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Date: 16 July 2019

## Notice of meeting

### Planning Committee

**Date:** Wednesday, 24 July 2019

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

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

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

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

### To the members of the Planning Committee

Councillors:

R.A. Smith-Ainsley (Chairman)  
H. Harvey (Vice-Chairman)  
C. Barnard  
S. Buttar  
R. Chandler

S.A. Dunn  
M. Gibson  
T. Lagden  
J. McIlroy  
L. Nichols

R.J. Noble  
R.W. Sider BEM  
V. Siva  
B.B. Spoor  
J. Vinson

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

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## **Call Over Meeting**

### **Guidance Note**

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

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

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

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

## **Planning Committee meeting**

### **Start times of agenda items**

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

### **Background Papers**

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

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

## AGENDA

Page nos.

- 1. Apologies**  
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 10**  
To confirm the minutes of the meeting held on 26 June 2019 (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.

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.
- 4. Application No. 19/00747/FUL - Unit 4, 2-10 Thames Street, Staines upon Thames, TW18 4SD** **11 - 16**

**Ward**  
*Staines*

**Proposal**  
Change of use from retail (use Class A1) to a mixed use of part café (ground floor) and part offices (first floor)

**Officer's recommendation**  
This planning application is recommended for approval subject to conditions set out at Paragraph 8 of the officer's report.
- 5. Application No. 19/00653/HOU - 356 Kingston Road, Ashford, TW15 3SF** **17 - 26**

**Ward**  
Staines South

**Proposal**  
Erection of a single storey rear extension to the property

**Officer's recommendation**  
The application is recommended for approval subject to conditions as set out at paragraph 8 of the Officer's report.

**6. Planning Appeals Report**

**27 - 32**

To note details of the Planning appeals submitted and decisions received between 14 June and 11 July 2019.

**7. Urgent Items**

To consider any items which the Chairman considers as urgent.

**Minutes of the Planning Committee  
26 June 2019**

**Present:**

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

Councillors:

C. Barnard	M. Gibson	R.W. Sider BEM
S. Buttar	T. Lagden	V. Siva
R. Chandler	J. McIlroy	B.B. Spoor
S.M. Doran	L. Nichols	
S.A. Dunn	R.J. Noble	

**In Attendance:** Councillor I.T.E. Harvey

**169/19 Minutes - 29 May 2019**

The minutes of the meeting held on 29 May 2019 were approved as a correct record.

**170/19 Disclosures of Interest**

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

Councillor H. Harvey declared a conflict of interest in item 5. - application 19/00428/FUL, St James School, Church Road, Ashford. She would leave the room during the debate and not vote on the matter.

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

Councillors R.A. Smith Ainsley declared that all members had received a presentation from officers on item 4. – application 19/00290/FUL, site at 17-51 London Road, Staines-upon-Thames. In addition those members who had sat during the previous administration had taken part in a site visit of other Berkeley Homes developments.

Councillors R.A. Smith-Ainsley, H. Harvey, S. Buttar, R. Chandler, S. Doran, S. Dunn, T. Lagden, J. McIlroy, L. Nichols, R. Noble, V. Siva and R.W. Sider BEM reported that they had received correspondence in relation to application 19/00290/FUL, site at 17-51 London Road, Staines-upon-Thames but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor R. Noble declared that he had visited the sites of all three applications, and also received correspondence in relation to application 19/00543/FUL, land at Orchard Close, Ashford but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor R.W. Sider declared that he had visited the site of application 19/00543/FUL, land at Orchard Close, Ashford but had maintained an impartial role, had not expressed any views and had kept an open mind.

**171/19 Application No: 19/00290/FUL Development Site at 17 - 51 London Road, Staines-upon-Thames**

**Description:**

Erection of six buildings to provide 467 residential homes (Use class C3) and flexible commercial space at ground and first floors (Use Classes A1-A3, B1a, D1 or D2), car parking, pedestrian and vehicle access, landscaping and associated works.

**Additional Information:**

The Planning Development Manager reported that 7 late letters of support had been received from residents of Ash House, including one undersigned by 23 residents/leaseholders.

The residents of Ash House and Berkeley Homes had agreed on a package of measures that they believed would make the proposal acceptable and this had been captured in a Memorandum of Understanding.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Malcolm Beecher spoke **against** the proposed development raising the following key point:

- Air quality concerns

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

- Proposals will transform a vacant site
- Will regenerate Staines
- Will help the community
- Will deliver an improved scheme
- Will provide 41 high quality affordable units
- Will provide open space and landscaping
- Have listened to the community and Ash House residents are no longer objecting

**Debate:**

During the debate the following key issues were raised:

- Site has long planning history and has been derelict for 15 years- will be an improvement
- Is an ambitious development
- 2016 permission was commenced but paused after the last refusal
- May benefit the street scene
- No objection from Staines Town Society
- Better scheme than 2016 approved plans and refused scheme
- Applicants have engaged positively with Ash House residents
- Development is further away from Ash House compared with refused scheme
- Decreased height of one block from 16 to 14 storeys
- Have addressed height, open space, parking, affordable housing issues
- Is an improvement on affordable housing compared with approved scheme and has been subjected to an independent assessment
- 41 rented properties are a better solution to meet our housing need compared with 71 shared ownership. Shared ownership dwellings do not provide for those in most need and are “lost” in terms of affordable housing stock
- Standard of construction on affordable housing is no different to private dwellings
- Query over renewable energy
- Will adversely affect the climate – CO2 emissions
- Will provide electric charging points for cars
- Development is not on the Green Belt
- No objection on environmental grounds

In accordance with Standing Order 22.4, Councillor H. Harvey called for a recorded vote on the Motion to approve the application.

For: 11	Councillors: C. Barnard, S. Buttar, R. Chandler, M. Gibson, H. Harvey, J. Mcllroy, L. Nichols, R. Noble, R.W. Sider BEM, V. Siva, R.A. Smith-Ainsley and B. Spoor.
Against: 2	Councillors T. Lagden and V. Siva
Abstain: 2	Councillors S. Doran and S. Dunn

The Motion was carried.

**Decision:** The application was approved as set out in the Planning Committee Report, subject to the prior completion of a legal agreement.

**172/19 Application No: 19/00428/FUL St. James School, Church Road, Ashford**

Councillor H. Harvey left the meeting for the duration of this item.

**Description:**

Erection of new sports hall facility to include 4 no. badminton courts, fitness suite, 2 no. changing rooms, storage, first aid room and reception area. Demolition of existing multi use games area (MUGA) and provision of an outdoor 5 aside pitch and car park.

**Additional Information:**

The Planning Development Manager reported the following updates to the report:

Paragraph 3.3, page 84 refers to the demolition of the gym in 2010. This was located on the northern part of the site.

The historical gym is Moot Hall located on the south east of the site but is no longer functional for gymnastics and is currently used as an assembly hall and for performing arts.

Paragraph 7.18, page 91 The applicant has confirmed that the sports hall could provide a range of sporting facilities for the community including cricket nets, 5-a-side football, badminton, fitness gym and basketball. The details of the uses will be agreed in consultation with Sport England and secured as condition 8 on page 99.

**Public Speaking:**

There were no public speakers for this item.

**Debate:**

During the debate the following key issues were raised:

- Sport facilities are very important for younger people encouraging team spirit and respect
- Very special circumstances have been demonstrated to approve the scheme
- The application has been endorsed by Sport England
- Will provide community uses
- Will provide facilities for the children for the future

**Decision:**

It was agreed to refer the application to the Secretary of State with a recommendation to approve, subject to conditions.

**173/19 Application No: 19/00543/FUL Land at Orchard Close, Ashford**

**Description:**

Erection of 3 bedroom chalet bungalow with ancillary access and parking.

**Additional Information:**

The Planning Development Manager advised that a consultation response had been received from the Group Head of Neighbourhood Services raising no objection on refuse grounds.



The applicant had confirmed that the site had been re-surveyed since the previous application and this was reflected in the submitted site plan.

**Public Speaking:**

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

- Loss of sunlight and daylight
- Design not in keeping with the surroundings
- No other bungalows in the Close
- Overlooking associated with dormer windows
- Loss of parking spaces
- Highway safety concerns
- Loss of street lights with no plans to replace them

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

- Planning permission granted 2 years ago
- No objection from Surrey CC
- Complies with the Council's Design SPD
- Is within an area of mixed development

Councillor R. Barratt, who had called the application in for determination by the Committee, submitted a statement as Ward Councillor against the proposed development, which was read out by the Chairman and raised the following key points:

- Overdevelopment
- Overlooking
- Loss of light
- Design out of keeping
- Excessive scale
- Too close to dwellings across the road
- Loss of parking and turning circle
- Traffic congestion
- Effect on emergency services and refuse collection
- Adverse impact on amenity of surrounding residents
- Does not make a positive contribution to the locality

**Debate:**

During the debate the following key issues were raised:

- Planning permission has already been granted for a dwelling on the site
- Is not an attractive piece of land
- Dwelling will be on an "island"
- Site is scrubland

- Parking provided free of charge at present and will be lost
- Will improve the street scene
- No planning policies to refuse

**Decision:**

The application was approved as set out in the Planning Committee Report.

**174/19 Application No: 19/00483/FUL Building 200, BP International Centre, Chertsey Road, Sunbury-on-Thames**

The Planning Development Manager reported that this planning application related to the installation of a new atrium roof to Building 200, at the BP site off Chertsey Road in Sunbury-on-Thames. The application was approved under officer delegated powers on 30 May 2019 but as the site is owned by the Council was reported to the Planning Committee for the purposes of transparency.

**Resolved** to note that planning permission for a new atrium roof to Building 200 at the BP site was granted conditionally on 30 May 2019.

**175/19 Development Management Performance**

The Planning Development Manager reported on the Development Management Performance for the period April 2018 to March 2019.

**Resolved** to note the report.

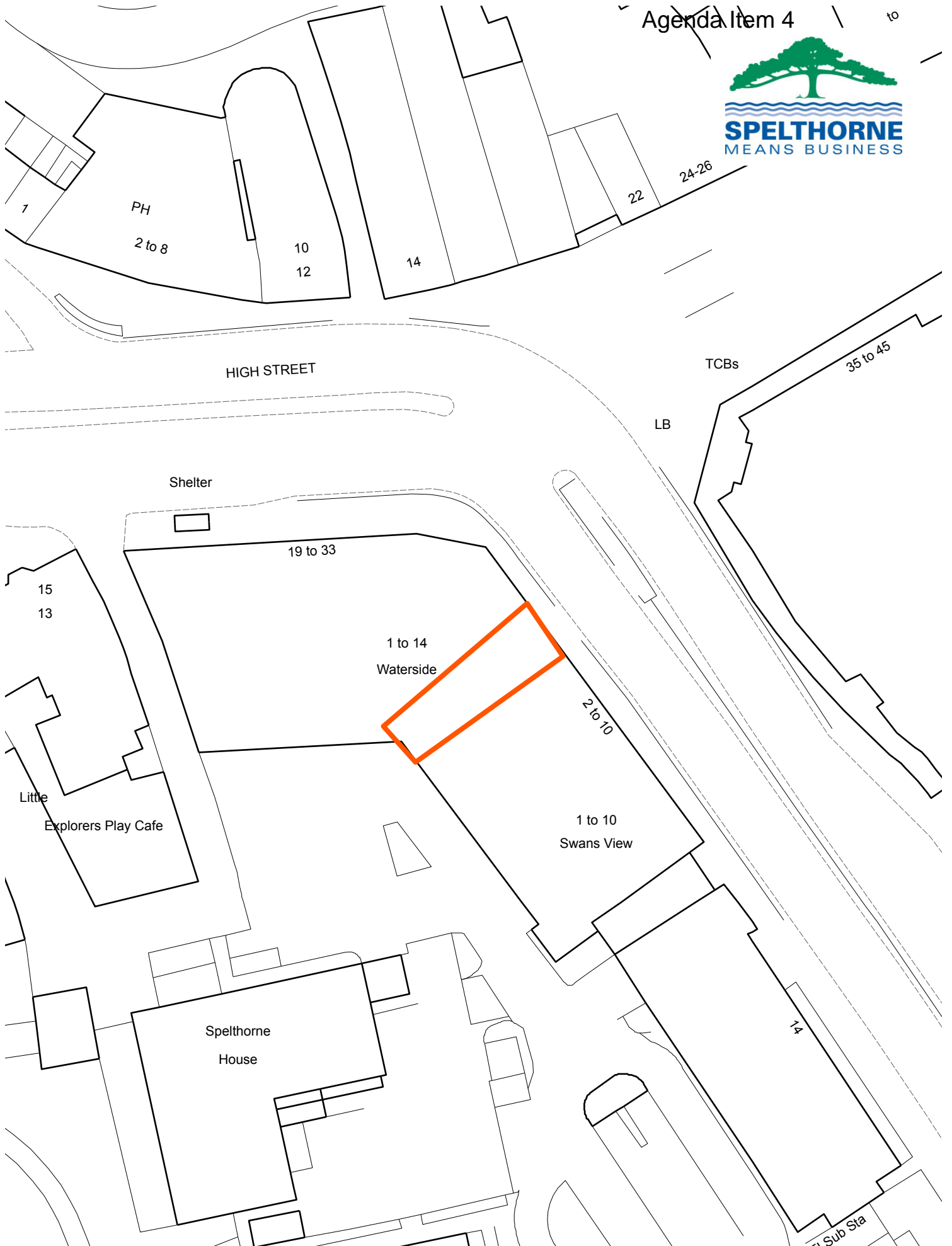
**176/19 Planning Appeals Report**

The Planning Development Manager reported on the outcomes of Planning Appeals for the period 10 April 2019 to 13 June 2019.

**Resolved** to note the report.

**177/19 Urgent Items**

There were none.



19/00747/FUL - Unit 4, 2-10 Thames Street, Staines-upon-Thames. TW18 4SD  
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# Planning Committee

24 July 2019



<b>Application No.</b>	19/00747/FUL		
<b>Site Address</b>	Unit 4, 2 – 10 Thames Street, Staines-upon-Thames		
<b>Applicant</b>	Spelthorne Borough Council		
<b>Proposal</b>	Change of use from retail (Use Class A1) to a mixed use of part café (ground floor) and part offices (first floor)		
<b>Case Officer</b>	Paul Tomson		
<b>Ward</b>	Staines		
<b>Called-in</b>	N/A		
<b>Application Dates</b>	Valid: 29.05.2019	Expiry: 24.07.2019	Target: Extension of time agreed*****
<b>Executive Summary</b>	<p>The proposal involves the change of use from retail (Use Class A1) to a mixed use of part café (ground floor) and part offices (first floor). The Surrey Disabled People's Partnership already use the ground floor as a café and this planning application is therefore part retrospective. Spelthorne Borough Council are to occupy the first floor as offices for the Heathrow 'Incubator', an economic initiative to be provide start-up business with affordable office space.</p> <p>It is considered that changing the use of the ground floor to a café will comply with the requirements of Policy TC2 (Staines Town Centre Shopping Frontage) of the Core Strategy and Policies DPD and is acceptable. It is also considered that the proposed change of the former first floor ancillary floorspace to offices will not cause any harm to the vitality and viability of the town centre.</p>		
<b>Recommended Decision</b>	This planning application is recommended for approval subject to conditions set out at Paragraph 8 of the Report.		

## 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:

- TC2 (Staines Town Centre Shopping Frontage)

## 2. Relevant Planning History

2.1 The site has the following planning history:

93/00623/FUL	Change of use from A1 (retail) to Financial and Professional Services (A2).	Refused 08.12.1993 Appeal Dismissed 25.08.2014
14/01378/FUL	Change of use from Use Class A1 (retail) to Use Class A2 (financial and professional services) to be occupied by Surrey Disabled People's Partnership.	Approved 29.09.2014

## 3. Description of Current Proposal

- 3.1 The application relates to Unit 4, 2 – 10 Thames Street in Staines-upon-Thames, which is a commercial unit located on the western side of the road. The unit comprises the main ground floor area, with ancillary floorspace on the first floor. Prior to 2014, the property was occupied as an A1 retail unit. However, in November 2014 the Surrey Disabled People's Partnership (a registered charity) moved into the building and started using it as a café and information centre.
- 3.2 The site is located within a designated Secondary Shopping Area within Staines town centre. It is also within a designated Employment Area, and a Site of High Archaeological Potential.
- 3.3 The proposal involves the change of use from retail (Use Class A1) to a mixed use of part café (ground floor) and part offices (first floor). As the Surrey Disabled People's Partnership (SDPP) are already using the ground floor as a café, this planning application is part retrospective. The offices will be accessed via an internal staircase which is reached by walking through the café.
- 3.4 The applicant (Spelthorne Borough Council) states that the SDPP no longer require the first floor space and it has been available to let for some time. SDPP has leased the first floor out in the past. The first floor contains a disabled toilet area. SDPP installed a lift from the ground floor to the first floor to enable disabled access. Spelthorne Borough Council propose to occupy the first floor as offices for the 'Heathrow Incubator' an economic initiative to provide local start-up businesses with affordable office space.

## 4. Consultations

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

Consultee	Comment
<b>County Highway Authority</b>	No objection
<b>Environmental Health</b>	No objection subject to the imposition of a condition preventing cooking of food in the café <i>Officer note: the applicant confirms that the café sells hot and cold drinks as well</i>

	<i>as sandwiches and snacks. No hot food is cooked or consumed on the premises.</i>
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## **5. Public Consultation**

- 5.1 A total of seventeen letters of notification were sent out to neighbouring properties. No letters of representation have been received.

## **6. Planning Issues**

- Loss of retail unit

## **7. Planning Considerations**

### Loss of retail unit

- 7.1 Policy TC2 of the Core Strategy and Policies DPD 2009 (CS & P DPD) states that within the secondary shopping areas of Staines town centre the loss of Class A1 retail units will be permitted where:

- (a) The proposed use is within use class A2, A3, A4 or A5 or for a launderette,
- (b) No more than five out of nine consecutive units within the secondary frontage are in non-retail uses as a result of the proposal,
- (c) The proposal would not harm the predominantly retail character of the town centre, either individually or cumulatively with other non-retail developments,

Exceptionally a non-retail use may be accepted where it is demonstrated that it will contribute to the long term vitality and viability of the centre.

- 7.2 Most of the existing units in this particular parade of commercial units are still in A1 use. Only 3 out of 9 units will be in non-retail use as a result of the current proposal. Consequently, the proposal to change the ground floor to a café complies with the requirements of Policy TC2 and is acceptable. Whilst the proposed office element is not classified as an A2, A3, A4, A5 (or launderette) use, this will occupy the former ancillary retail space on the first floor and it is not considered that changing it to an affordable office space for start-up businesses will harm the long term vitality and viability of the town centre.

- 7.3 The planning history for the site shows that in 1993 a planning application for the change of use from A1 to A2 was refused on the grounds that it would not comply with the Council's shopping policies at that time (ref: 93/0623/FUL). A subsequent appeal was dismissed in August 1994. However, this appeal decision does not carry any weight as planning permission was subsequently granted in 2014 for the change of use to class A2 purposes (14/01378/FUL). It is also relevant to note that the Town and Country Planning (Use Classes) Order permits changes from Classes A1 and A2 to Classes A3 and B1, subject to the prior notification process. However, the only reason why this procedure cannot be used in this particular case is because the application proposes a mixed use scheme.

### Other Matters

- 7.4 The application is for a change of use and there will be no impact on the Site of High Archaeological Potential.

- 7.5 The County Highway Authority has raised no objection to the proposal.
- 7.6 The proposed change of use is not considered to cause any harm to the amenity of neighbouring properties.
- 7.7 Accordingly, the application is recommended for approval.

## **8. Recommendation**

8.1 GRANT subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans PL\_102; PL\_103; PL\_104; PL\_105 and site location plan received 29 May 2019.

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

2. No primary cooking (i.e. the cooking of raw or fresh food) shall take place within the building unless otherwise agreed in writing by the Local Planning Authority.

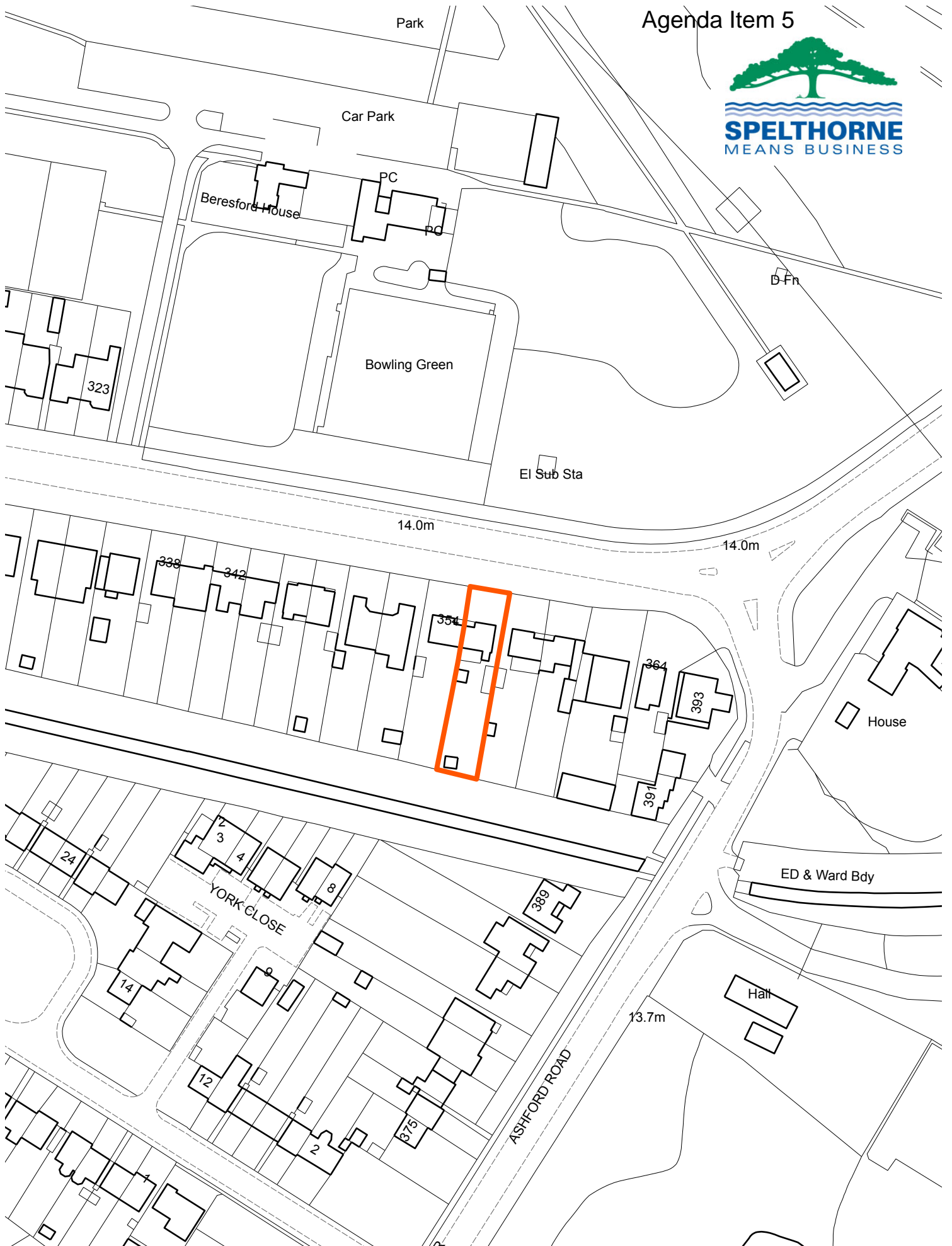
Reason:- To safeguard amenity of neighbouring properties.

**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 pre-application advice to seek to resolve problems before the application was submitted 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.





19/00653/HOU - 356 Kingston Road, Ashford. TW15 3SF  
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# Planning Committee

24 July 2019



<b>Application No.</b>	19/00653/HOU
<b>Site Address</b>	356 Kingston Road, Ashford, TW15 3SF
<b>Applicant</b>	Mr and Mrs Rosic
<b>Proposal</b>	Erection of a single storey rear extension
<b>Case Officer</b>	Siri Thafvelin
<b>Ward</b>	Staines South
<b>Called-in</b>	The applicant is an employee of Spelthorne Borough Council and in accordance with the Planning Code (paragraph 38) this application is being reported to Committee for a decision.

<b>Application Dates</b>	Valid: 09.05.2019	Expiry: 04.07.2019	Target: Extension of time agreed
<b>Executive Summary</b>	This application is for the erection of a single storey rear extension. The proposed extension would incorporate the side walls of the existing conservatory and extend them 0.2m higher and 1.3m further beyond the rear elevation of the original dwelling. A new flat roof would be laid. The proposal is considered to be acceptable in terms of the impact on the adjoining properties and character of the area and in relation to flooding.		
<b>Recommended Decision</b>	Approve the application subject to conditions as set out at Paragraph 8 of the Report.		

## MAIN REPORT

### 1. Development Plan

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

- EN1 (Design of new development)
- LO1 (Flooding)

Design of Residential Extensions and New Residential Development SPD 2011

### 2. Relevant Planning History

2.1 There is no planning history for this site.

### 3. Description of Current Proposal

3.1 This application relates to 356 Kingston Road, Ashford, which is a semi-detached chalet-style dwellinghouse situated on the south side of Kingston Road opposite Fordbridge Park. The properties immediately to the east and west of the site are occupied by similar dwellings to the application property but the wider character is more mixed and comprises both single and two-storey detached dwellings. Staines Reservoirs Aqueduct runs to the south of the site. The site is within Flood Zone 2 (1 in 1000 year flood event area).

3.2 It is proposed to erect a single storey rear extension that would incorporate the side walls of the existing conservatory, extend it 1.3m further from the rear elevation of the original dwelling, and install a new and taller flat roof with two rooflights over. The depth of the resulting extension would be 4.45m from the original building and the height to the top of the parapets would be 3.4m compared with the existing height of 2.9m. The extension would have folding doors in the rear elevation and no other external openings.

3.3 Copies of the proposed plan and elevations are provided as an Appendix.

### 4. Consultations

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

Consultee	Comment
Environmental Health	No objection but request an informative to be attached to the decision notice.

### 5. Public Consultation

5.1 Two letters of notification were sent out to the adjoining properties. At the time of writing, no letters of representation have been received.

### 6. Planning Issues

- Design and appearance
- Impact on neighbouring properties

➤ Flooding

## 7. Planning Considerations

### Design and Appearance

- 7.1 Policy EN1(a) of the Core Strategy & 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 Kingston Road is largely residential and is consists of a mix of semi-detached and detached bungalows and houses. The application property makes up part of a pair of almost identical semi-detached chalet-style dwellings with a lower eaves height and taller ridge height than most of the other bungalows or chalet-style dwellings in Kingston Road. Their design and detailing makes these buildings distinctive in the streetscene and different in style to the prevailing character of the area.
- 7.3 The proposed extension would be to the rear of the host building and would therefore not be readily visible from the street or have an impact on the streetscene. The Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (Design SPD) sets out that whilst single storey rear extensions may not be visible from the street they will be particularly visible from neighbouring properties and should fit in with the host building. The existing single storey rear extension has a flat roof and the proposal will only be slightly higher by 0.2m and slightly deeper by 1.3m. This is considered to be acceptable as it would not appear to over dominate the host building or be out of proportion. It is not considered that the development would have a harmful impact on the character of the area.

### Impact on Neighbouring Properties

- 7.4 Policy EN1(b) 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 of outlook.
- 7.5 The proposed single storey rear extension would have a depth of 4.45m beyond the rear elevation of the original building. It would be situated along the boundary to no. 354 Kingston Road where it would have an eaves height of 3.1m. The extension would therefore be 0.2m taller than the existing conservatory which has a height of 2.9m to the top of the parapet wall along the boundary, and be 1.3m deeper than the existing conservatory.
- 7.6 The SPD states that single storey rear extensions with a depth of 4m are usually acceptable on semi-detached properties, subject to appropriate design and use of materials. With a depth of 4.45m the proposed extension would exceed this guidance, however, it is not considered that the depth and height of the extension along the boundary would cause significant harm to the amenities of the adjoining property. The nearest window at no. 354

Kingston Road is a wide full-height window with a sliding door that serves a living room. Whilst it is acknowledged that the proposed extension would be 1.3m deeper than the existing extension, the outlook from the neighbouring property would be similar to the existing situation and it is not considered that the proposal would result in a harmful overbearing impact or loss of light. In addition, no letter of objection has been received in response to this application. It is relevant to note that a similar proposal with a 3m high eaves could be built as Permitted Development (i.e. not require planning permission) under the Prior Notification for Larger Home Extensions procedure providing no objection is received from the adjoining neighbour.

- 7.7 The application property has an existing single storey extension that is set in approximately 2.35m from the other boundary to no. 358 Kingston Road. There is a pitched roof garage that straddles the boundary between nos. 356 and 358 that shields views across and the additional floorspace would not be readily visible from the neighbouring property. The new roof and parapets over the existing extension would be visible from no. 358 but it is not considered that the increase in height of 0.2m would cause any harm to the amenities of the neighbouring property.
- 7.8 As there would not be any windows in the side elevations of the proposed extension and the openings on the rear elevation would overlook the garden of the application property, it is considered that the proposed development would have an acceptable impact on the privacy of neighbouring residents.
- 7.9 The application site is located within the 1 in 1000 year flood event area (Flood Zone 2) where there is no objection in principle to extensions on flooding grounds. It is considered that the proposal will not have an adverse impact upon the flood area provided that it adheres to the conditions recommended by the Environment Agency in their standing advice which are recommended to be attached to the planning permission. The application will then be in accordance with policy LO1 of the CP & P DPD.
- 7.10 It is considered that the proposed development would have an acceptable impact on the character of the area and appearance of the host building, and that it would not cause unacceptable harm to neighbouring properties in terms of light, privacy or overbearing impact. Accordingly, this application is recommended for approval.

## **8. Recommendation**

8.1 GRANT subject to the following conditions:

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

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

2. The extension hereby permitted shall 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. The development hereby permitted shall be carried out in accordance with the following approved plan: KR/356/01 received on 9 May 2019.

Reason:-.For the avoidance of doubt and to ensure the development is completed as approved.

4. There shall be no raising of existing ground levels on the site within the area liable to flood, other than in accordance with the approved details.

Reason:-.To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. All spoil and building materials stored on site before and during construction shall be removed from the area of land liable to flood upon completion.

Reason:-.To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

#### INFORMATIVES TO APPLICANT

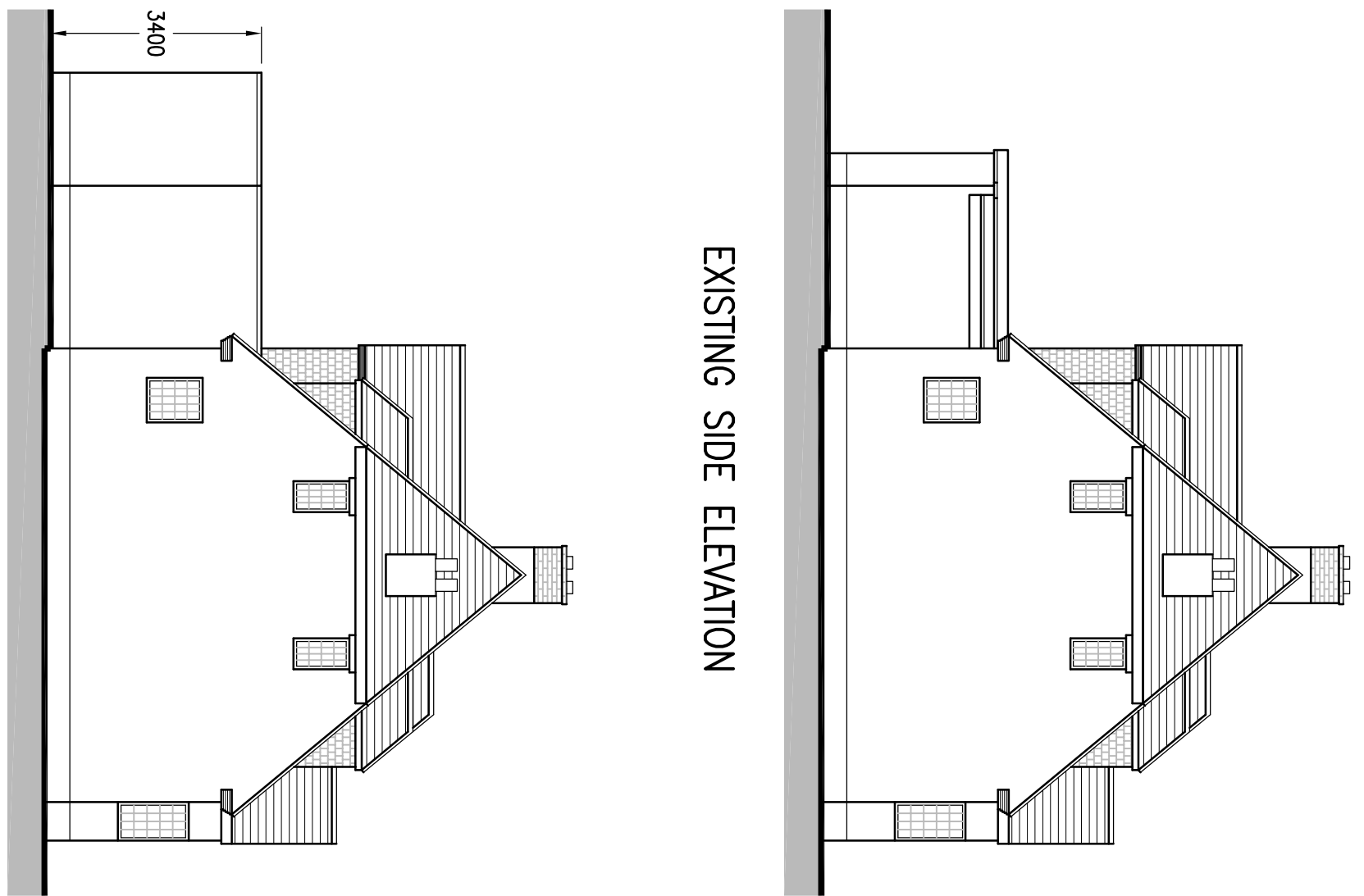
1. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
2. This development is situated within 250 metres of a current or historic landfill site or gravel pit. A gas impermeable membrane should be incorporated within the structure along with a ventilated sub floor area. Any services entering/leaving the structure should be located above the gas impermeable membrane or alternatively, adequate seals will need to be provided if the membrane is to be breached. The details of the gas impermeable membrane and with particular attention to the joins with any existing structure and seals around any services, plus details of the sub-floor ventilation should be submitted to the Local Planning Authority for approval prior to the works being carried out.

The applicant is advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.

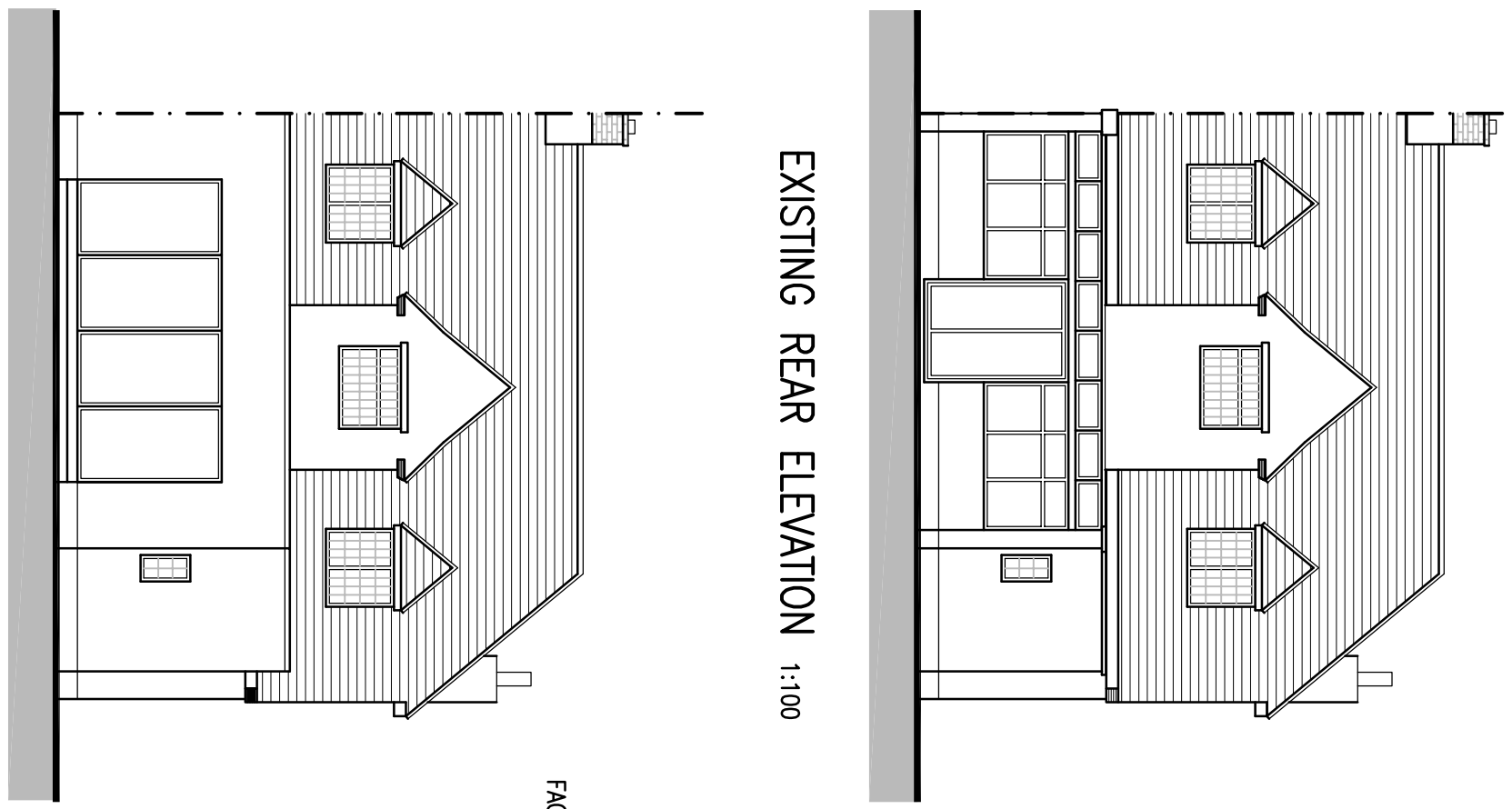
3. Decision Making: Working in a positive and proactive manner  
In assessing this application officers have worked with the applicant in a positive and proactive manner consistent with the requirements of the NPPF. This may have included the following:
  - a) Provided pre-application advice to seek 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 and to improve the economic social and environmental conditions of the area;
- d) Have proactively communicated with the applicant through the process to advice progress, timescales or recommendation.

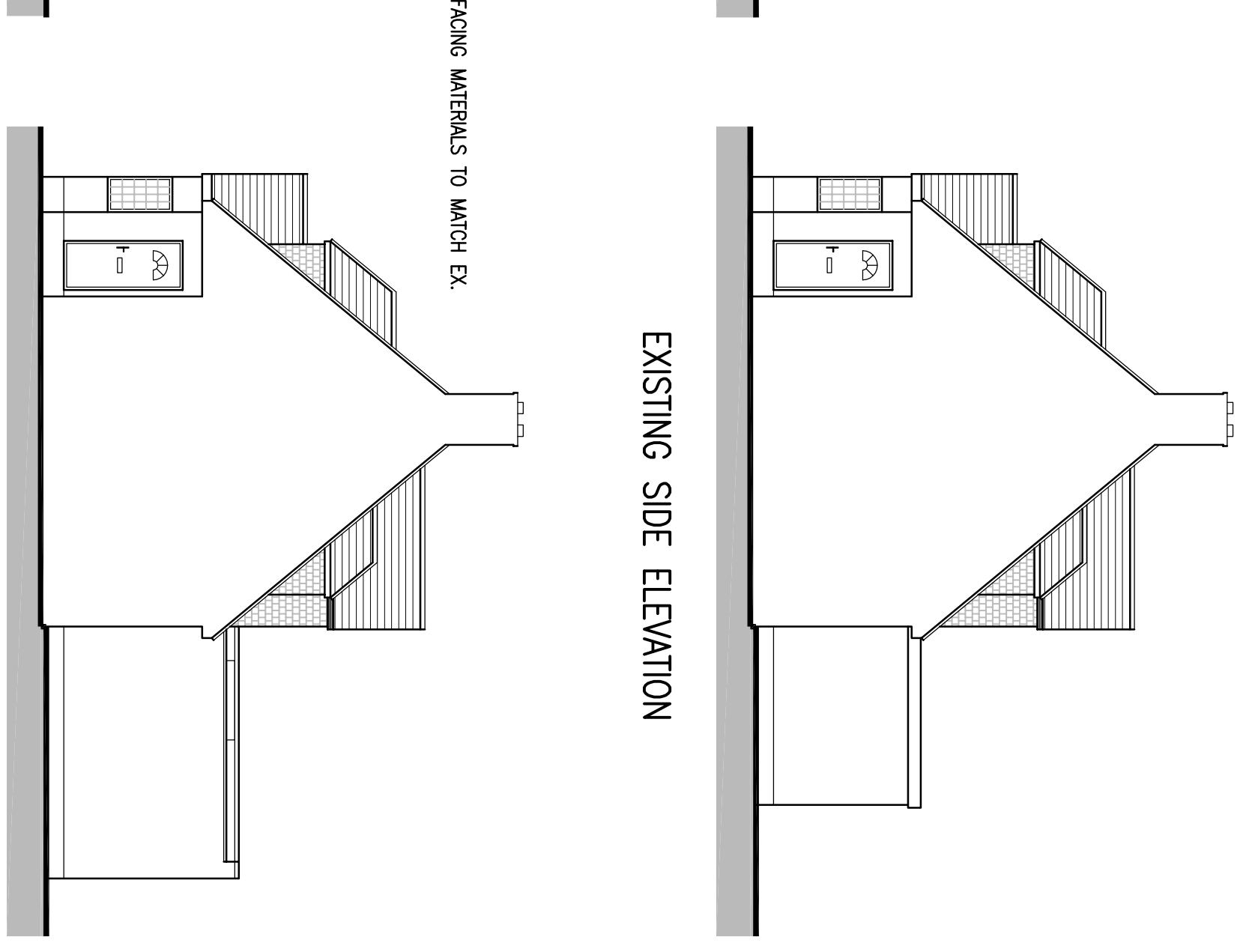




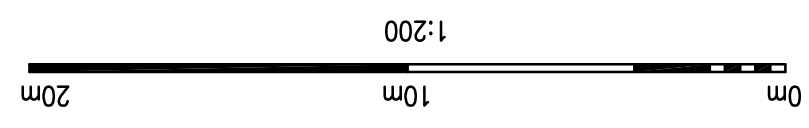
EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION 1:100



EXISTING SIDE ELEVATION



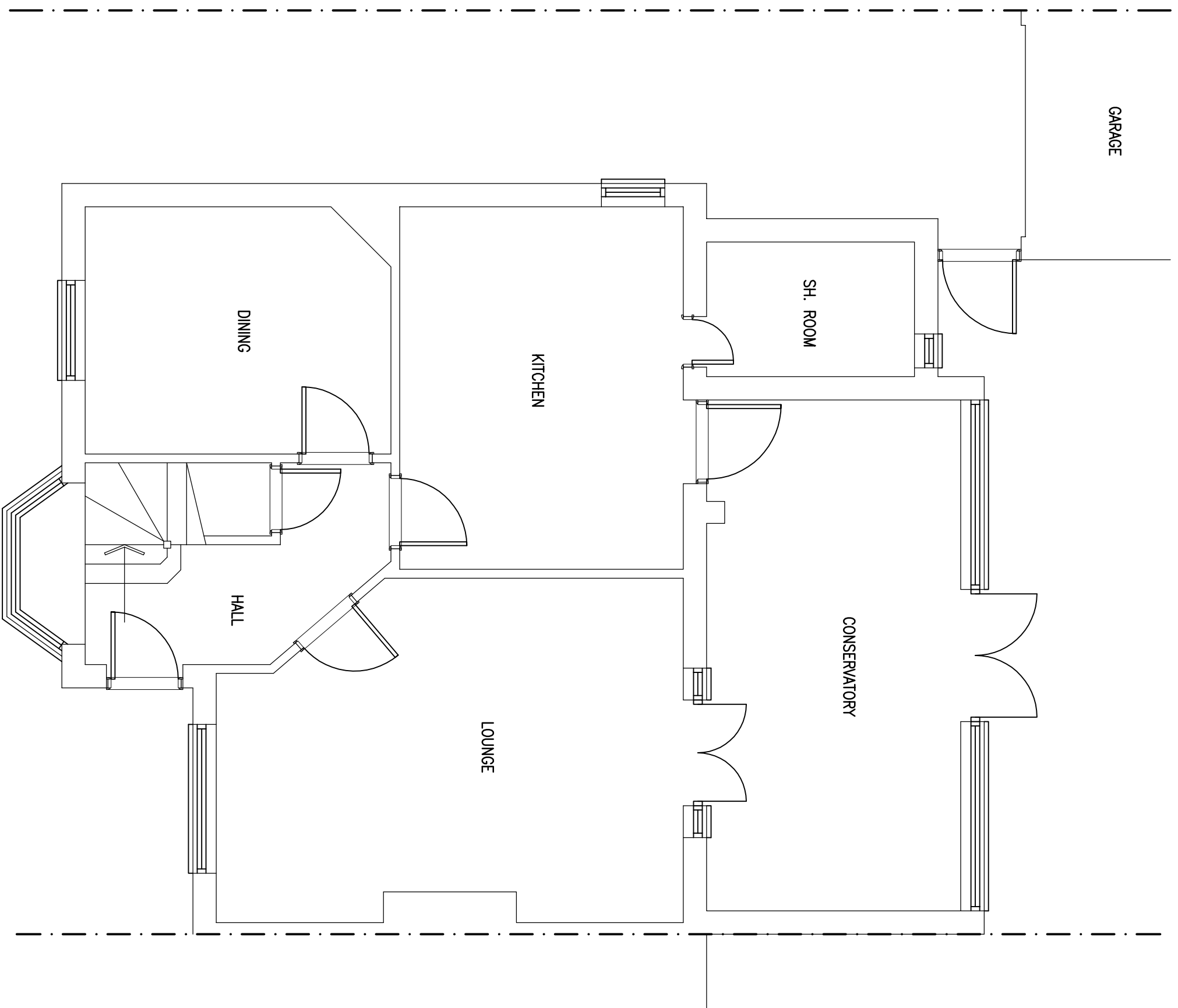
PROPOSED SIDE ELEVATION

PROPOSED REAR ELEVATION 1:100

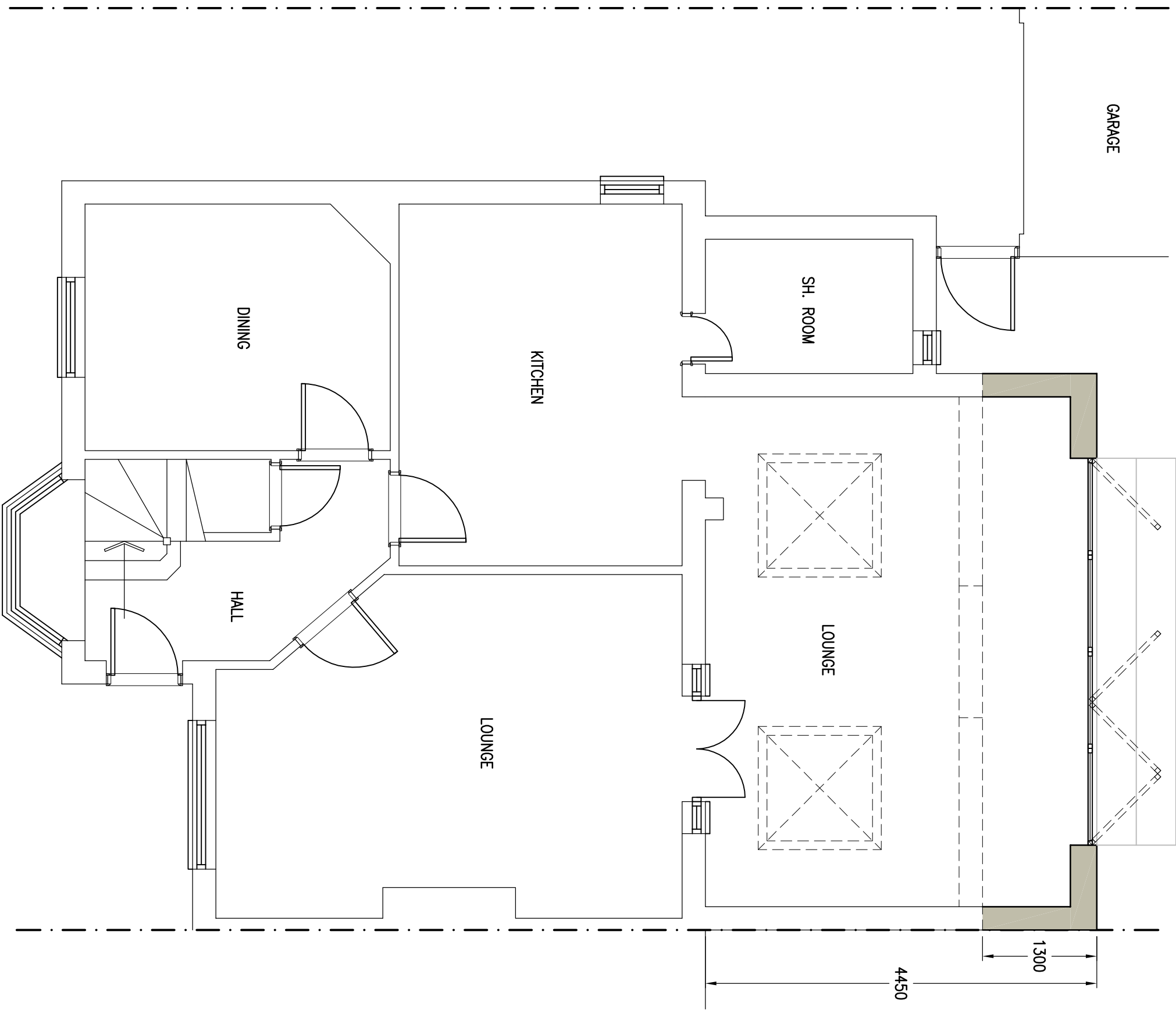
PROPOSED SIDE ELEVATION



PROPOSED SITE PLAN 1:200



EXISTING GROUND FLOOR 1:50



PROPOSED GROUND FLOOR 1:50



LOCATION PLAN 1:1250

**ajit design services ltd**  
 9 queensway, sturbury-on-avon,  
 moulton, TW15 8JA  
 t: 01932 782943  
 m: 07973 479204  
 e: info@ajit-design.co.uk  
 www: ajit-design.co.uk

**PLANNING ISSUE**  
 Address  
 356 KINGSTON ROAD,  
 ASHFORD,  
 TW15 3SF  
 Title  
 PROPOSED SINGLE STOREY  
 REAR EXTENSION

Dwg. No. **KR/356/01** Revision:  
 Scale : 1:50, 1:100 & 1:1250 @ A1 Date: APR '19  
 0m 1m 2m 4m 1:100 6m 8m 10m  
 0m 1m 2m 3m 1:50 4m 5m

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# Planning Committee

## 24 July 2019



### Planning Appeals

#### List of Appeals Submitted between 14 June and 11 July 2019

Planning Application / Enforcement Number	Inspectorate Ref.	Address	Description	Appeal Start Date
19/00159/HOU	APP/Z3635/D/19/3230773	525 Staines Road West Ashford TW15 2AB	Erection of outbuilding for use as granny annexe.	26/06/19
19/00144/FUL	APP/Z3635/D/19/3231133	19A Gordon Road Ashford TW15 3ES	Loft extension to existing first floor flat comprising rear facing dormer to create additional accommodation in the roof space, creation of a balcony and 3 roof lights in front roof slope.	27/06/19
19/00329/HOU	APP/Z3635/D/19/3229316	23 Talbot Road Ashford TW15 3PN	Erection of first floor side extension and two storey rear extension (Following the demolition of existing conservatory).	08/07/19

#### Appeal Decisions Received between 13 June and 11 July 2019

<b>Site</b>	Old Pumping Station Wheatsheaf Lane Staines-upon-Thames
<b>Planning Application No.:</b>	18/00435/FUL

<b>Proposed Development:</b>	Erection of 1 No. detached 3 No. bedroom dwelling with associated parking and amenity space, following demolition of existing pump house
<b>Reasons for Refusal</b>	<p>The proposed dwelling by reason of size, scale and height would represent inappropriate development within the Green Belt to which substantial weight is given, and would have a detrimental impact upon the openness of the Green Belt. There are no 'very special circumstances' to clearly outweigh this harm and the proposal is contrary to policy GB1 of the Spelthorne Local Plan 2001 Saved Policies and Proposals (as updated December 2009), and the National Planning Policy Framework (July 2018).</p> <p>The proposed dwelling would be situated within a 'dry island' and would not provide a dry means of safe access and egress for future occupiers, and would add to the problems of the emergency services during a major floor event contrary to the objects of policy LO1, of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009). For this reason, alongside insufficient information within the Floor Risk Assessment also fails to meet the requirements of the National Planning Policy Framework (July 2018).</p> <p>The proposed roof terrace by reason of scale, siting and design is considered to be out of keeping with the character of properties within the surrounding street scene and would not pay due regard to the characteristics of adjoining buildings and land. The dwelling would also have a detrimental impact upon the open character of the surrounding area. The proposal would therefore be contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009) and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.</p>
<b>Appeal Reference:</b>	APP/Z3635/D/19/3221761
<b>Appeal Decision Date:</b>	05/07/19
<b>Inspector's Decision</b>	The appeal is dismissed
<b>Inspector's Comments:</b>	<p>The Inspector identified that the main issues surrounding the appeal were:</p> <ul style="list-style-type: none"> <li>- Whether the development would be inappropriate development in the Green Belt and whether it would harm openness.</li> <li>- Whether the development would be suitable for this location in regards to flood risk.</li> <li>- The effect on the appearance and character of the area.</li> </ul>

- If the development is inappropriate, whether harm to the Green Belt or any other harm would clearly be outweighed by other considerations that amount to 'very special circumstances'.

### Green Belt

The Inspector noted that there are a number of exemptions to inappropriate development in the NPPF, and considered that the proposal would not constitute limited infilling within a village, nor would it constitute 'infilling'. The Inspector also commented that the site is clearly occupied by buildings and accords with the definition of previously developed land. However, the existing buildings are modest in size and the appeal site currently contributes to the openness of the area.

The Inspector commented that the proposed dwelling would have a far larger footprint and would be higher than the existing buildings. Due to the scale, bulk and massing of the dwelling and the enclosure of the site by a solid brick wall, the proposal was considered to have a significantly greater impact upon the openness of the Green Belt than the existing buildings. The Inspector therefore concluded that the appeal proposal would represent inappropriate development and would be harmful to its openness, conflicting with the NPPF and Saved Policy GB1.

### Flooding

The Inspector noted that the majority of the site is in flood zone 2 and that the site is also situated on a 'dry island'. It was also noted that the Council's Flooding SPD states that the "the Council position is that for residential development the only safe route of escape is a dry route".

It was noted that the Flood Risk Assessment (FRA) included a sequential test, which justified the use of the land in flood zone 2 for residential purposes. However, the test did not take into account that the Council treats proposals for developments on 'dry islands' as though they were located in flood zone 3a and 3b. The sequential test was therefore considered to be incorrect. The Inspector commented that there appear to be reasonably available alternative sites in areas of lower flood risk that could theoretically accommodate the proposal. As such it was considered that the development fails the sequential test.

It was noted that the appellant highlighted other development that necessitated occupants passing through flood waters. As the other developments related to a number of dwellings and 'householder applications, this was not considered to justify the granting of the appeal proposal.

The Inspector concluded that the site would not be a suitable location for the development and would be contrary to Policy LO1, the NPPF and the guidance in the Council's Flooding SPD.

Character and appearance

The Inspector noted that the character of the wider area is defined by the two storey traditional form of surrounding dwellings, in either detached, semi-detached or terraced arrangements.

The Inspector commented that roof terraces are an uncommon feature and where used are typically smaller, concealed from public view, or relevant to their context such as affording a view to the River Thames. The dwelling would incorporate a terrace extending to approximately 21 sq m, enclosed by high obscure glazing to prevent overlooking. The Inspector considered that this would be a particularly visible feature that would be out of character with the area. It was further considered that whilst the terrace may have been designed to make efficient use of the massing to provide another area of amenity space, this did not outweigh its harm. It was concluded that the proposal would have a harmful effect on the character and appearance of the area contrary to policy EN1.

Planning Balance

The Inspector found that the proposal would have been inappropriate in the Green Belt, and would harm its openness. It was also found that the proposal would not be in a suitable location in terms of flood risk and would harm the character of the area. Matters cited in support of the proposal by the appellant were not considered to outweigh this harm. As 'very special circumstances' do not exist the appeal was dismissed.

**Future Hearing / Inquiry Dates**

<b>Council Ref.</b>	<b>Type of Appeal</b>	<b>Site</b>	<b>Proposal</b>	<b>Case Officers</b>	<b>Date</b>
18/01101 /FUL	Inquiry	17 - 51 London Road Staines-upon-Thames TW18 4EX	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.	Russ Mountry/ Matthew Churchill	05/11/19 7 day Inquiry

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