for existing occupants to find alternative accommodation. A six month period is considered reasonable.

## 6. Recommendation

That an Enforcement Notice be issued requiring the following steps: -

- Cease the unauthorised use of the building as three separate units and for the building to be converted back to one family dwelling.

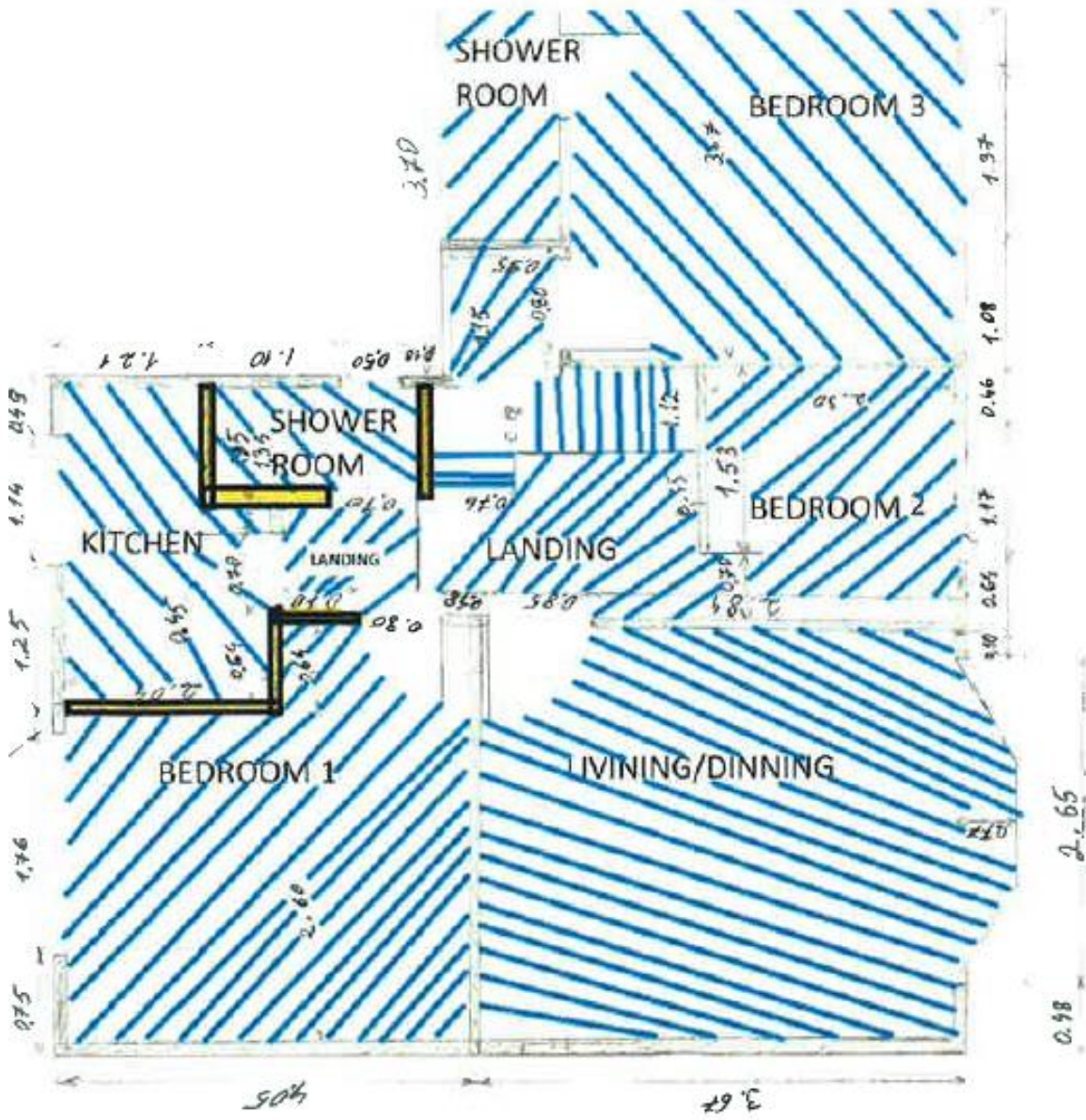
Such Notice to be complied with within 6 months of it taking effect.

#### Reasons for Serving of Notice

1. The current development of the dwellinghouse into 3 separate flats is considered to be an overdevelopment of the site that would provide a poor standard of accommodation for its occupants by reason of the lack of internal floor space, lack of usable garden area, poor outlook, lack of parking provision and provision of refuse storage facilities. This results in a poor visual appearance and increased noise and disturbance to neighbouring properties contrary to Policies EN1 and CC3 of the Core Strategy and Policies DPD 2009, the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011, and the Supplementary Planning Guidance on Parking Standards updated September 2011.).







1ST FLOOR FLAT AFTER ADAPTATION





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**PLANNING APPEALS****LIST OF APPEALS SUBMITTED BETWEEN 11 AUGUST AND 7 SEPTEMBER  
2017**

<b><u>Planning Application Number</u></b>	<b><u>Inspectorate Ref.</u></b>	<b><u>Address</u></b>	<b><u>Description</u></b>	<b><u>Appeal Start Date</u></b>
16/00972/F UL	APP/Z3635/W /17/3176144	Former Brooklands College, Church Road, Ashford	Planning application for the redevelopment of the site comprising the demolition of the existing buildings and the construction of new buildings between one and six storeys to accommodate 366 dwellings (use class C3), 619 sq. m (GIA) of flexible commercial floorspace (use classes A1, A2, A3, A4, A5, B1(a)) and 442 sq. m (GIA) of education floorspace (use class D1), provision of public open space and associated car parking, cycle parking, access and related infrastructure and associated works.	24/08/2017

**APPEAL DECISIONS RECEIVED BETWEEN 11 AUGUST AND 7 SEPTEMBER  
2017**

<b>Site</b>	31 Glebeland Gardens, Shepperton
<b>Planning Application No.:</b>	16/01803/FUL
<b>Proposed Development:</b>	Erection of two storey side extension to existing dwelling to create a one bedroom maisonette.
<b>Appeal Reference:</b>	APP/Z3635/W/17/3167116
<b>Appeal Decision Date:</b>	27/07/2017

<b>Inspector's Decision</b>	Dismissed
<b>Reason for Refusal</b>	<p>The proposed development, by virtue of its design, size, bulk and mass including an undercroft parking area which provides a parking space below parking size standards and the inclusion of a supported part of the building to allow for access to the Right of Way represents an incongruous form of development and the overdevelopment of the site that would be detrimental to the character and appearance of the area and contrary to Policy EN1 and CC3 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).</p>
<b>Inspector's Comments:</b>	<p>The inspector identified the main issues as being the effect of the development on the character and appearance of the area and the adequacy of the proposed parking arrangements.</p> <p>The inspector noted the unified appearance of the terrace of properties in respect of the appearance, design and materials. While the proposal would resemble the other dwellings in the terrace in terms of width and window design at first floor level, the ground floor had a different design approach to allow for the right of way that crosses the site. An undercroft area would be provided for bins, cycle storage and car parking, with the upper floors supported on three columns. The Inspector commented that this design would contrast starkly with that of the other dwellings in the terrace, with the new dwelling also being conspicuous as the first property in the terrace. In addition it would not benefit from the front gardens that the other existing dwellings have and would be cramped by comparison. As such, the proposal would not make a positive contribution to the street scene and would therefore conflict with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009.</p> <p>The parking space provided was 4m which is below the standard size for a parking space. The Inspector also noted that there would be poor visibility and a larger car would block the pavement, inconveniencing pedestrians and manoeuvring would be difficult. He considered that the proposed parking space was of inadequate size and of poor design and conflicted with Policy CC3 of the CS&amp;P DPD.</p> <p>The inspector concluded the proposal would have a significantly adverse effect on the character and appearance of the area and that the proposed parking arrangement would be unsatisfactory and the appeal was therefore dismissed.</p>

Site	10 Gloucester Crescent, Laleham
Planning Application No.:	16/01741/CPD
Proposed Development:	Certificate of Lawfulness for proposed hip to gable roof alteration, rear facing dormer and 4 no. roof lights in front elevation.
Appeal Reference:	APP/Z3635/X/17/3168974
Appeal Decision Date:	11/08/2017
Inspector's Decision	Dismissed
Reason for Refusal	The proposed hip to gable roof alteration and rear facing dormer would not constitute permitted development under the terms of Class B, Part 1, Schedule 2, of the Town and Country Planning (General Permitted Development) Order 2015 as it would not be built entirely within the curtilage of the dwelling house. Moreover, there are discrepancies in the plans and they are considered not to accurately reflect what exists on the site. Consequently it is not possible to accurately calculate the volume of the proposed development.
Inspector's Comments:	The Inspector noted that the General Permitted Development Order 2015 (GPDO) permits certain development within the curtilage of a dwellinghouse. Class B relates to an addition or alteration to the roof and, subject to limitations including that the cubic content of the resulting roof space should not exceed the cubic content of the original roof space by more than 40 m <sup>3</sup> cubed in the case of a terraced house. The Inspector noted that there were discrepancies with the drawings and the 40 m <sup>3</sup> could well be exceeded. However he also noted that the proposed roof structure would extend over the boundary with the adjoining property. The GPDO specifically permits certain works 'within the curtilage of the dwelling house' and that the proposed works extended beyond the curtilage. He therefore concluded that the proposal was not permitted development.

Site	Petersfield Road Junction With Fenton Avenue, Staines-upon-Thames
Planning Application no.:	16/01940/T56
Proposed Development:	Removal of the existing 8m telegraph pole and installation of 10m alpha tower and pogona cabinet and associated development.

Appeal Reference:	APP/Z3635/W/17/3171672
Appeal Decision Date:	05/09/2017
Inspector's Decision	Allowed
Reason for Refusal	The proposed telecommunications mast, in view of its siting, height and bulk would appear visually intrusive in the street scene, and be unacceptably more harmful than the existing monopole. The proposal therefore does not comply with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).
Inspector's Comments:	<p>The Inspector considered that the main issue was the effect of the proposal on the street scene.</p> <p>The Inspector noted that the proposed 10m tower would be close to an existing 8m telegraph pole which would be removed. He considered that the additional height and width of the proposed pole would not make it appear conspicuous in the context of the higher telegraph poles and street lighting columns already in the street. It would also be painted brown to resemble other telegraph poles and would be seen against other trees in a front garden and in the street. The equipment cabinet, set at the back of the pavement would not appear intrusive or out of place.</p> <p>The Inspector concluded that the proposal would not harm the street scene and there would be no conflict, in terms of siting and appearance, with Policy EN1 of the CS&amp;P DPD and would accord with paragraph 43 of the National Planning Policy Framework.</p>

<b>Site</b>	Dockett Cottage, Towpath, Shepperton
<b>Planning Application no.:</b>	16/01941/FUL
<b>Proposed Development:</b>	Erection of a replacement 2 storey dwelling containing 3 bedrooms and a study together with associated alterations (existing dwelling, ancillary guesthouse and garage to be demolished)
<b>Appeal Reference:</b>	APP/Z3635/W/17/3172906

<b>Appeal Decision Date:</b>	05/09/2017
<b>Inspector's Decision</b>	Allowed
<b>Reason for Refusal</b>	The proposed development represents inappropriate development in the Green Belt for which no 'very special circumstances' have been demonstrated. It will diminish the openness of the Green Belt and give the locality a more urban character. Furthermore, the proposal is not considered compatible in size, scale and detailed design, including the use of materials with the traditional plotland character of the area and the scale of the adjoining properties. The proposal is therefore contrary to Policy GB1 of the Spelthorne Borough Local Plan 2001, Policy EN2 of the Core Strategy and Policies DPD 2009, and the Government's National Planning Policy Framework (Section 9 - Protecting Green Belt land).
<b>Inspector's Comments:</b>	<p>The Inspector considered that the main issues were 1) whether the proposed development represented inappropriate development in the Green Belt and 2) the effect on the character and appearance of the area.</p> <p>The Inspector acknowledged that the new house would have a larger floor area than the combined floor areas of the existing buildings on the site, but took into account that the proposed house would have a single form. It was considered that the reduction in the footprint of the proposed development, combined with the consolidation of three buildings into one would mitigate the effect of the additional floor area. The Inspector took account of the change to the overall height of the proposed house and its form and determined that it would not result in a materially larger building. The Inspector therefore concluded that it would not represent an inappropriate development in the Green Belt and would comply with LP Policy GB1.</p> <p>The Inspector considered that whilst the character of the area was influenced by older properties, there was also a variety of styles and sizes of more recently developed buildings. He determined that the size of the proposed development would be compatible with the traditional dwellings in Plotland and that the increased openness on the site would reflect the spaciousness between the surrounding dwellings.</p>

The appeal decision below was omitted from the last appeals report

<b>Site</b>	124 Hawthorn Way
<b>Enforcement Notice No.:</b>	16/00095/ENF

<b>Planning Breach:</b>	Unauthorised extension including balcony
<b>Appeal Reference:</b>	APP/Z3635/C/17/3166804
<b>Appeal Decision Date:</b>	07/07/2017
<b>Inspector's Decision</b>	Split decision
<b>Reason for serving the Enforcement Notice</b>	The Extension and balcony have a poor relationship with and are visually obtrusive to neighbouring properties, resulting in significant loss of privacy, which will have an adverse impact upon the amenity of those properties, contrary to policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009.
<b>Inspector's Comments:</b>	<p>The Inspector noted that at the hearing the Council confirmed it had no objection to the size, siting or design of the extension and overhanging roof, and the appeal was dealt with on this basis. The main issue was the effect of the balcony on the living conditions of neighbouring occupiers.</p> <p>The Inspector noted the appeal related to a mid-terrace property that has been divided into two flats. A rear extension had been erected measuring approximately 3.1 metres in depth, 2.7 metres in width and 2.2 metres in height. This was adjacent to the boundary fence of no. 126 Hawthorn Way, and an 'astro turf', a privacy screen and a barrier have been added to the flat roof. This created a balcony, which extended across the extension and a passage way. The balcony is accessed from the former bedroom, now a kitchen, via a pair of outwood opening French windows. From the balcony it is possible to look down a light well area of no.126 as well as into most of the garden area of that property. This is the case, even though the balcony contains a privacy screen. The Inspector commented it was also possible to see into the flank, clear glazed windows of the conservatory at no.126, although these were covered by blinds at the time of the visit. It was also possible to see into the rear bedroom of no.126 despite the privacy screen. Given the proximity of this window to the balcony, activities on the balcony were audible to the occupiers of this bedroom.</p> <p>The Inspector noted that a suggested condition in relation to a privacy screen would not address the potential harm from noise disturbance, and the balcony has resulted in a significant loss in privacy to no.126 given the position of the balcony, and the proximity to the bedroom window.</p> <p>The inspector did not raise concerns in regards to either noise disturbance or overlooking, in relation to no.122 Hawthorn Way.</p>



	<p>It was noted the Council's SPD on design states that the need to maintain privacy means that opportunities for balconies will be limited. With this in mind the appellant put forward personal circumstances to demonstrate why the development should be allowed. However, it was noted personal circumstances can change, whereas development would be permanent. Whilst the serious of these matters to the appellant were recognised, it was commented that they are insufficient to set aside the harmful impacts of the balcony on the living conditions of no.126 contrary to policy EN1. The Inspector gave this policy considerable weight as it is consistent with the NPPF, and the appeal failed to this extent.</p> <p>The extension however, was considered to be acceptable with a 2.2 metre modest height, and there were no objections to the proposed depth. This element of the scheme was not a matter of contention between the parties and accorded with policy EN1 and the Council's SPD on design. The appeal therefore succeeded to this extent.</p> <p>The Inspector commented that it was necessary to impose a condition to prevent the use of the roof of the extension as a garden/balcony, to protect the occupiers of neighbouring properties. A further condition was necessary requiring the submission of a scheme to prevent access to the roof of the extension.</p> <p>It was concluded that the appeal should succeed in part only by allowing the retention of the extension. Otherwise the notice was upheld with a correction and variation, and the refusal of planning permission on the other part (the balcony).</p>
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#### **FUTURE HEARING / INQUIRY DATES**

<b>Council Ref.</b>	<b>Type of Appeal</b>	<b>Site</b>	<b>Proposal</b>	<b>Case Officer</b>	<b>Date</b>
16/00972 /FUL	Public Inquiry	Former Brooklands College, Church Road, Ashford	Planning application for the redevelopment of the site comprising the demolition of the existing buildings and the construction of new buildings between one and six storeys to accommodate 366 dwellings (use class C3), 619 sq. m (GIA) of flexible commercial floorspace (use classes A1, A2, A3, A4, A5, B1(a)) and 442 sq. m (GIA) of education	PT/KW	TBC

Council Ref.	Type of Appeal	Site	Proposal	Case Officer	Date
			floorspace (use class D1), provision of public open space and associated car parking, cycle parking, access and related infrastructure and associated works.		