



Please reply to:

Contact: Michael Pegado
Service: Committee Services
Direct line: 01784 446240
E-mail: m.pegado@spelthorne.gov.uk
Date: 4 December 2018

Notice of meeting

Planning Committee

Date: Wednesday, 12 December 2018

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

Following the conclusion of the business of this meeting, Planning Officers will provide a training session for councillors on the Green Belt, focussing particularly on the NPPF 2018, followed by a question and answer session.

To the members of the Planning Committee

Councillors:

| | | |
|-------------------------------|----------------|----------------|
| R.A. Smith-Ainsley (Chairman) | R. Chandler | A.L. Griffiths |
| H.A. Thomson (Vice-Chairman) | S.M. Doran | N. Islam |
| C. Barnard | Q.R. Edgington | S.C. Mooney |
| I.J. Beardsmore | T.J.M. Evans | R.W. Sider BEM |
| S.J. Burkmar | M.P.C. Francis | |

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

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 - 18**
To confirm the minutes of the meeting held on 14 November 2018 and the reconvened meeting of 19 November 2018 (copy attached).
- 3. Disclosures of Interest**
To receive any disclosures of interest from councillors under the Councillors' Code of Conduct, or contact with applicants/objectors under the Planning Code.
- 4. Planning Applications and other Development Control matters**
To consider and determine the planning applications and other development control matters detailed in the reports listed below.

 - a) Planning application - 18/01332/FUL - 40 Grenfield Road, Ashford, TW15 1JL **19 - 32**
 - b) Planning application - 18/01043/FUL - Maytree Stables, Ferry Lane, Shepperton, TW17 9LQ **33 - 40**
 - c) Planning application - 18/01426/RVC - Halliford Studios Limited, Manygate Lane, Shepperton, TW17 9EG **41 - 56**
- 5. Committee meeting date change**
To agree the change from the scheduled date of Wednesday 1 May 2019 to Tuesday 23 April 2019 at 6.45pm.
- 6. Urgent Items**
To consider any items which the Chairman considers as urgent.

This page is intentionally left blank

**Minutes of the Planning Committee
14 November 2018**

Present:

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

Councillors:

| | | |
|-----------------|----------------|----------------|
| C. Barnard | Q.R. Edgington | N. Islam |
| I.J. Beardsmore | T.J.M. Evans | S.C. Mooney |
| S.J. Burkmar | M.P.C. Francis | R.W. Sider BEM |

Apologies: Apologies were received from Councillors S.M. Doran, A.L. Griffiths and M. Madams.

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 B.B. Spoor Item 18/01269/HOU - 44 Kings Avenue Sunbury On Thames TW16 7QE

262/18 Minutes

The minutes of the meeting held on 17 October 2018 were approved as a correct record.

263/18 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

A presentation and site visits had been offered to all Planning Committee members by the applicant in relation to planning application 18/01101/FUL – 17-51 London Road, Staines-upon-Thames.

A presentation had been offered to all Planning Committee members by the applicant in relation to planning application 18/01084/FUL – Matthew Arnold Secondary School, Staines-upon-Thames.

Councillors R.A. Smith Ainsley, H.A. Thomson, C. Barnard, T. Evans, M. Francis, N. Islam, S. Mooney, and R.W. Sider BEM reported that they had received correspondence in relation to application 18/01270/HOU – 9 Stanhope Way, Stanwell, but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor R.A. Smith-Ainsley had also received correspondence in relation to item 18/01269/HOU - 44 Kings Avenue, Sunbury-on-Thames but had maintained an impartial role, had not expressed any views and had kept an open mind.

264/18 Planning Application - 18/01101/FUL: 17-51 London Road, Staines-upon-Thames, TW18 4EX

Announcement

The Chairman informed members and those present at the meeting of one aspect to Item 4a Berkeley Homes Development at London Road, Staines upon Thames. The report identified that affordable rented housing was to be provided which would be subject to a legal agreement if the Committee was minded to approve the application in accordance with the recommendations. The Council's Housing Company, Knowle Green Estates Ltd was in discussions with the applicant to provide this affordable rented housing. He advised members that the identity of the housing provider was not a planning matter but an executive one and subject to the agreement of Cabinet if it should go forward.

The recommendation of the officer takes into account the circumstances where the Council or a Registered Provider will become involved with this aspect of housing delivery.

Description:

This application sought approval for the erection of six buildings to provide 474 residential homes (Class C3) and flexible commercial space at ground and first floors (Class A1, A2, A3, B1, D1 or D2) car parking, pedestrian and vehicular access, landscaping and associated works.

Additional Information:

The Planning Development Manager gave the following updates:

3 late letters of objection had been received raising the following concerns:

- Provision of applicant's affordable housing viability report on the Council's website,
- Representations made by the residents and leaseholders of Ash House have been ignored or not adequately addressed.

Executive Summary (Corrections)

In the first paragraph (page 10) the commercial floorspace should read **2,555m²** (not 2513 m²).

In the fifth paragraph the number of parking spaces should read **27** not 24.

Main Report (Corrections)

Para 3.16 (page 16) 'The building would be 12 storeys and approximately **39** metres tall...' (not 26.7m).

Para 7.68 (page 29) 'In addition these assessments were undertaken **against** the current vacant site conditions.'

Para 7.95 (page 33) 'It further examines **the cumulative effects including** nearby schemes as well as the national and local planning policy context.'

Condition Update

Condition 2 requires the relevant approved plan numbers to be inserted as follows:

17660 U078 B1 GA(10)001-01, B1 GA(10)001-02, B1 GA(10)002, B1 GA(10)003, B1 GA(10)017, B2 GA(10)001-01, B2 GA(10)001-02, B2 GA(10)002-01, B2 GA(10)002-02, B2 GA(10)011-01, B2 GA(10)011-02, B3 GA(10)001, B3 GA(10)002, B3 GA(10)012, B4 GA(10)001, B4 GA(10)002, B4 GA(10)011, B5 GA(10)001, B5 GA(10)002, B5 GA(10)003, B5 GA(10)009, B6 GA(10)013-01, B6 GA(10)013-01, B6 GA(10)003-02, B6 GA(10)003-01, B6 GA(10)002-02, B6 GA(10)002-01, B6 GA(10)001-02, B6 GA(10)001-01, B3 GA(11)004, B4 GA(11)001, B4 GA(11)002, B4 GA(11)003, B4 GA(11)004, B5 GA(11)001, B5 GA(11)002, B5 GA(11)003, B5 GA(11)004, B6 GA(11)001, B6 GA(11)002, B6 GA(11)003, B6 GA(11)004, B1 GA(12)001, B1 GA(12)002, B2 GA(12)001, B2 GA(12)002, B2 GA(12)002, B3 GA(12)002, B4 GA(12)001, B4 GA(12)002, B5 GA(12)001, B5 GA(12)002, B6 GA(12)001, B6 GA(12)002, Z AS(21)103, Z AS(21)102, Z AS(21)104, Z AS(21)101, B1 GA(11)001, Z TP(10)017, Z TP(11)103, Z TP(11)002, Z TP(11)101, Z TP(11)102, Z TP(11)001, Z TP(11)104, Z TP(12)001, Z TP(12)002, Z TP(12)003, Z TP(10)008, Z TP(10)009, Z TP(10)010, Z TP(10)011, Z TP(10)010, Z TP(10)012, Z TP(10)013, Z TP(10)014, Z TP(10)015, Z TP(10)016, Z TP(10)000, Z TP(00)00, Z TP(00)002, Z TP(10)001, Z TP(10)002, Z TP(10)003, Z TP(10)004, Z TP(10)005, Z TP(10)006, Z TP(10)007 and BKH-BGS_HTA-L_XX-00_DR_0900 Rev P dated 23 July 2018 and E1330 L(LE)001, L(LE)001 Rev A dated 20 Dec 2017.

Public Speaking:

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

- Significantly bigger development than the approved scheme
- Closer to Ash House
- Contrary to revised NPPF
- Impact on SPA
- Loss of daylight
- Sheer size of development, height and proximity to Ash House
- Concern over viability report
- Lack of affordable housing

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

- Inadequate affordable housing
- Loss of sunlight, daylight
- Loss of privacy
- Too many single person units
- Lack of parking spaces
- Proper pedestrian crossing to Fairfield Avenue required

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

- Will transform a derelict eyesore site
- Will deliver more homes including on site affordable rented housing
- Have worked with officers, councillors and the community
- Provide high quality developments
- Will provide a mixed use development
- Will provide a bespoke community plan
- Provide local employment opportunities

Debate:

During the debate the following key issues were raised:

- Site has been an eyesore for around 10 years
- Will have a greater impact on Ash House than approved scheme; overbearing on Ash House
- Confirmation on CIL payment required
- Inadequate affordable housing
- High standard of dwellings proposed
- Lack of parking / inadequate parking
- Electrical charge points are provided
- Site is within Town Centre
- Concerns over close proximity to Ash House
- Adverse impact on privacy of Ash House
- High density concerns
- Over dominant, overbearing
- Applicant hasn't worked successfully with the community
- Site already has planning permission
- Will be an adequate distance from Ash House
- Will provide the highest building in Staines
- Massive overdevelopment
- Too many small units
- Less cars now for the young population
- Already provide nearly 590 dwellings
- Inadequate open space, Birch Green will become inadequate, contrary to policy CO3
- Driverless cars will increase resulting in more cars in the future
- Driverless cars will lead to less cars in the future
- There is no planning policy relating to driverless cars

- Good level of rented affordable housing
- The future need is for a large number of single occupancy units
- Government advice is to achieve greater densities to achieve the level of housing needed for residents
- If level of housing not achieved, there will be greater pressure to build in the green belt.

Decision:

The recommendation to approve was overturned and the application was refused planning permission for the following reasons:

- 1.) The proposed development, by reason of the height, bulk and location does not make a positive contribution to and would have an overbearing impact on the street scene and would be out of character with the surrounding area, contrary to policy EN1 (a) of the Spelthorne Core Strategy and Policies Development Plan Document, 2009.
- 2.) The proposed development, by reason of its height, bulk and location, would have an overbearing impact on, and fail to achieve a satisfactory relationship to the adjoining properties, especially Ash House, resulting in a significant harmful impact in terms of loss of privacy and light, contrary to policy EN1 (b) of the Spelthorne Core Strategy and Policies Development Plan Document, 2009.
- 3.) The proposed development would provide insufficient affordable housing, contrary to policy HO3 of the Spelthorne Core Strategy and Policies Development Plan Document, 2009.
- 4.) The proposed development would provide inadequate open space contrary to policy CO3 of the Spelthorne Core Strategy and Policies Development Plan Document, 2009.
- 5.) The proposed development provides inadequate parking provision, resulting in on street parking in the surrounding roads with associated traffic congestion, contrary to policy CC3 of the Spelthorne Core Strategy and Policies Development Plan Document, 2009.

265/18 Planning Application - 18/01084/FUL: Matthew Arnold Secondary School, Staines-upon-Thames, TW18 1PE

Description:

This application sought approval for the erection of a new school building, relocation of 2 floodlit sports pitches, demolition of the existing school building and associated landscaping.

Additional Information:

The Planning Development Manager gave the following updates:

SuDS

A further consultation response had been received from the Lead Local Flood Authority raising no objection to the further drainage details provided, subject to the following conditions and informative:

1) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40%) allowance for climate change storm events, during all stages of the development (Pre, Post and during), associated storages volumes shall be provided using an infiltration based strategy (as per the SuDS pro-forma or otherwise as agreed by the LPA).

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

c) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

2) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

Informative

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

Representation

One additional late letter of representation has been received on behalf of a Group of Residents on Kingston Road in relation to the use of the pitches and noise, including a video clip of the current all-weather pitch in use. The issues raised include:

- Existing pitches are often used beyond the conditioned hours.
- The noise from the pitches is in breach of the World Health Organisation guidelines for community use which states a 50dB upper noise limit in relation to residential properties.
- The noise report does not address cumulative noise impact associated with the 3 pitches (note: an amended noise impact has been submitted which has dealt with this).

Noise Issues

The submitted amended noise assessment has assessed noise associated with the new pitches and existing pitch compared with the existing situation and demonstrates that there will be no greater noise impact associated with the proposals. The Environmental Health Department has no objection on noise grounds.

Condition 13 amendment (page 100)

No demolition (***aside from building EFAE***) shall commence until a demolition method statement has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall be carried out strictly in accordance with the approved method statement.

N.B reference to site clearance or building operations removed.

Public Speaking:

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

- Welcome the application for the school to be rebuilt.
- Concern over the all-weather flood pitch
- Noise concerns – noise heard in the bedroom on Kingston Road
- There is a 60m buffer zone around the existing all weather pitch
- Traffic management

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

- School has served the local population since the 1950s.
- School is central to the economy and social development for the wider population is Staines and the local community.
- 700 student on role; no increase to this in the near future

- Last 3 years has seen the best GCSE results ever
- The recent Ofsted report was “Good”
- The existing buildings have deteriorated significantly, are no longer fit for purpose and not economically viable to refurbish
- The proposals will create a better learning environment for students and staff
- The BREEAM is very good
- Has been designed to minimise the impact on local residents
- The floodlights use the latest technology/with less light spill

Debate:

During the debate the following key issues were raised:

- Most aspects of the proposal are not particularly contentious, the contentious aspect is near Kingston Road
- An informative should be added advising the school that a notice should be put up near the pitch advising that neighbours should be respected
- Discussion over whether the pitch could be relocated behind the school building or whether the larger pitch could be moved.
- The pitch could not be positioned behind the school building as it will be on the Scheduled Ancient Monument
- Complaints about breach of current hours of use - must be raised with the planning enforcement officers
- Discussion over whether noise is different on the all-weather pitch compared with the multi-use pitch
- Noise concerns
- No additional noise would occur

Decision:

The recommendation to approve was agreed, subject to the additions and amendments referred to above and the following informative:

The applicant is advised that following completion of the two pitches and before they are brought into use, appropriate signs should be erected asking that the amenity of the surrounding neighbours is respected.

266/18 Adjournment

During consideration of Application - 18/01084/FUL it was moved by Councillor Beardsmore and seconded by Councillor Sider that having sat continuously for three hours, Standing Order 5.1 be suspended to allow the meeting to continue to the conclusion of the current item of business and then stand adjourned for the remaining business.

Resolved to adjourn the meeting following the conclusion of consideration of Application - 18/01084/FUL, until Monday 19 November 2018.

**Reconvened Planning Committee
19 November 2018**

Councillors:

| | | |
|-----------------|----------------|----------------|
| C. Barnard | S.J. Burkmar | N. Islam |
| I.J. Beardsmore | M.P.C. Francis | S.C. Mooney |
| | | R.W. Sider BEM |

Apologies: Apologies were received from Councillors S.M. Doran, Q.R. Edgington, T.J.M. Evans, A.L. Griffiths and M. Madams.

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 B.B. Spoor Item 18/01269/HOU - 44 Kings Avenue Sunbury On Thames TW16 7QE

267/18 Planning Application - 18/01228/FUL: Ashford Depot, Poplar Road, Ashford, TW15 1YF

Description:

This planning application sought an amendment to a previously approved scheme for the demolition of the existing buildings on site comprising the original warehouse buildings of the Ashford Depot and the redevelopment of the site for 37 dwellings, including 6 houses and 31 flats in 2 blocks with parking, landscaping and amenity space provision, along with the creation of a new access along Feltham Hill Road.

Additional Information:

The Planning Development Manager gave the following updates:

Consultation Responses

Surrey Wildlife Trust – No objection subject to a condition that the mitigation measures in the ecological report are implemented. (Note: this is attached as condition 20).

Lead Local Flood Authority no objection subject to the following conditions:

1) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical

Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40%) allowance for climate change storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during). Should the results of infiltration testing prove unsatisfactory then a discharge rate of 2 litres/sec should be applied (as per the SuDS pro-forma or otherwise as agreed by the LPA).
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- d) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

2) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

Informative

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available at www.surreycc.gov.uk

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards

Public Speaking:

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

- Very similar application to the approved scheme
- Very minor differences
- No changes for statutory consultees
- S106 drafted and is ready for signing
- Applicant aiming to complete in 2020
- Will secure the redevelopment of an unused site
- Will meet housing needs
- Is in compliance with national and local planning policy

Debate:

During the debate the following key issues were raised:

- Surrey CC has no objection and will be looking at a parking review
- Query over window changes
- Do not like the appearance of a blocked up window
- Preference for two bed rather than one bed units
- Lack of affordable housing
- Concerns over national planning policy raised

Decision:

The recommendation to approve was agreed subject to the additional conditions and informative referred to above.

268/18 Planning Application - 18/01270/HOU: 9 Stanhope Way, Stanwell, Staines-upon-Thames, TW19 7PJ

Description

The application sought permission for a two storey side extension, a part single storey, part two storey rear extension, and the erection of a new front porch and shed/storage area.

Additional Information

The Planning Development Manager gave the following updates:

The Council had received one additional letter of representation from a neighbour unable to attend tonight's Planning Committee meeting. The neighbour had also emailed this letter to all of the members of the Committee.

Of the matters not raised within the previous letters of representation, the letter raised the following concerns:

- The extension would block out light including to the kitchen and garage of a neighbouring property, which is now claimed to be a habitable room.
- Impact on the skyline
- Does not comply with Technical Space Standards

- The senders of a number of letters of support cannot view or see the site from their properties.

Public Speaking

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

- No adverse impact on neighbouring properties
- Small changes over and above that approved previously and also that approved under permitted development
- More in keeping with street scene
- Complies with policy EN1
- Gable roofs exist elsewhere in the Borough
- Designed to meet the needs of the family
- Current property is in a state of disrepair
- Changes will improve the property

Debate

During the debate the following key issues were raised:

- Very little to disagree with
- Understand concerns of neighbours
- Complex planning history
- Contrary to policy EN1 although some of the extensions built are permitted development
- Query over photos within the appendix
- Objections are nimbyism
- May lead to possible future planning applications
- Large and overbearing
- Not in keeping with the street scene
- Query over whether the prayer room is for private use
- Insufficient parking – significant parking problems
- Questions over side access
- Boundary issues
- No continuity of relationship between the two dwellings
- Already an overdevelopment of the site
- Concern that work may have already commenced
- Would be difficult to refuse

Decision

The recommendation to approve was agreed.

**269/18 Planning Application - 18/01269/HOU: 44 Kings Avenue,
Sunbury-on-Thames, TW16 7QE**

Description

This application sought approval for the erection of a single storey rear extension (following demolition of the existing conservatory), a hip to gable

end front and rear roof extension with the installation of 3 no. eastern and 3 no. western facing dormers and a rear facing Juliet balcony.

Additional Information

The Planning Development Manager gave the following updates:

The Council had received one additional letter of objection, most of the concerns raised are covered in the report. The only additional issues related to Building Regulations (which are not a planning matter) and raising objections because of the way the owners and their builders have dealt with the whole planning process.

Public Speaking

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

- Loss of privacy to kitchen, patio, conservatory and garden of adjoining dwellings associated with the Juliette balcony

In accordance with the Council's procedure for speaking at meetings, Councillor Spoor spoke as Ward Councillor against the proposed development and raised the following key points:

- Impact on street scene
- Out of character with the area
- Badly designed

Debate

During the debate the following key issues were raised:

- Reasonable development
- Will intrude into the adjoin dwelling
- The proposal could be deferred to get the Juliet balcony set in and the length of the extension to be reduced
- Query over whether the development has commenced

Decision

The recommendation to approve was agreed.

270/18 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.

271/18 Urgent Items

There were none.

This page is intentionally left blank



18/01332/FUL - 40 Glenfield Road, Ashford

Scale: 1:1,250

© Crown copyright and database rights 2018 Ordnance Survey 100024284.



Planning Committee

12 December 2018



| | |
|------------------------|--|
| Application No. | 18/01332/FUL |
| Site Address | 40 Glenfield Road, Ashford, TW15 1JL |
| Applicant | Mr Ranjit Sekhon |
| Proposal | Erection of part single storey, part two storey side extension and single storey rear extension following demolition of existing garage, outbuildings and rear extension and conversion of existing dwelling into a House of Multiple Occupation for 7 persons. |
| Ward | Ashford Common |
| Called-in | This application has been called into Committee for determination by Cllr Thomson on the grounds that the proposal does not comply with Policies EN1, CC3, HO5 and guidance contained in the SPD for the Design on New Residential Development and Householder Extensions. |
| Officer | Matthew Clapham |

| Application Dates | Valid: 18/09/2018 | Expiry: 13/11/2018 | Target Extension of time agreed |
|--------------------------|---|---------------------------|--|
| Executive Summary | <p>The application site is regular shaped plot of land located on the South side of Glenfield Road and is occupied by two storey semi-detached dwelling. The area is residential in character. The site has a deep rear garden and parking to the front.</p> <p>Schedule 2, Part 3, Class L of the General Permitted Development Order (2015), allows a dwelling to be used as an HMO for six residents without planning permission. The current proposal requires planning permission as extensions are proposed and the property will be occupied by 7 residents.</p> <p>The use of the property as a House of Multiple Occupation (HMO) for 7 persons is considered acceptable in principle and would not impact upon the character of the area nor the residential amenity of adjoining residents. The proposed extensions have already been granted planning permission (with just minor changes).</p> <p>It is considered that the proposal would not change the appearance of the area. Some hard standing to the front already exists and neighbouring front curtilages also have driveways and hardstanding.</p> | | |

| | |
|------------------------------------|---|
| | <p>The main issue that needs to be addressed is whether the use of the extended property as an HMO for seven residents is acceptable in planning terms in terms of impact on the amenity .of the occupants and surrounding dwellings and locality and parking provision. It is considered that the noise and general disturbance from a 7 person HMO would not lead to material harm to the living conditions of neighbouring and adjoining properties and as such it would respect the Council's Policy EN11.</p> <p>The County Highway Authority has not raised any objections in terms of highway safety or parking grounds. It is considered that the site is located in a sustainable location and that the provision of 3 parking spaces for an HMO in this location is acceptable.</p> <p>In terms of sustainability and the public transport provision, the application site benefits from a number of retail outlets within walking distance, including an M&S supermarket/BP garage and a Local Shopping Parade. In addition, there are bus routes to Staines and Twickenham on nearby School Road and Ashford train station is within walking distance of 1.2 miles. Therefore, it is considered that the current proposal would not conflict with Policy CC3 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).</p> |
| <p>Recommended Decision</p> | <p>This application is recommended for approval, subject to conditions.</p> |

MAIN REPORT

1. Development Plan

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

- EN1 (Design of New Development)
- EN11 (Development and Noise)
- SP6 (Maintaining and Improving the Environment)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)
- HO1 (Providing for New Housing Development)

2. Relevant Planning History

17/01925/FUL

Erection of part single storey, part two storey side extension, single storey rear extension and front porch extension following demolition of existing garage, outbuildings and rear extension to create two self-contained flats comprising 1 no. 2 bed flat and 1 no. 1 bed flat.

Granted

14.02.2018

17/01531/PDH

Prior Approval notification for a single storey rear extension measuring 6m beyond the rear wall of the original dwellinghouse with a maximum height of 3.2m and a height to the eaves of 3m. Prior Approval not required

03.11.2017

17/01525/HOU

Erection of a two storey side extension (following the demolition of existing garage).

Granted

23.11.2017

3. Description of Current Proposal

- 3.1 The application site relates to a two-storey semi-detached dwellinghouse situated on the southern side of Glenfield Road. This road is characterised by semi-detached and detached dwellings with a predominance of semi-detached property types. The application site has a detached garage to the side and a

single storey rear extension. It is relevant to note that both adjacent properties have been extended.

- 3.2 The application under consideration is for the erection of a two-storey and part single storey side extension following the demolition of an existing detached garage, a 6m rear extension (which has already received prior approval under 17/01351/PDH), a front porch and the conversion of the property into an HMO for 7 persons.

A copy of the proposed floor plans and elevations are attached as an Appendix.

4. Consultations

The following table shows the consultee and the response.

| Consultee | Comment |
|--|--|
| Environmental Health (contamination) | No objection. |
| Environmental Health (noise) | No objections subject to controls during the construction process. |
| Head of Street Scene (refuse storage) | Confirmed additional bins will be required – condition attached to require refuse storage details. |
| Surrey County Council Highways | No objection. |

5. Public Consultation

- 5.1 A total of sixteen letters of objection have been received raising the following issues:

- Use out of character in the area
- Inadequate parking
- noise and disturbance
- rubbish and effluent
- cycle store impracticable due to lack of external access
- creates a precedent
- up to 14 persons could reside at the property
- applicants 'profit making' and not local
- increase in activity from 7 persons compared to a family home
- disturbance from on-street parking
- extensions unneighbourly
- extensions do not comply with Policy EN1
- demographics of residents
- inadequate refuse storage
- disturbance during building works
- security/safety of local residents – anti-social behaviour
- impact on property values

6. Planning Issues

6.1 This application is located within the urban area and involves the erection of front, side and rear extensions and a Change of Use to a 7 person HMO and requires an assessment of the following impacts of the development:

- Principle and appearance / design
- Living conditions of future occupiers
- Residential amenity of neighbouring properties
- Parking provision and Highway Safety

7. Planning Considerations

Principle and appearance

- 7.1 Under secondary legislation, the Use Classes Order defines use class C3 as a dwelling house (whether or not as a sole or main residence) (a) by a single person or people leaving together as a family, (b) by not more than six residents living together as a single household (other than a use of within Class C4). Class C4 is classified as a house in multiple occupation that is used by not more than six residents as a HMO). Planning permission is not required to move from use class C3 to C4 and *vice versa*. Therefore the existing property could be used as an HMO for six residents without requiring planning permission. There is, therefore, no 'in principle' objection to the use of the existing dwelling as an HMO for six persons. However, it is necessary to consider whether the extended dwelling to be used as an HMO for seven residents is acceptable in planning terms.
- 7.2 The proposed two storey side extension has previously been approved under 17/01525/HOU. The rear extension has also been allowed under Prior Approval (ref. 17/01531/PDH) and no objections were received in relation to this. The side extension would extend along the whole side elevation of the property and would measure 3.55 metres in width (2.55m at first floor level). The single storey rear extension would not be attached to the side extension. In allowing these previous extensions, the Council has considered that the scheme would have an acceptable impact upon the character of the area and it would not significantly cause harm on the visual amenities when viewed from the street scene. The only changes to the current side extension compared with the approved one are that the front porch has been reduced in size in terms of its front extension and the side extension has been extended forward at single storey level to match the existing building line of the porch. The first floor extension remains unchanged. The other changes are relatively minor changes to doors and fenestration. The proposed two-storey element would continue to be 'set-in' 1 metre from the side boundary and would be 'set-back' 1 metre from the prevailing building line of the dwelling. The ridge height is also below that of the existing dwelling. Therefore, with the 'set-backs' and the design, it is considered that the proposed side extension would respect the host building and the surrounding properties. Whilst it is noted that the single storey element has a part flat roof, there is a small dummy pitch to the front and it is considered that it would not cause a significant harm on the visual amenities when seen from the street scene.

- 7.3 The rear extension is substantial with a flat roof, however the ‘fall back’ position is that the proposal may already be built under the existing planning approval or via the prior approval route (17/01531/PDH) and this is a material consideration. The rear extension is also not visible from the street scene and there are existing flat roof extensions on the site and next door.
- 7.4 A front porch extension has already been approved. This proposal reduces the extent of the porch addition and the proposed side extension has been brought forward to match the proposed porch addition. However, the front additions are relatively small and have a pitched roof. Due to the angle of the road and the relationship with adjoining properties, there would be no infringement impact upon the street scene.
- 7.5 It should also be noted that in addition to the extensions, planning permission 17/01925/FUL also gave approval for the conversion to a two bed and a one bed flat. Therefore the existing property could be used as an HMO for up to six persons (subject to licencing approval) or as extended for two flats. In view of this, it is not considered that the use of the building as an HMO for 7 residents would give rise to any significant increase in noise and disturbance. The comments regarding anti-social behaviour and the demographics of the future occupiers are noted. However there is no evidence to suggest that the future occupiers will cause a nuisance. In addition, an HMO use does not automatically result in the occupiers behaving in an anti-social manner. The behaviour of the occupiers is a management issue. The Council’s Environmental Health Officers are required to License the premises and a requirement of the License is to submit a management plan for such matters. For reasons set out in later paragraphs, amenity matters and parking provision is considered acceptable.
- 7.6 Glenfield Road, is a residential road comprising a variety of housing types, predominantly semi-detached houses generally in close proximity to one another and a number have hardstanding to the front of their properties. On-street parking on both sides of the street is part of the character and appearance of the area.
- 7.7 There is already an access drive to the garage on the site, although the proposal will result in the loss of some existing grass and landscaping, albeit with some being retained under this proposal. In view of the fact that the whole frontage of the site could be turned into hardstanding, as has happened directly opposite providing the material is porous or drains into a soakaway, it is not considered that proposal would be unacceptable in terms of its appearance within the street scene and would not, therefore, change the appearance of the area. The proposal is therefore considered to have an acceptable impact upon the character and appearance of the area.

Living conditions and amenity for future residents

- 7.8 In terms of the amenity for future occupiers of the flats, it is considered that whilst the technical standards do not refer to studio or HMO accommodation, the internal floor space is considered acceptable in planning terms. In any event, recent changes in Legislation require that since the 1st October 2018, an

HMO such as this one (an HMO that has 5 or more people that form 2 or more households) has to operate with a licence which is the responsibility of the Environmental Health Department. Room size standards would fall under the consideration of the issuing of any licence.

- 7.9 For a building in the urban area, a reasonable visual outlook, light to windows and privacy would be provided. The rear amenity area is 17m deep and approx.10m wide and it is considered that satisfactory outdoor amenity space is provided. The application site is considered to be located within a sustainable location which is considered in greater detail under “parking” below.

Residential amenity of neighbouring properties

- 7.10 In approving the earlier planning application, 17/01925/FUL, it was considered that the proposal would have an acceptable impact upon the amenity of all neighbouring and adjoining properties in terms of overlooking, loss of light, outlook or overbearing effect. The two-storey element would be set-in approximately 3.40 from no 38 Glenfield Road's two-storey side extension. In addition, it is relevant to note that the adjacent property (No 38) projects forward by approximately 7.60 metre. It is considered that the proposed two-storey element would respect the Council's 45 degree guide to the ground floor rear window. It has been noted that there are no ground floor side windows installed on the neighbour's two storey side and single storey rear developments. The neighbour on the other side (no. 42), immediately adjoining the rear extension has a single storey rear extension with a side window and rear facing windows on the original rear elevation, which will be partly 'boxed in' by the proposal. However, as no objections were received to the Prior Approval application for the single storey rear extension, the impact on amenity was not assessed (in accordance with the regulations) and prior approval was granted. In the most recent planning application for this extension (1701925/FUL) it was concluded that the windows would retain an outlook and given that the proposed rear extension is single storey and flat roofed, light would still reach these windows. Therefore on balance, it was not considered that the adverse impacts upon this property would justify refusal.

- 7.11 No side windows have been proposed on the two-storey element. The only opening is on the side elevation of the single storey rear extension and this is some 3.5m away from the side boundary and at ground floor level. Therefore, the proposal is considered to have an acceptable impact upon amenity of neighbouring and adjoining properties and would not give rise to any overbearing or loss of light or privacy. Due to the separation distances involved, no adverse impacts would apply to any other adjoining property.

Parking provision

- 7.12 The scheme would result the loss of a garage and would provide three parking spaces which is considered to be acceptable. The County Highways Authority has not raised any objection on parking or highway safety grounds and has made the following comments:

- 7.13 *Neither Spelthorne Borough Council's Parking Standards no Surrey County Council's Parking Guidance have a specific standard for HMOs. The proposed development could lead to up to 7 persons residing on site, and the independent nature of the occupants in HMOs generally means that all occupants will be adults.*

Generally it is considered that, given the transient nature of HMO occupants, it is unlikely that all occupants will have access to a private car. The application site is located within comfortable walking distance of the nearest bus stops, situated on School Road, which have a frequent service between Twickenham and Staines. Ashford Town Centre and Rail Station are situated approximately 1.2 miles away from the application site, and therefore walking is a viable, but potentially unattractive option for these trips. The bus and cycling offer a reasonable alternative to walking as a means of non-car transport. As a result, whilst the application site is not located in the ideal location to promote sustainable travel and discourage car ownership, future residents would not be reliant on private vehicles.

The County Highway Authority has considered the potential impact of any overspill of parking from the site onto Glenfield Road. Glenfield road is a lightly-trafficked residential road, with good forward visibility in the vicinity of the application site. Therefore, it is unlikely that a small amount of additional on-street parking in the vicinity of the site would result in a material impact on highway safety or capacity.

- 7.14 In view of these comments and other examples of similarly sized HMO's in the locality only having 3 parking spaces, the parking provision is considered acceptable. These other schemes were are 16 Springfield Road, Ashford (allowed on appeal); 158 Feltham Hill Road, Ashford and 86 Long Lane, Stanwell. The location of the spaces would not impact upon the amenity of future occupiers. The comments regarding on-street parking are noted, particularly at school drop off and collection times. However, given the extent of the largely unrestricted on-street parking availability in the locality and the views of the highways authority that the street is capable of accommodating the additional on street parking demand, it is considered that the proposal makes adequate provision for the level of parking required.

Other matters

- 7.15 Property values are not material planning considerations. There is no 'precedent' in planning terms and any application is treated on its own merits. The Head of Street Scene has made comments regarding the refuse storage, and it is considered that there is space to the front for an extended storage area and this may be achieved by a condition. The County Highways Authority has not raised any objections regarding cycle storage. A condition has been attached limiting the number of occupiers of the property to 7, which is also likely to be the requirement of the Licensing requirements of Environmental Health, if this is granted. The building works could be undertaken under previous approvals and any new development will inevitably lead to some limited disturbance, however this is only a temporary basis. The objectives of the applicant is making a planning application are not material considerations.

Local Finance Considerations

- 7.16 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.
- 7.17 In consideration of S155 of the Housing and Planning Act 2016, the proposal is not a CIL chargeable development. This is not a material consideration in the determination of this planning application. The proposal will however generate Council Tax payments which are also not material considerations in the determination of this proposal.

8. Conclusions

- 8.1 It is considered that the principle of an HMO in this location is acceptable. The design of the extensions and existing building maintain the appearance of a semi-detached property and is acceptable within the street scene. No adverse impacts would arise upon the residential amenity of the adjoining properties. Satisfactory amenity is provided for future occupiers and the parking provision is considered acceptable for this use in this location. The application is recommended for approval.

9. Recommendation

- 9.1 GRANT subject to the following conditions:

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

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

2. The extension hereby permitted must be carried out in facing materials to match those of the existing building in colour and texture.

Reason:-.To ensure a satisfactory external appearance in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

3. That no further openings of any kind be formed in the side elevations of the extensions hereby permitted without the prior written consent of the Local Planning Authority.

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

4. The development hereby permitted shall be carried out in accordance with the following approved plans: RSD2341-001 and RSD2341-400 received 18.09.2018.

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

5. The occupation of the HMO hereby permitted shall be limited to a maximum of 7 residents at any time.

Reason:-.To safeguard the amenity of adjoining residents and ensure adequate parking provision.

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

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

INFORMATIVES

1. Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 38 – 46 of the NPPF. This included the following:-

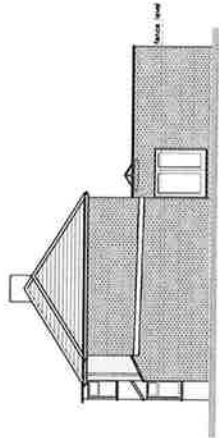
- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
 - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
 - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
 - d) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.
2. 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.

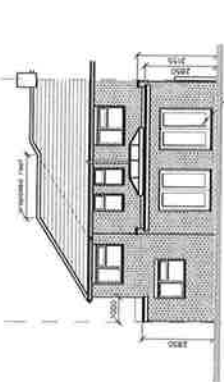
Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.2.



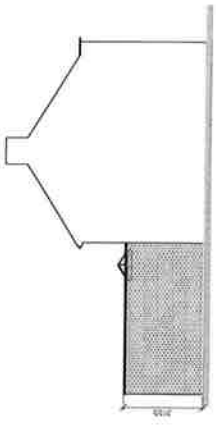
FRONT ELEVATION



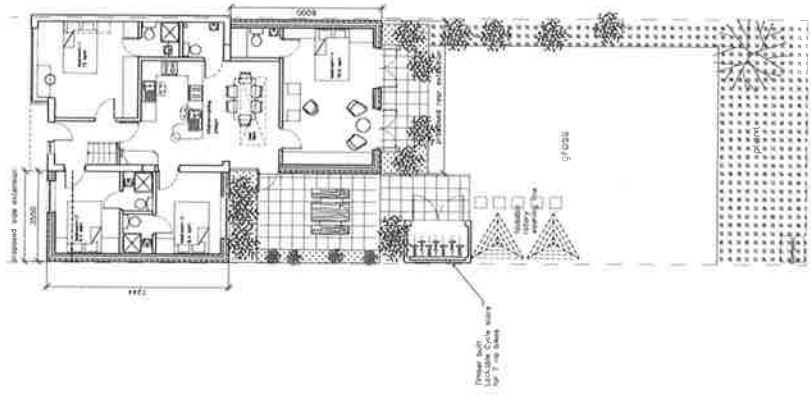
SIDE ELEVATION



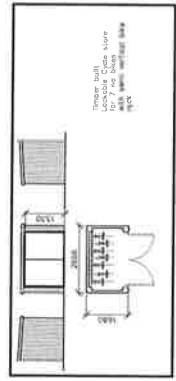
REAR ELEVATION



PARTY SIDE ELEVATION

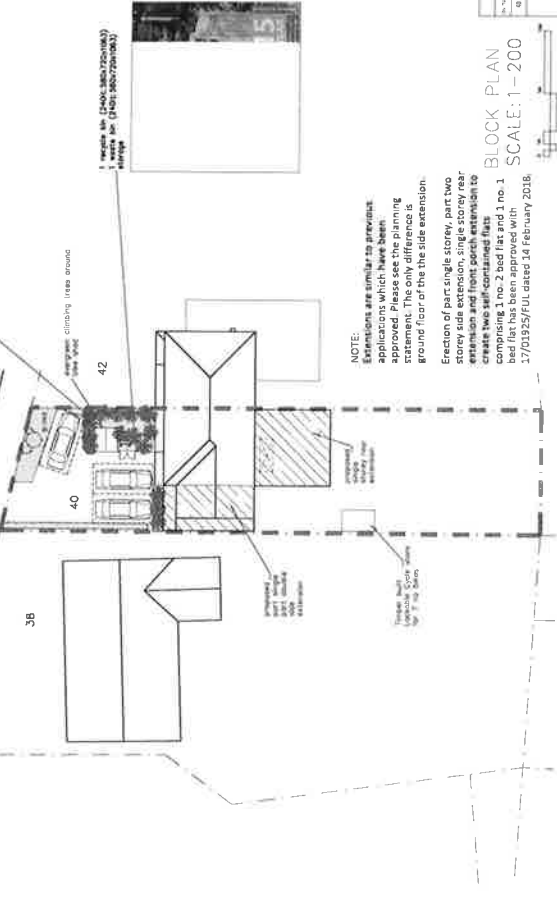


GROUND FLOOR LAYOUT



TIMBER HULL LOUNGE AREA STORE WITH SOME SEATING LIKE THIS

GLENFIELD ROAD



FIRST FLOOR LAYOUT

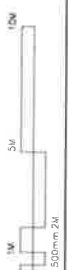


Timber Hull Lounge Area store with some seating like this

- 1 Do not show from the drawing
- 2 All dimensions to be checked on site
- 3 All dimensions to be checked on site
- 4 All dimensions to be checked on site
- 5 All dimensions to be checked on site
- 6 All dimensions to be checked on site
- 7 All dimensions to be checked on site
- 8 All dimensions to be checked on site
- 9 All dimensions to be checked on site
- 10 All dimensions to be checked on site
- 11 All dimensions to be checked on site
- 12 All dimensions to be checked on site
- 13 All dimensions to be checked on site
- 14 All dimensions to be checked on site
- 15 All dimensions to be checked on site
- 16 All dimensions to be checked on site
- 17 All dimensions to be checked on site
- 18 All dimensions to be checked on site
- 19 All dimensions to be checked on site
- 20 All dimensions to be checked on site

NOTE:
 Extensions are similar to previous applications which have been approved. Please see the planning statement. The only difference is ground floor of the side extension.

Erection of part single storey, part two storey side extension, single storey rear extension and front porch extension to comprising 1 no. 2 bed flat and 1 no. 1 bed flat has been approved with 17/0101001/FULL dated 16 February 2018.



Planning Committee

12 December 2018



| | |
|------------------------|---|
| Application No. | 18/01043/FUL |
| Site Address | Maytree Stables, Ferry Lane, Shepperton, TW17 9LQ |
| Applicant | Mr James Mitchell – Nauticalia Ltd |
| Proposal | Change of use of existing land to a car park with a grill grass reinforcement mesh surface treatment together with installation of new fencing and entrance gate with restricted hours access for a temporary period until 31 st October 2019. |
| Ward | Shepperton Town |
| Called-in | Cllr Leighton – Very Special Circumstances have been submitted to demonstrate that the benefits of the proposal outweigh any harm to the openness of the Green Belt. |
| Officer | Matthew Clapham |

| | | | |
|-----------------------------|--|-------------------|----------------------|
| Application Dates | Valid: 30/7/2018 | Expiry: 24/9/2018 | Target: Over 8 weeks |
| Executive Summary | <p>This application seeks to construct a car park extension to the existing Nauticalia car park and premises. Nauticalia operates both as a boatyard and also retail sales of nautical equipment and gifts. It has recently reintroduced a café in the building and has also given over part of the site to operate as a Gymnasium. The application site extends north of the existing car park on existing open land with access to Ferry Lane in Shepperton. The surface would comprise 'grasscrete' grass reinforcement mesh. In addition, new fencing and gates and low level lighting are proposed.</p> <p>The site is located within the Green Belt and the Zone 3b functional flood plain.</p> <p>The Change of Use of the land to a car park represents 'inappropriate development' within the Green Belt, which is by definition harmful to the openness of the Green Belt. The application has been submitted with a number of 'very special circumstances'. However it is not considered that these are sufficient to demonstrate that these circumstances outweigh the harm to the openness of the Green Belt that would justify approval. In addition, the Environment Agency have raised an objection to the proposal on flood risk grounds.</p> | | |
| Recommended Decision | This planning application is recommended for refusal. | | |

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:

- LO1 (Flooding)
- EN1 (Design of New Development)
- EN9 (River Thames and its Tributaries)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

'Saved' Green Belt Policy GB1 of the Spelthorne Borough Local Plan 2001.

2. Relevant Planning History

17/00153/FUL

Change of use of existing land to a car park with a grill grass reinforcement mesh surface treatment together with installation of new fencing and entrance gate.

Refused
05.05.2017

16/01331/FUL

Retrospective application for the change of use of part of existing Nauticalia retail building (northern most part of the building) from A1 (retail) to D2 (gymnasium)

Granted
01.11.2016

3. Description of Current Proposal

- 3.1 The application site comprises a 0.086ha area of land located alongside Ferry Lane in Shepperton. The application site extends north of the existing car park used by Nauticalia Ltd. and is located on existing open land, which is currently largely overgrown and vacant with a small area of hardstanding and a portacabin on site.
- 3.2 The surface would comprise 'grasscrete' grass reinforcement mesh. In addition, open wooden 'ranch' style fencing is proposed, together with a lockable metal open farm style entrance gate.
- 3.3 A total of 34 parking spaces are proposed for general use.
- 3.4 The applicant intends to limit the general hours of use to 7.30am to 7.30pm Monday to Friday; Saturdays 8.30am to 7.30pm and Sundays and Bank Holidays 9.30am to 7.30pm for general use. In addition to this it is intended to allow the Weybridge Mariners to use the site every Friday evening until Midnight. An additional 20 events per calendar year until

midnight on any other day of the week are proposed for any other user or purpose. In the first instance, the applicant has agreed to a temporary permission until 31st October 2019 to allow assessment of the impacts and confirmation of the need for the additional parking.

3.5 A Copy of the proposed site layout are provided as an appendix.

4. Consultations

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

| Consultee | Comment |
|--------------------------------------|---|
| Environment Agency | Has objected to the proposal |
| Environmental Health (contamination) | No comments |
| County Highway Authority | No objection but recommends conditions. |

5. Public Consultation

5.1 20 letters of notification were sent out to neighbouring properties. Five letters of objection have been received, including one from the Shepperton Residents Association. Reasons for objecting include:

- Noise and disturbance from use of the car park – particularly until Midnight.
- Concern about how the car park be managed
- Council should encourage people to walk and cycle
- Very special circumstances arguments are flawed – including emergency services parking
- Footpath, cycle lane have not reduced parking – loss of bollards has increased on street parking as road is wider
- Other car parks are in the area but unused – should utilise these areas
- Adequate parking on site Nauticalia already – some lost due to JCBs etc. parked in the spaces
- Intensification of the use of the site due to diversification – gym and café
- Challenge the statement that more visitors are using the site
- No lighting, dangerous and late night use will attract car thieves and impact upon the personal safety of local residents

In addition, 13 letters of support have been received, including one from the Secretary of the Weybridge Mariners Club and some from users of the Shepperton Slalom Canoe Club, making the following comments:

- Parking is at a premium in the area, particularly following the closure of two other car parks in the area
- Lack of parking affecting local community clubs through loss of membership, loss of income from bar/function room/hire of club facilities etc.
- Difficulties in using mooring facilities when no parking available
- River under-utilised due to parking constraints
- Canoe club hosts national competitions – competitors provide an economic benefit to the local community

6. Planning Issues

- Impacts upon Green Belt and assessment of very special circumstances
- Parking and highway matters
- Flooding
- Impact on neighbouring properties, light and noise pollution
- Design and appearance

7. Planning Considerations

Green Belt and Assessment of very special circumstances

- 7.1 The site lies within the designated Green Belt and Saved Local Plan Policy GB1 is most relevant as it seeks to ensure that only 'appropriate' development is allowed in the Green Belt. The National Planning Policy Framework (NPPF) 2018, also states at paragraphs 145 and 146 that the construction of certain forms of development can be appropriate within the Green Belt. It is considered that the proposal for the creation of the car park on an existing area of open land, albeit with a small area of hardstanding which was used for storage purposes in the past and a portacabin, would have some adverse visual impact by introducing a more developed appearance. One of the purposes of the Green Belt is 'to assist in safeguarding the countryside from encroachment'. The operational development for the creation of a car park and the associated parking of cars, does not represent appropriate development identified in the NPPF. The proposal would not, therefore, comply with the requirements of the NPPF or the Local Plan Policy and as such is considered to represent inappropriate development within the Green Belt. Inappropriate development is by definition considered to be harmful to the Green Belt and should not be approved except in 'very special circumstances'. The NPPF continues by stating that:-

'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and other harm, is clearly outweighed by other considerations'.

- 7.2 The previous identical application 17/00153/FUL, for this site was refused for the following reason:

The proposed car park and additional hardstanding/grasscrete is considered to represent inappropriate development within the Green Belt for which no 'very special circumstances' have been demonstrated. In addition, the parking of cars would have a detrimental impact upon the openness of the Green Belt that would be contrary to 'Saved' Policy GB1 of the Spelthorne Borough Local Plan 2001 and guidance contained within the National Planning Policy Framework (2012).

- 7.3 The applicant has submitted a number of very special circumstances to justify the proposal. These very special circumstances are summarised below:

- Replacing lost car parking from recently closed car parks and on-street parking restrictions
- Providing parking facilities for outdoor sport and leisure, namely the Weybridge Mariners Club and the Shepperton Slalom Canoe Club
- Local community events
- Emergency Services parking
- Tourists
- Highway Safety
- Overflow from customers and visitors to Nauticalia
- Clearing road of cars enhancing the appearance of the area and landscaping

7.4 Whilst it is noted that paragraphs 145 and 146 of the NPPF confirm that some forms of development do not constitute inappropriate development in the Green Belt, including the provision of appropriate facilities for outdoor sport and outdoor recreation and material changes of use of land for such purposes, this is with a caveat that the change of use should preserve its openness and not conflict with the purposes of including land in it. In this instance, the land is to be used as a car park adjacent to the existing Nauticalia and will be accessed via the existing Nauticalia access which is not necessarily for an outdoor sport and recreational use and with the exception of Friday evenings, not specifically for users of sporting or recreational facilities. Indeed, as these extended Friday evening hours of use are from 7:30pm until Midnight, this can reasonably be considered to facilitate social events rather than recreational/sporting purposes.

7.5 The benefits of clearing some of the on street parking off the road and onto a designated car park are noted, and it could be argued that this would improve the setting of the River Thames and provide a visual benefit by improving the openness of the Green Belt. However, there is no restricted parking scheme in place and no certainty that the car park would be used by potential users of the on-street parking. Therefore, no significant weight should be afforded to this very special circumstance.

7.6 It is noted that two car parks have closed in the vicinity recently, which is likely to have had an impact on parking provision in the area. One of these car parks is understood to have been used by residents of Hamhaugh Island, who otherwise would be parking along the Towpath or the parking area alongside the Lock. The potential impacts upon the local Canoeing and Mariners club are also noted, however, it is difficult to conclude that a lack of parking for such facilities would have a significant impact upon membership and use of facilities. It is not considered unusual for local clubs such as these to be located in areas where parking is limited. Letters of objection received have also challenged the assertion that the area has attracted more visitors recently and that the diversification of the facilities available at the Nauticalia site have contributed to the parking issues and that better management of the existing car park may ameliorate some of the problems.

7.7 The installation of the grasscrete, additional fencing and low level lighting is inappropriate within the Green Belt and would result in visual impact by introducing a more developed appearance. Substantial weight should be given to the harm in Green Belt policy terms and the visual harm of the

urbanising impact of the additional fencing and lighting. It is considered that the remaining very special circumstances, including providing space for emergency service vehicles, encouraging tourism and the use of the River suggested by the applicant carry very limited weight in considering the application as, with the exception of the Local Community Events, which have taken place in recent years despite the parking issues raised, none of these may be considered to be sufficient to justify the harm to the openness of the Green Belt.

- 7.8 The applicant has stated that there would be some benefit in terms of the removal of a portacabin on the site and an area of existing hardstanding. However this is not considered to be sufficient to justify the proposal. The applicant states that Nauticalia would manage the use of the car park. However there are concerns as to how this would be undertaken, particularly with the late night events and the fact that there would be a number of key holders. The initial temporary period of time for the change of use would only address the operational aspect of the proposal and is not considered to be sufficient to overcome the Council's concerns regarding the harm to the Green Belt particularly associated with the operational development.
- 7.9 Therefore, it is considered that the very special circumstances that have been presented by the applicant are insufficient to outweigh the harm to the Green Belt and the proposal is recommended for refusal on Green Belt grounds. Substantial weight must be given to the harm in Green Belt policy terms and the visual harm of the urbanising impact of additional fencing and lighting. These concerns are not considered to be outweighed by the slight overall improvement of the site in visual terms and the potential benefit of possibly removing cars from the roadway alongside the Thames.

Parking and Highway Matters

- 7.10 The County Highway Authority (CHA) has not raised any highways concerns regarding the proposal. The road is narrow with a 30mph speed limit although cars generally go slower than this due to the nature and character of the road. Access to the car park would be via the existing Nauticalia access and there are a number of other accesses to adjoining residential dwellings. The CHA condition has recommended a condition requiring that no new access are created onto Ferry Lane.

Flooding

- 7.11 Policy LO1 of the Council's Core Strategy and Policies DPD 2009 states that the Council will refuse any form of development on undeveloped sites which reduces flood storage capacity or impedes the flow of flood water. The Environment Agency has maintained an objection to the proposed development on the grounds that the proposed use of the land as a car park supporting a retail facility is a 'less vulnerable' use and as such would not be acceptable within the functional flood zone 3b where only 'water compatible uses' are accepted.

Impact on Residential Amenity, noise and light pollution

- 7.12 Concern has been raised over potential issues regarding noise and disturbance from the use of the car park, particularly at the late evening use

and events. The retention of the existing hedge/planting alongside Ferry Lane would restrict views of the parked cars from the properties in the locality and would also help to reduce both light and noise from the vehicles as they enter and leave the site. It should also be recognised that cars may already park on some on-street areas and also in the parking areas adjoining the lock. Whilst there would be an increased use of this site, it is not considered that any noise, light and fume pollution from the cars would be such that would result in any significant harm to the neighbouring properties. The proposed lighting of the site by virtue of low level bollard lights is not considered to be such that it would result in any significant light pollution to the area. In terms of security concerns, notwithstanding that this is not a planning matter, the applicant has suggested lighting, fencing and site management.

Design and appearance

- 7.13 Had the principle of the proposed development within the Green Belt been regarded acceptable, the proposed materials to be used for the parking area, the boundary treatments and the access gate are considered acceptable.

Local Finance Considerations

- 7.14 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.
- 7.15 In consideration of S155 of the Housing and Planning Act 2016, the proposal is not a CIL chargeable development. This is not a material consideration in the determination of this planning application. The proposal will not generate Council Tax payments. This is also not a material consideration in the determination of this planning application

Other Matters

- 7.16 The representation that the Council should be encouraging people to walk and cycle is noted and this is indeed a Council objective, however it is not considered that this is a specific consideration for this application. With regard to the alterations to the footpath and cycle route and associated bollards, the County Highways Authority have not raised any comments regarding highway safety or these specific matters.

Conclusion

- 7.17 It is considered that the proposal represents inappropriate development within the Green Belt, for which no very special circumstances have been submitted to demonstrate that the harm to the openness of the Green Belt would be outweighed by the benefits of the proposal. The Environment Agency have also objected in terms of the impact upon the additional flood risks in the functional flood plain. The application is recommended for refusal.

8. Recommendation

8.1 REFUSE for the following reasons:

1. The proposed car park and additional hardstanding/grasscrete, fencing, gates and low level lighting is considered to represent inappropriate development within the Green Belt for which no 'very special circumstances' have been demonstrated. Therefore, the change of use of the land would have a detrimental impact upon the openness of the Green Belt that would be contrary to 'Saved' Policy GB1 of the Spelthorne Borough Local Plan 2001 and guidance contained within the National Planning Policy Framework (2018).
2. The proposed use of the land as a car park is a 'less vulnerable' use and as such would not be acceptable within the functional flood zone 3b where only 'water compatible uses' are accepted. This is, therefore, contrary to Policy LO1 of the Council's Core Strategy and Policies DPD 2009.

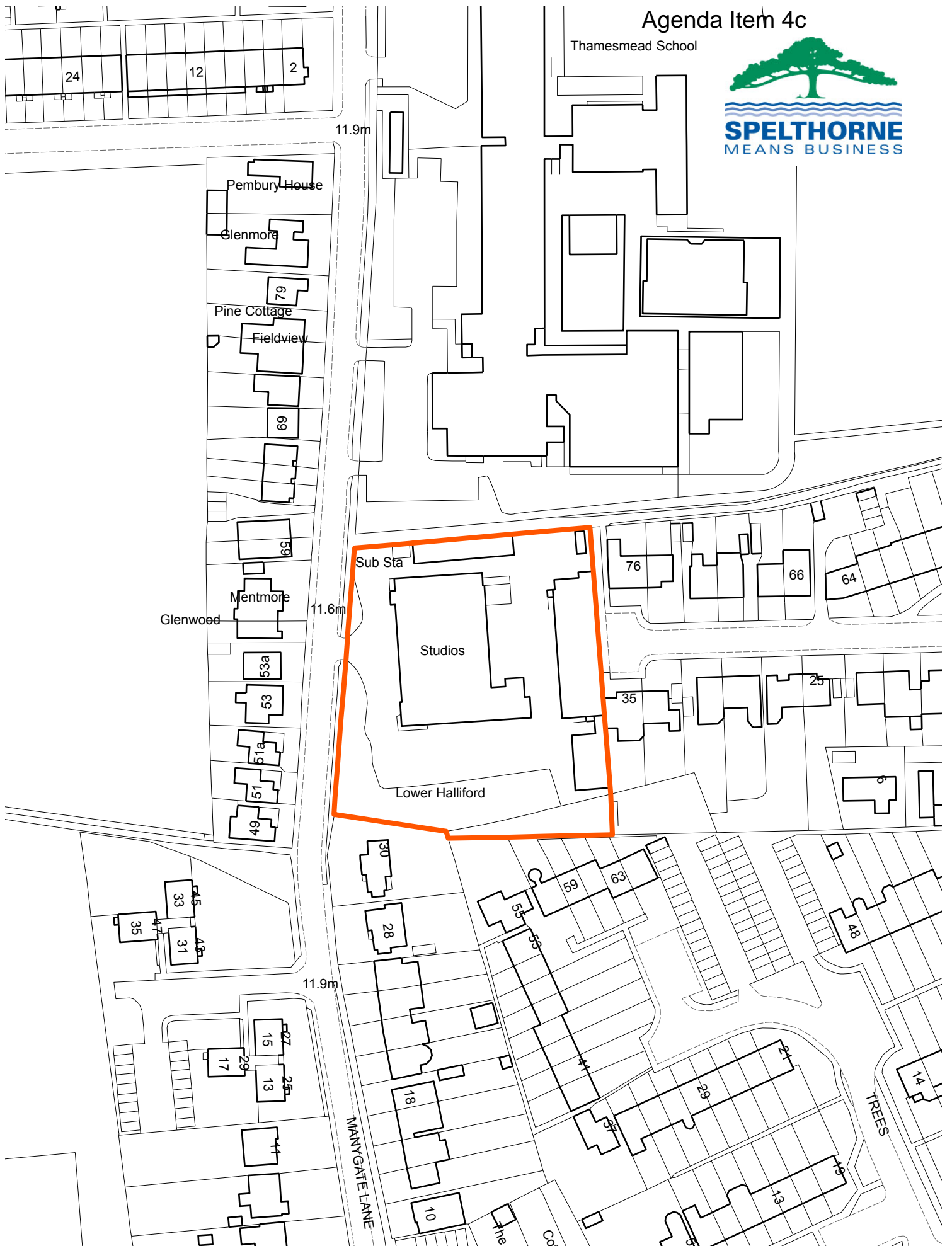
INFORMATIVES

1. Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 38-46 of the NPPF. This included the following:-

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

Thamesmead School



18/01426/RVC - Halliford Studios, Manygate Lane, Shepperton

Scale: 1:1,250

© Crown copyright and database rights 2018 Ordnance Survey 100024284.



Planning Committee

12 December 2018



| | | | |
|------------------------------|---|--------------------|---|
| Application Nos. | 18/01426/RVC | | |
| Site Address | Halliford Studios Limited, Manygate Lane, Shepperton | | |
| Proposal | Variation of Condition 2 (Approved Drawings) of planning permission 17/01065/FUL for 24 dwellings, to allow the brick wall along the northern and eastern boundaries to be replaced with 1.8 metre high close-boarded fence topped with 300mm trellis, and a 2.1 metre high wall. | | |
| Applicant | Shanly Homes Limited | | |
| Ward | Shepperton Town | | |
| Call in details | Councillor Sider has requested this application to be reported to the Planning Committee for consideration on the grounds that the replacement fence does not achieve a satisfactory relationship to adjoining properties and will be detrimental to the street scene in Gordon Road. | | |
| Case Officer | Paul Tomson | | |
| Application Dates | Valid: 15/10/2018 | Expiry: 10/12/2018 | Target: Extension of time agreed – 19/12/2018 |
| Executive Summary | <p>This application seeks the variation of Condition 2 (approved drawings) of planning permission 17/01065/FUL for 24 dwellings, to allow the brick wall along the northern and eastern boundaries to be replaced with a 1.8 metre high fence with 300mm trellis. The plans also show the erection of a new wall along part of the boundary adjacent to 35 Gordon Road. Most of the wall has already been removed and the new fence has been installed in its place. Consequently, this application is part retrospective.</p> <p>Whilst it is regrettable that the old wall has been removed, it is not considered there are sufficient grounds to justify refusal of planning permission for the replacement boundary treatment. The new fence is not considered to appear out of keeping with the character of the area and it therefore accords with Policy EN1 of the Core Strategy and Policies DPD. Furthermore, the new boundary treatment is not considered to cause a harmful loss of amenity to neighbouring residential properties.</p> | | |
| Recommended Decisions | This planning application is recommended for approval, subject to the prior completion of a deed of variation to the original Section 106 agreement. | | |

MAIN REPORT

1. Development Plan

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

- EN1 (Design of New Development)

2. Relevant Planning History

| | | |
|--------------|--|--|
| 16/02113/FUL | Redevelopment of the site to provide 28 residential units, 1 x 1 bed flat, 7 x 2 bed flats, 6 x 2 bedroom houses, 10 x 3 bedroom houses and 4 x 4 bedroom houses with a total number of 50 car parking spaces/garages, the provision of amenity space, landscaping and associated alterations. | Refused 06/04/2017 Appeal Dismissed 14/05/2018 |
| 17/01065/FUL | Redevelopment of the site to provide 24 residential units, (5 no. 1 bed flat, 9 no. 2-bed, 6 no. 3-bed and 4 no. 4-bed), together with Associated parking, access and landscaping. | Approved 09/03/2018 |
| 18/00952/FUL | Erection of 8 dwellings comprising 3 no. 1 bed and 5 no. 2-bed flats with associated landscaping, access and parking (amendment to planning permission 17/01065/FUL to allow a change to the mix of 1 and 2 bedroom units in the block of flats and alterations to the size and design of the building). | Approved 08/11/2018 |
| 18/00953/FUL | Relocation of electricity substation and erection of 3 houses with associated access, landscaping and parking (amendment to planning permission 17/01065/FUL to allow unit 1 to be 3-bedroom in size, change to layout, and new access onto Manygate Lane | Approved 08/11/2018 |
| 18/01583/RVC | Variation of Condition 2 (approved drawings) of planning permission 17/01065/FUL for 24 dwellings, to allow additional accommodation at first and second floors of Units 4-9 | Pending Consideration. |

3. Description of Current Proposal

3.1 The application relates to Halliford Studios in Manygate Lane, Shepperton, which comprises a site of 0.52 hectares located on the eastern side of the road.

- 3.2 To the north of the site is a designated public footpath. Further to the north is Thamesmead School. To the south are the residential properties of 30 Manygate Lane and 55 – 65 Mulberry Trees. To the east is the cul-de-sac of Gordon Road. To the west, on the other side of Manygate Lane are the dwellings of Nos. 49 – 61 Manygate Lane. The site is located within the urban area and is essentially residential in character.
- 3.3 The proposal involves the variation of Condition 2 (approved drawings) of planning permission 17/01065/FUL for 24 dwellings, to allow the brick wall along the northern and eastern boundaries to be replaced with a 1.8 metre high close-boarded fence topped with 300mm trellis. Most of the wall has been removed and replaced with the proposed fencing, and consequently this application is part retrospective. Some of the wall is still in place adjacent to 35 Gordon Road (and along the northern boundary nearest to Manygate Lane).
- 3.4 The application has been amended since it was first submitted. In particular, the fencing is to be reconstructed with concrete posts and concrete gravel boards to give it a more robust structure. In addition, a 2.1 metre high new wall has been added adjacent to the house of 35 Gordon Road.
- 3.5 The applicant states that the existing boundary wall was demolished due to its unstable structural condition. This was revealed following further inspections during the works approved under the planning permission for demolition of the existing buildings on these boundaries.
- 3.6 Copies of the proposed site layout and elevations are provided as an Appendix.

4. Consultations

- 4.1 There are no consultees for this particular application.

5. Public Consultation

- 5.1 126 properties were notified of the planning application. 20 letters of objection have been received. Reasons for objecting include: -
- Replacing the brick wall with a fence does not comply with Policy EN1 and is out of character.
 - The fence is poor quality and will be subject to rot, damage and vandalism
 - Retention of the brick wall was part of the original planning permission.
 - Loss of an attractive, historic feature which offered character to the area.
 - The fence fails to screen the development as effectively as the former wall. Loss of privacy.
 - Loss of an effective noise barrier.
 - Concern about security. The former brick wall along the alleyway offered more security.
 - Removal of the wall adjacent No. 35 Gordon Road will result in the lean-to structure attach to it having to be removed.
 - Concern that the future residents will create access onto Gordon Road, and park in this street.
 - The wall only became structurally unsafe due to Shanly's own work.

- The developer is failing to comply with planning conditions.
- A wooden fence provides little protection against car accidents and would result in far greater damage. Health and safety issues.
- Loss of landscaping on Gordon Road.
- Replacement walls should be erected.

6. Planning Issues

- Design and appearance
- Impact on neighbouring properties

7. Planning Considerations

Design and Appearance

7.1 Policy EN1a of the Core Strategy and Policies DPD (CS & P DPD) states that the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

7.2 It is regrettable that the old wall was taken down before first seeking planning permission from the Council. Whilst the letters of representation from third parties are noted, it is not considered that there are sufficient grounds to justify refusal of planning permission on design grounds. The revised fencing with concrete posts and gravel boards is considered to be of an acceptable design and quality in this particular location and will not appear out of keeping with the character of the area. The fence together with the trellis will be some 2.1 metres in height and will be similar in scale (albeit slightly lower) compared to the former wall. The revised design with the concrete gravel boards and posts is considered to be sufficiently robust and appropriate in this location next to the public footpath and cul-de-sac of Gordon Road. It is also considered that the replacement wall and fence adjacent to 35 Gordon Road is acceptable. It should be noted that the most visible part of the boundary treatment, the wall fronting Manygate Lane was shown to be reduced to 1 metre high under the approved scheme and this is also the case under the current proposal.

Impact on neighbouring properties

7.3 Policy EN1b of the CS & P DPD states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.

7.4 The only part of the proposed boundary treatment situated immediately next to an adjoining residential property is at 35 Gordon Road. At this point, the boundary is to be lined with a mix of part 2.1 metre high replacement brick wall, and part 1.8 metre high close-boarded fencing with 300mm trellis. A

letter of objection has been received from this neighbour. Whilst it is noted that the neighbour has asked for the existing wall to be retained, it is not considered that the replacement boundary wall and fencing would cause a harmful loss of amenity to justify refusal of planning permission. It will provide sufficient privacy in relation to the new houses to be erected to the west of 35 Gordon Road. It is also considered that the impact on the other neighbouring properties will be acceptable.

Other Matters

- 7.5 It is not considered that replacing the wall with the new fencing will lead to unacceptable noise or security issues. The eastern fence is situated at the end of the cul-de-sac with a raised kerb and landscape strip in front, and it is considered very unlikely that vehicles would hit the new boundary treatment. The new brick wall to be erected adjacent to 35 Gordon Road will enable the existing lean-to structure to be re-built.
- 7.6 The original planning permission was granted subject to a Section 106 agreement to secure a financial contribution of £14,911 towards off-site affordable housing. As the current application is effectively a new planning permission for the overall development, a similar financial contribution will need to be secured. The recommendation is worded accordingly.

8. Recommendation

- 8.1 (A) To GRANT PERMISSION for the planning application subject to the prior completion of a Section 106 Agreement respect of the following:
1. To provide a financial contribution of £14,911 towards off-site affordable housing, to be paid upon the sale of the first unit.

Non Compliance of S106 Agreement

In the event that the Section 106 agreement is not completed and the applicant does not agree an extension of time for the determination of the planning application, delegate to the Planning Development Manager in consultation with the Chairman of the Planning Committee the following: -

Refuse the planning application for the following reasons:

- 1) The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009.
- 8.2 (B) GRANT subject to the following conditions: -
1. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

1323/PLN/202; /205; /206; /208; /209 received 30 June 2017.

1323/PLN/201 Rev. B; /203 Rev. A; /204 Rev. A; /207 Rev. B; /210 Rev. A; /211 Rev. B; received 20 September 2017.

4.1 Rev. A; 4.3 Rev. A received 20 September 2017.

1323/PLN/200 received 09 October 2018.

1323/PLN/212 received 15 October 2018.

1323/PLN/212 Rev. B, 1323/PLN/213 Rev. A and 1323/PLN/214 received 26 November 2018.

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

2. The proposed buildings and hardsurfacing shall be constructed in accordance with the External Materials Schedule received 27 November 2018 unless otherwise agreed in writing 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.

3. No development shall take place until:-

(a) 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.

(b) 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.

(c) 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 the 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.

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" providing guidance can also be downloaded from Spelthorne's website at www.spelthorne.gov.uk.

In accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. 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.

5. Following construction of any groundwork and foundations, no construction of the development above damp-proof course level shall take place until a report is 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 the building and thereafter retained.

Reason:- To ensure that the development is sustainable and complies with Policy SP7 and CC1 of the Spelthorne Development Plan Core Strategy and Policies DPD.

6. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars to be parked and for vehicles to turn so that they exit the site in forward gear. The parking area and access shall be used and retained exclusively for its 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.

8. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans to provide secure,

lit and covered cycle parking to the satisfaction of the Local Planning Authority and shall thereafter be permanently maintained

Reason:- The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF

9. 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.

10. Prior to the occupation of the building hereby permitted details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall be implemented prior to the occupation of the building and shall at all times accord with the approved details.

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

11. Details of a scheme of both soft and hard landscaping works shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The approved scheme of tree and shrub planting and other associated works shall be carried out prior to first occupation of the buildings and/or site. 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.

12. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior planning permission of the Local Planning Authority.

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

13. Prior to the occupation of the building, a scheme to provide bird boxes and bat boxes/tubes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the building is occupied and thereafter maintained.

Reason:-.To encourage wildlife on the site.

14. Before the first occupation of any part of the development, a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason:-.To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

15. Notwithstanding the submitted plans numbered 4.1 Rev A and 4.3 Rev A, the development hereby approved shall not be occupied unless and until the existing vehicular access to Manygate Lane has been constructed and provided with dropped kerbs and tactile paving at the pedestrian crossings points across the access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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.

16. 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
 - (f) HGV deliveries and hours of operation
 - (g) measures to prevent the deposit of materials on the highway
 - (h) no HGV movements to or from the site shall take place no later than one hour before Thamesmead School opens in the morning, up to one hour after Thamesmead School closes nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Manygate Lane, Russell Road or Green Lane during these times.
 - (i) 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.

17. Notwithstanding the submitted Residential Travel Statement dated June 2017 prior to the occupation of the development a revised travel statement shall be submitted for the written approval of the Local Planning Authority. The Residential Travel Statement shall include details of the locations of employment, education, retail and leisure land uses within 2km walking and 5 km cycling distance from the site. And then the approved travel statement shall be implemented upon occupation of the site and for each and every subsequent occupation of the development, thereafter maintain and develop the travel statement to the satisfaction of the Local Planning Authority.

Reason: The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF.

18. Prior to the occupation of the development hereby permitted the first floor window on the southern elevation of the block of flats hereby approved shall be obscure glazed and be non-opening to a minimum height of 1.7 metres 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. This window shall thereafter be permanently retained as installed.

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

19. Prior to the occupation of the development hereby permitted, details of a privacy screen to be installed on the southern flank of the first floor balcony of Unit 17 shall be submitted to and approved in writing by the Local Planning Authority. The approved privacy screen shall be installed before the occupation of Unit 17 and thereafter retained.

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

20. No new development shall be occupied until three parking spaces has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for five dual fast charging point for electric vehicles. The scheme shall include details of criteria for laying out of two additional adjacent spaces as a charging bays in the future. The 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.

21. Prior to the occupation of the buildings the boundary treatment hereby approved shall be fully implemented in accordance with drawing nos.' 1323/PLN/212 Rev. B and 1323/PLN/213 Rev. A received 26 November 2018, and thereafter maintained as approved.

Reason:- To ensure that the approved boundary treatment is fully implemented on the site.

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

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Section 4 of the NPPF. This included the following:-

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

© This drawing is the copyright of SHANLY HOMES
All dimensions and levels must be checked on site and verified
prior to construction

Notes

| Rev. | Description | Date |
|------|-------------|----------|
| B | Amendments | 06.11.18 |
| A | Amendments | 15.10.18 |

Project
**Proposed Redevelopment of
Halliford Studios Site
Manygate Lane
Shepperton**

Drawing Title
**Proposed
Boundary Treatment Plan**

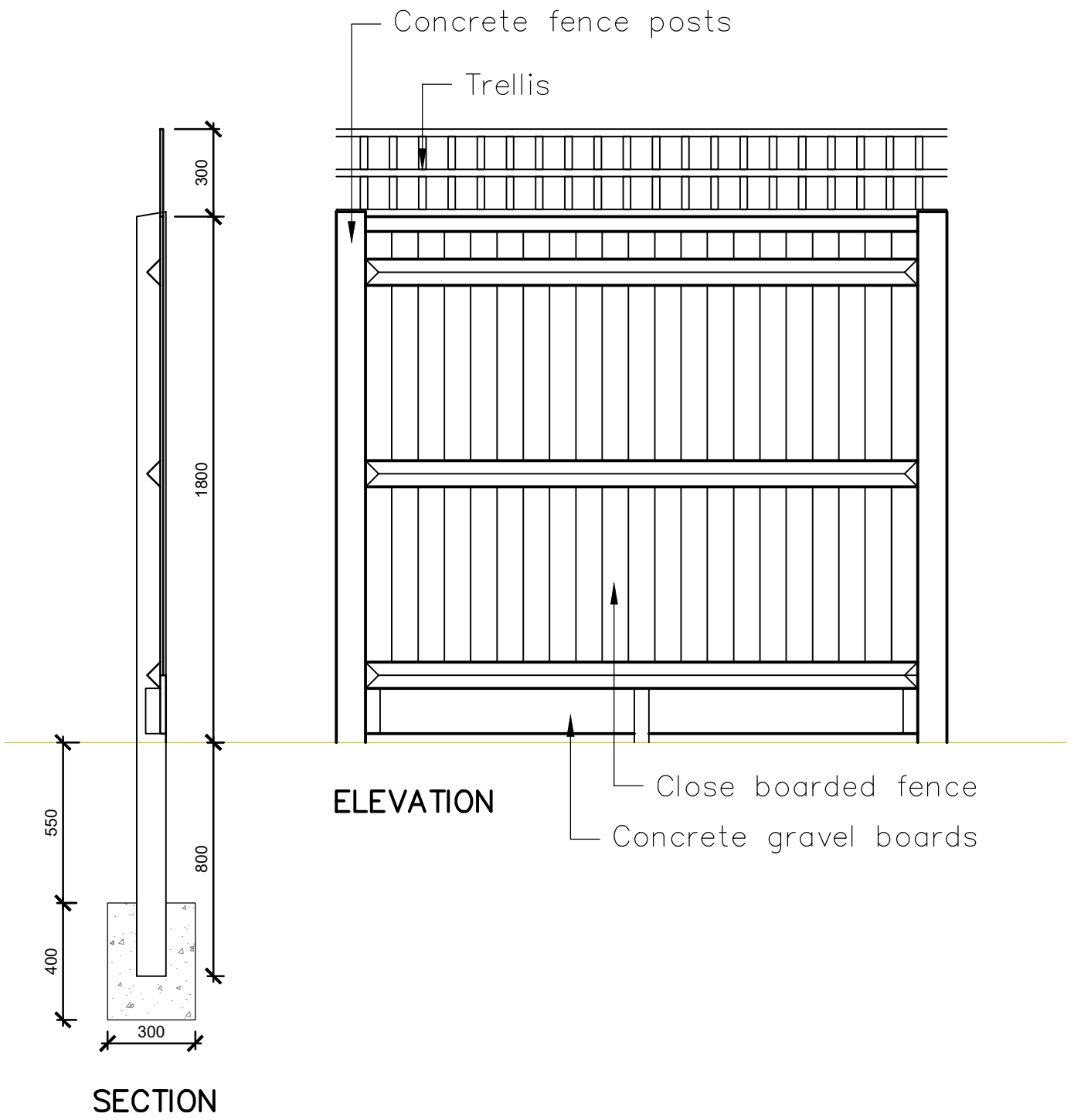
SHANLY
HOMES

'Sorbon', Aylesbury End, Beaconsfield,
Buckinghamshire, HP9 1LW
Tel: 01494 671331
Fax: 01494 676417
DX 34507 Beaconsfield

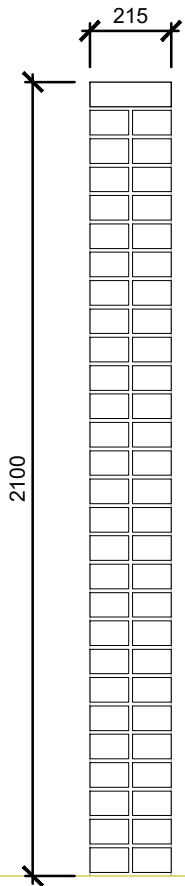
| | |
|--------------------------|----------------|
| Drawn By: AJT | Date: 20.09.17 |
| Scale: 1:500 | A3 |
| Drawing No. 1323/PLN/212 | Revision B |

- Key
- Wall fronting Manygate Lane to be reduced to 1m
 - Existing boundary to be retained
 - 1.8m high closed boarded fence topped with 300mm trellis
 - New 2.1m high brick wall

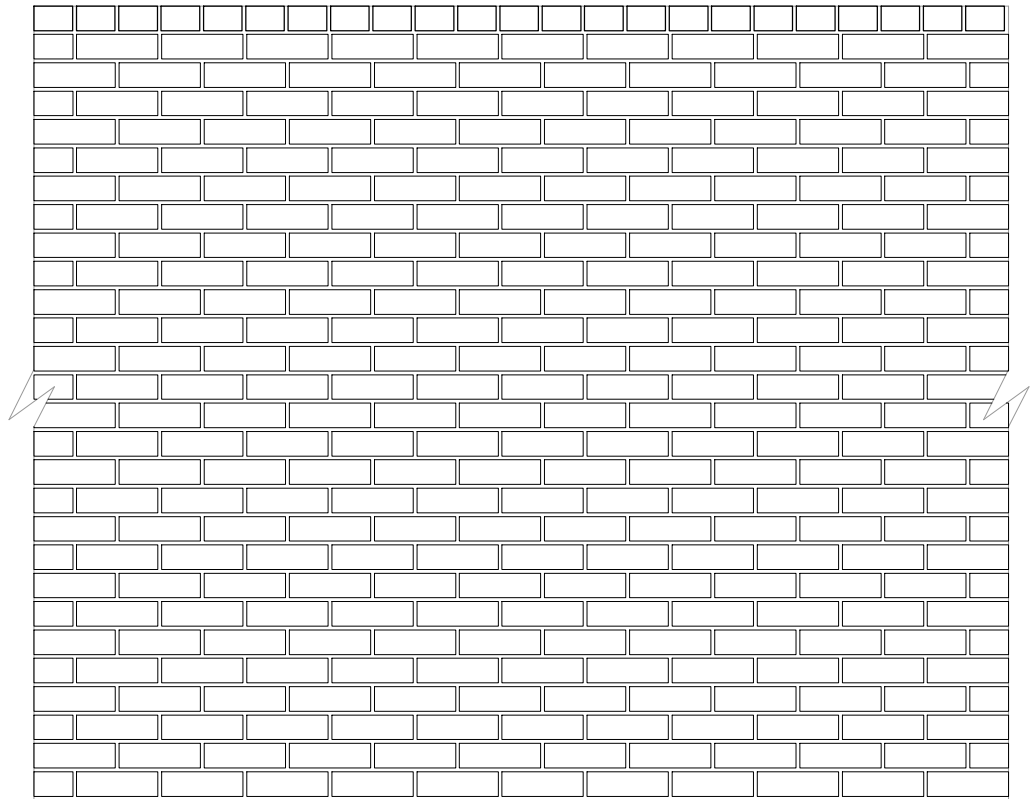




1:20



SECTION



ELEVATION

This page is intentionally left blank