



*Please reply to:*

Contact: Sam Nicholls  
Service: Corporate Governance  
Direct line: 01784 446240  
E-mail: [s.nicholls@spelthorne.gov.uk](mailto:s.nicholls@spelthorne.gov.uk)  
Date: 2 February 2016

## Notice of meeting

### Planning Committee

**Date:** Wednesday, 10 February 2016

**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 member of the Planning Committee

Councillors:

R.A. Smith-Ainsley (Chairman)  
C.M. Frazer (Vice-Chairman)  
R.O. Barratt  
I.J. Beardsmore  
S.J. Burkmar

Q.R. Edgington  
A.L. Griffiths  
I.T.E. Harvey  
N. Islam  
A.T. Jones

V.J. Leighton  
A. Neale  
O. Rybinski  
R.W. Sider BEM  
H.A. Thomson

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

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

[www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) [customer.services@spelthorne.gov.uk](mailto: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** **1 - 12**  
To confirm the minutes of the meeting held on 13 January 2016 (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 in the report of the Head of Planning and Housing Strategy (copy attached).

a) 15/01556/RVC - 34 Laleham Road, Staines-upon-Thames, TW18 2DX **13 - 32**
- 5. Standard Appeals Report** **33 - 46**  
To note the details of the Standard Appeals Report.
- 6. Urgent Items**  
To consider any items which the Chairman considers as urgent.

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**Minutes of the Planning Committee  
13 January 2016**

**Present:**

Councillor R.A. Smith-Ainsley (Chairman)  
Councillor C.M. Frazer (Vice-Chairman)

Councillors:

I.J. Beardsmore	A.T. Jones	R.W. Sider BEM
S.J. Burkmar	V.J. Leighton	H.A. Thomson
A.L. Griffiths	A. Neale	
I.T.E. Harvey	O. Rybinski	

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

**In Attendance:**

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

Councillor N. Gething	15/01513/FUL - Headline House, Stanwell Road, Ashford
Councillor M.M. Attewell	Observed proceedings
Councillor C.F. Barnard	Observed proceedings

**1/16 Minutes**

The minutes of the meeting held on 16 December 2015 were approved as a correct record.

**2/16 Disclosures of Interest**

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

Councillor I.J. Beardsmore declared a conflict of interest in relation to application 15/01590/SCC – Grazing land opposite Ford Close, Kingston Road, Ashford on the basis that he was a member of the Surrey County Council Planning and Regulatory Committee which determined such items. He stated that he would not debate or vote on the item.

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

Councillors R.A. Smith Ainsley, C.M. Frazer, V.J. Leighton, O. Rybinski, A.L. Griffiths, R.W. Sider BEM and H.A. Thomson reported that they had received correspondence in relation to application 15/01513/FUL - Headline House, Stanwell Road, Ashford, but had maintained an impartial role and had kept an open mind.

Councillor I.T.E. Harvey reported that he had received correspondence in relation to application 15/01343/HOU - 32 Maryland Way, Sunbury On Thames, but had maintained an impartial role and had kept an open mind.

**3/16      15/01590/SCC - Grazing Land Opposite Ford Close, Kingston Road, Ashford**

**Description:**

Surrey County Council consultation for the construction of new single storey fire station with access from A308 Staines Road West, incorporating two double appliance bays, dormitories with ancillary facilities, office accommodation, operational areas and store rooms; drill tower and smoke house; proposed hard standing for training, car parking and refuelling point for appliances; associated generator and oil storage tank; retention of existing rail timber fencing on north and eastern boundary of the site and the erection of 3m high acoustic fencing on the south west and part of the northern boundaries.

**Additional Information:**

The Assistant Head of Planning informed the Committee that one late letter of objection had been received which raised concerns with the closing of two fire stations and the replacement with only one.

In addition she reported that three further letters of objection from Surrey County Council had been received which raised concerns relating to:

- Green Belt
- Flooding
- Noise
- Traffic congestion
- Loss of view of open fields

**Public Speaking:**

There was none.

**Debate:**

During the debate the following key issues were raised:

- Recommendation must be on planning matters not closure of 2 existing fire stations
- Flooding concerns
- Location issues with flooding of nearby roads

- Highly vulnerable use in green belt
- Respects green belt
- Loss of green belt
- Visual improvements needed to mitigate proposal
- Have started work on site
- Loss of trees
- Eyesore
- Need substantial landscaping

**Decision:**

That Surrey County Council be informed that Spelthorne Borough Council raise **OBJECTIONS** to the proposed new fire station to be located on land south of Fordbridge Roundabout unless:

1. Flood storage capacity is increased to avoid adding to flood risk elsewhere; and
2. Sufficient landscaping is proposed to mitigate the visual impact of the proposal

Spelthorne would also comment that if permission was to be granted by SCC then the following should be satisfied:

1. Adequate protection of ecology during construction;
2. A demonstration that impact on archaeology is acceptable;
3. Acceptable in terms of highway safety to the satisfaction of the County Highway Authority.
4. Air quality measures presented in the Air Quality Assessment be controlled by condition and that Construction Environmental Management Plan and Dust Management Plan be approved prior to commencement to protect human health and prevent nuisance.
5. Ground gas mitigation of ground gas risk be approved prior to commencement and the scheme be constructed in accordance with these approved details.
6. That the following conditions be applied in relation to ground contamination:

**A) Condition:** No development shall take place until:-

- (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.
- (ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature

and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.

- (iii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology. The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without 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 in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

NOTE

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

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

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

NOTE

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



**4/16 15/00676/FUL - Land Off, Hanworth Road, Sunbury On Thames**

**Description:**

Erection of new building to provide a B1c, B2 and B8 development with associated parking.

**Additional Information:**

The Assistant Head of Planning notified the Committee that the reference to acoustic fencing in condition 3 of the report of the Head of Planning and Housing Strategy would be deleted and replaced with the following additional condition:

Prior to the commencement of the development hereby approved, details of the proposed acoustic fencing on the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The fencing as agreed shall be installed prior to the occupation of the development and thereafter maintained.

Reason: To protect the amenity of the neighbouring residential properties.

**Public Speaking:**

There was none.

**Debate:**

During the debate the following key issues were raised:

- Proposal completes economic development and improvement of the site
- Costco development took account of any traffic development associated with this site
- Site has been in industrial use for years
- Concern over access onto A316; there has been an accident associated with the Costco access

**Decision:**

The application was **approved** as set out in the report of the Head of Planning and Housing Strategy subject to the following additional condition and amendments:

That the reference to acoustic fencing in condition 3 be deleted and the following additional condition be included:

Prior to the commencement of the development hereby approved, details of the proposed acoustic fencing on the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The fencing as agreed shall be installed prior to the occupation of the development and thereafter maintained.

Reason: To protect the amenity of the neighbouring residential properties

**5/16 15/01513/FUL - Headline House, Stanwell Road, Ashford**

**Description:**

Erection of a two storey building to provide 1 no. one bed flat, 6 no. two bed flats and 1 no. three bed flats with associated parking and amenity space following demolition of the existing commercial building on the site.

**Additional Information:**

The Assistant Head of Planning explained that a total of 12 additional late letters of objection have been received. The issues included:

- The proposal would not overcome the reason for refusal on the previous scheme which was refused on overdevelopment grounds
- Unacceptable overlooking, particularly associated with the proposed balconies
- Inadequate parking

The Assistant Head of Planning recommended the following additional condition be imposed:

Prior to the commencement of the development hereby approved, the applicant shall submit to the Local Planning Authority for approval, details of the proposed balconies to units 1.04 and 1.05 on the first floor. The details shall include a set in from the northern boundary by 1m and the erection of a 2m high screen on the northern boundary. The details as agreed shall be implemented prior to the occupation of the units and maintained.

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

**Public Speaking:**

In accordance with the Council's procedure for speaking at committee meetings, John Higham spoke against the proposed development and raised the following key points:

- The proposal does not overcome the reason for refusal on the previous scheme which was refused on overdevelopment grounds
- Unacceptable overlooking, particularly associated with the proposed balconies
- Inadequate parking

In accordance with the Council's procedure for speaking at committee meetings, Michael Wood spoke in favour of the proposed development and raised the following key points:

- Worked with the planning officers to get an acceptable scheme
- Attractive development which will enhance the character of the area
- Meets Council's parking standards
- Census showed 1.24 cars per household across the Borough
- Current use generates significantly more parking than proposal
- Supports impact on St Hilda's Church listed building opposite with similar design and use of red brick

- Would provide much needed housing in the borough

In accordance with the Council's procedure for speaking at committee meetings, Councillor Gething spoke as ward councillor and raised the following key points:

- Welcomes residential development but needs to be proportionate
- Increase in number of bedrooms compared with refused scheme
- Overdevelopment
- Design out of keeping with street scene
- Rear balconies result in overlooking
- Parking problems

**Debate:**

During the debate the following key issues were raised:

- Parking proposed meets Borough Council's Parking standards for cars and cycles
- Will replace an unattractive building
- Improvement within street scene
- Complements listed building of St Hilda's church
- Overlooking is minimal
- Balconies are now acceptable with additional condition suggested by officers
- Contrary to Surrey County Council parking standards, safety concerns
- Good design
- Parking problems, inadequate parking
- Overlooking from balconies
- Concerns over storage on balconies, would like a condition to prevent this
- Could address concerns over balcony storage in lease terms
- Vast visual improvement
- Overlooking is not a problem
- Sympathetic to listed building church
- Amenity/green space is provided

**Decision:**

The application was **approved** as set out in the report of the Head of Planning and Housing Strategy subject to the following additional condition:

Prior to the commencement of the development hereby approved, the applicant shall submit to the Local Planning Authority for approval, details of the proposed balconies to units 1.04 and 1.05 on the first floor. The details shall include a set in from the northern boundary by 1m and the erection of a 2m high screen on the northern boundary. The details as agreed shall be implemented prior to the occupation of the units and maintained.

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

**6/16 15/01352/FUL - Venture House, 42 - 54 London Road, Staines-upon-Thames**

**Description:**

Removal of surface level car park and erection of a two-storey block of 6 flats (4 no. 1-bed and 2 no. 2-bed) together with associated amenity space.

**Additional Information:**

The Assistant Head of Planning informed the Committee that no objection had been received in relation to the refuse details.

She recommended that condition 2 be amended (to reflect an amended plan which has been received) to the following:

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

A00-(00) received 12 October 2015.

A00-07 received 29 October 2015.

A00-02 Rev. D; /03 Rev. D; /04 Rev. E; /05 Rev. E; /06 Rev. E received 01 December 2015

A00-01 Rev. D received 24 December 2015

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

**Public Speaking:**

In accordance with the Council's procedure for speaking at committee meetings, Michelle Ulisse spoke against the proposed development and raised the following key points:

- Loss of privacy
- Screening required but does not want overshadowing to garden
- Approval has already been given to convert Venture House to residential use
- More green space is needed on the site

In accordance with the Council's procedure for speaking at committee meetings, Alexander Webster spoke in favour of the proposed development and raised the following key points

- Pre-applications with officers have taken place
- Planning document have been submitted to show compliance with planning policies taking into consideration flood risk, waste, and design.
- No loss of light
- The development is of a modest scale
- Very energy efficient building

- Meets/exceeds Council's SPD
- Makes use of a brownfield site in a sustainable location

**Debate:**

During the debate the following key issues were raised:

- An informative should be added to condition 8 to ensure that the density, species and location of landscaping has special regard to the dwellings at the rear
- Inadequate car parking

**Decision:**

The application was **approved** as set out in the report of the Head of Planning and Housing Strategy subject to the following amendment to condition 2 and additional informative to condition 8:

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

A00-(00) received 12 October 2015.

A00-07 received 29 October 2015.

A00-02 Rev. D; /03 Rev. D; /04 Rev. E; /05 Rev. E; /06 Rev. E received 01 December 2015

A00-01 Rev. D received 24 December 2015

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

Additional informative to condition 8:

The applicant is advised that in the design of the landscaping under condition 8, special regard should be had to providing planting with an appropriate density, species and positioning to avoid causing undue shading to the residential properties in Sidney Road.

**7/16      15/01343/HOU - 32 Maryland Way, Sunbury On Thames**

**Description:**

Erection of a two storey rear extension.

**Additional Information:**

There was none.

**Public Speaking:**

In accordance with the Council's procedure for speaking at committee meetings, Paul Newberry spoke against the proposed development and raised the following key points:

- Conflicts with policy EN1
- Unacceptable impact on adjoining properties
- Overbearing
- Obtrusive
- Loss of light/overshadowing
- Noise disruption due to building works on site
- 34 Maryland Way has side windows unlike appeal scheme in the area
- Plans are incorrect
- Business use taking place at the property
- Human Rights Act concerns – impact on elderly neighbour

In accordance with the Council's procedure for speaking at committee meetings, Peter Bonner spoke in favour of the proposed development and raised the following key points

- Amended scheme to overcome loss of light concerns including slopping roof
- Scheme adheres to planning policies
- Will not cause distress to neighbour
- Plans are in-keeping with local area
- No intention to cause distress to elderly neighbour

The Chairman read out a letter on behalf of Councillor A.E. Friday who was unable to attend the meeting but had called-in the item. The letter raised the following key points:

- anxiety that if the structure was erected it would be overbearing and overshadow other properties the area
- proposal has caused great alarm and distress to one very elderly resident who lives next door, aged 101
- building work disruption and reduced privacy as a result of the application

**Debate:**

During the debate the following key issues were raised:

- Applicant will proceed in a good neighbourly way
- Not a breach of Human rights
- No impact on street scene
- Compliant with planning policy
- Other similar extensions nearby
- A condition should be imposed relating to hours of construction

**Decision:**

The application was **approved** as set out in the report of the Head of Planning and Housing Strategy subject to the following additional condition:

*External works associated with the construction of the development hereby approved shall only take place during the following times:*

*8am to 6pm Monday to Friday*

*8am to 1pm on Saturdays*

*No working on Sundays, public holidays or bank holidays.*

Reason - To protect the amenity of the neighbouring residential properties.

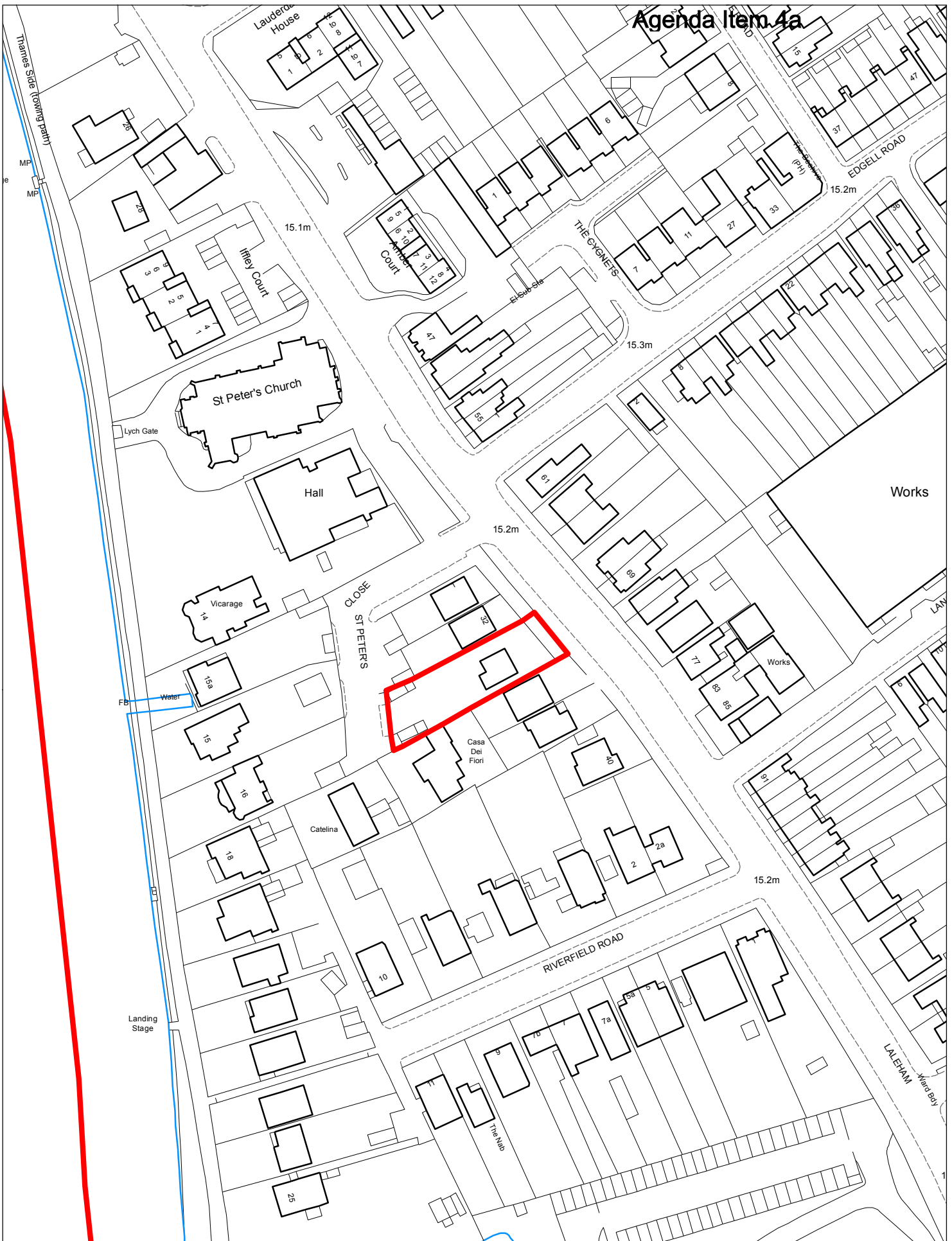
**8/16 Standard Appeals Report**


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 Head of Planning and Housing Strategy.

**Resolved** that the report of the Head of Planning and Housing Strategy be received and noted.

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**15/01556/RVC**  
**34 Laleham Road, Staines-upon-Thames, TW18 2DX**  
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# Planning Committee

10 February 2016



<b>Application No.</b>	15/01556/RVC		
<b>Site Address</b>	34 Laleham Road, Staines upon Thames		
<b>Proposal</b>	Relaxation of Conditions 2 and 3 of Planning Permission 13/00880/HOU to allow the substitution of plans showing the removal of render and mock Tudor boarding on front and part side elevations.		
<b>Applicant</b>	Mr R Irani		
<b>Ward</b>	Riverside and Laleham		
<b>Call in details</b>	The planning application has been called-in to the Planning Committee by Councillor Edgington due to concerns raised by local residents.		
<b>Case Officer</b>	Paul Tomson		
<b>Application Dates</b>	Valid: 08.12.2015	Expiry: 02.02.2016	Target: Over 8 weeks
<b>Executive Summary</b>	<p>In February 2014, planning permission was granted on appeal for the erection of part one, part two storey, front, flank and rear extensions, and the erection of garages at the rear (ref. 13/00880/HOU). Some of the matters covered in the current application were refused in October 2014.</p> <p>The development, as newly completed, differs from the approved plans, especially with regard to its external appearance and facing materials. The approved plans showed the front and part side elevations to be mainly faced in mock Tudor boarding and render, whilst the completed building is faced in red brick. This application is therefore seeking the relaxation of Condition 2 (Approved Drawings) and 3 (Materials) of the original planning permission to allow the amendments to the original scheme.</p> <p>There is no uniform character to this part of Laleham Road and St Peter's Close. Indeed, there is a considerable mix in the style and age of properties in the area, including a high proportion of buildings with a brick finish as now proposed. Consequently, the proposed revisions to the design and appearance of the application property will not be out of character and are considered acceptable. The development complies with Policy EN1 of the Core Strategy and Policies DPD.</p>		
<b>Recommended Decision</b>	This application is recommended for approval.		

## MAIN REPORT

### 1. Development Plan

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

- LO1 (Flooding)
- EN1 (Design of New Development)

### 2. Relevant Planning History

13/00878/HOU	Formation of a vehicular access <i>[onto Laleham Road]</i>	Approved 07/08/2013
13/00880/HOU	Erection of part single storey, part two-storey front, flank and rear extensions and erection of detached garages at rear.	Refused 27/11/2013 Appeal Allowed 13/02/2014
14/01034/RVC	Relaxation of Condition 2 of planning Permission 13/00880/HOU to allow the substitution of plans showing demolition of first floor southern flank wall and minor elevational alterations including removal of render and mock Tudor boarding on the front elevation, removal of rear gable, and changes to front porch, fenestration details, and garage details	Refused 07/10/2014
13/00880/AMD	Non-Material Amendment for changes to the design and appearance of the house and demolition of original first floor southern flank wall	Approved 09/12/2015
13/00880/AMD2	Non-Material Amendment for changes to the design of the detached garage	Approved 27/04/2015
13/00880/AMD3	Non-Material Amendment for changes to the design and appearance of the house (variation to Non-Material Amendment 13/00880/AMD)	Approved 04/08/2015
15/00024/HOU	Provision of additional vehicle crossover <i>[onto Laleham Road]</i>	Approved 04/03/2015
15/01409/HOU	Erection of two pairs of entrance gates at the rear of property together with associated brick piers.	Approved 23/12/2015

### **3. Site Description**

- 3.1 This application relates to 34 Laleham Road, Staines upon Thames, which is a two-storey newly built detached house located on the western side of the road. The rear of the site backs onto St Peter's Close, which is a private road. The site is located within the urban area. It is also within an area liable to flood: part Flood Zone 3a (between 1 in 20 and 1 in 100 year chance of flooding), and part Flood Zone 3b (more than 1 in 20 year chance of flooding). The original building on the site was a two-storey detached house with a pebbledash render finish. No. 36 to the south side of the property is a chalet-style bungalow built in the 1980's, and to the north side is a two storey red brick and tile-hung property also built in the 1980's.

### **4. Explanation of Planning History**

- 4.1 The property has a complex recent planning history which I explain below so it is clear what has been approved already and what the remaining issues are.
- 4.2 In February 2014, planning permission was granted on appeal for the erection of part single storey, part two-storey front, flank and rear extensions and erection of detached garages at the rear (13/00880/HOU). Whilst the planning permission refers to extensions to the existing house, the approved plans showed that very little of the original building was to be retained (only the northern flank wall and the first floor southern flank wall). The front and part of the side elevations were to be faced in mock Tudor boarding and render.
- 4.3 In July 2014, the applicant submitted a planning application seeking the *"Relaxation of Condition 2 of planning permission 13/00880/HOU to allow the substitution of plans showing demolition of first floor southern flank wall and minor elevational alterations including removal of render and mock Tudor boarding on the front elevation, removal of rear gable, and changes to front porch, fenestration details, and garage details"* (14/01034/RVC). Some items were individually very limited and could have been treated as 'Non-Material Amendments'. The application for the 6 changes in total were reported to the Planning Committee on the 24 September 2014 with an officer recommendation for approval. However, the Committee decided to refuse the application for the following reason in which objection was only specifically related to three matters:
- *"Three of the proposed 'minor material amendments' are collectively significant and when compared to the approved scheme together create a detrimental and overbearing effect on the street scene, particularly in relation to adjoining properties. Specifically, harm is caused by:*

- a. The proposed brick finish not matching that used in adjoining properties and therefore not in keeping with the street scene and as a consequence having a more overbearing effect than currently approved mock Tudor detailing.*
- b. The proposed altered roof design is more bulky and overbearing; and*
- c. The proposed window detail on the front elevation does not match the approved mock Tudor fenestration detailing.”*

4.4 On the 09 December 2014, an application for a ‘Non-Material Amendment’ seeking changes to the approved design of the house by reducing the scale of the roof so that it was broadly in line with the original approved plans (albeit the ridge was 7.5cm higher) was considered so minor as not requiring planning permission and was approved by the Local Planning Authority (13/00880/AMD). The plans differed from the earlier refusal for a Minor Material Amendment in that the scale of the roof was reduced (addressing the concern over the previous bulky and overbearing appearance), Mock Tudor boarding and render was re-introduced to the front and part side elevations, and the original fenestration detailing reinstated. Furthermore, the width of the house was slightly reduced (for example, the ground floor width is 11.707m, compared to 12.1m in the approved scheme. This application was approved and the following amendments have now been carried out on-site:

- Demolition of the original first floor southern flank wall
- Revised main roof design that is 7.5cm higher.
- Revised porch design with classical style columns.
- Minor changes to the fenestration on the front elevation (window detail)
- Small reduction in the width of the house

4.5 On the 04 August 2015 a further application for a ‘Non-Material Amendment’ (i.e again changes so minor that they do not need planning permission) was approved (13/00880/AMD3) to reduce the extent of mock Tudor boarding and render along part of the side elevations, the creation of monopitch roofs on the single storey rear projections and changes to the ground floor rear windows. This application approved the following changes that have since been carried out on the site:

- Monopitch roof design to the single storey rear projections on the house.
- Revised ground floor rear patio window design.

4.6 On the 27 April 2015, an application for a ‘Non-Material Amendment’ seeking changes to the design of the garage at the rear of the site was approved by the Local Planning Authority (i.e. the changes were considered so minor that planning permission was not required). This application has therefore approved the following change that has been carried out on the site:

- Revised garage design, including change the layout from two single garages to one double garage.

*(Officer note: the Council is aware that the ground level inside the garage has been raised and is yet to be resolved – see paragraph 9.12 below)*

## **5. Current Application**

- 5.1 This current application is seeking the relaxation of Conditions 2 and 3 of Planning Permission 13/00880/HOU to deal with a single issue to allow the substitution of plans showing no render and mock Tudor boarding on the front and part side elevations, and the red brick finish to be retained. As all the other changes to the original planning permission have been approved by the Non-Material Amendment applications, the external treatment of the front and part side elevations is the only outstanding issue to be considered in this application. Some timber detail has, however, been applied to the gables above the ground floor windows in the front elevation (a design detail found in a number of properties in the wider area).
- 5.2 Amendments of this nature to an existing planning permission can be considered under Section 73 of the Town and Country Planning Act 1990 as ‘Minor Material Amendments’ – this procedure in the Act exists especially for such circumstances. In dealing with such a proposal it is important that it is only the proposed amendments that are considered. The original permission cannot be amended and neither does it enable the principle of the original decision to be revisited.
- 5.3 Whilst the current planning application was advertised seeking a relaxation of Condition 2 (approved drawing numbers) of the original planning permission, the revised scheme is effectively seeking a change to the external facing materials (Condition 3). Consequently, the proposed description has been amended to seek relaxation of both Conditions 2 (Approved Drawings) and 3 (Materials) of the planning permission. The proposed description has also be amended so that it makes reference only to the proposed removal of the mock Tudor boarding on the front and part side elevations. The applicant has agreed to this revised description.
- 5.4 For information, copies of the following plans have been attached as an Appendix:
- Approved plans and elevations of the original appeal scheme (13/00880/HOU)
  - Elevations of refused application (14/01034/RVC)
  - Elevations of Non-Material Amendment (13/00880/AMD3)
  - Proposed plans and elevations (15/01556/RVC)

## **6. Consultations**

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

<b>Consultee</b>	<b>Comment</b>
County Highway Authority	No objection

Environmental Health (Pollution)	No comments
----------------------------------	-------------

## 7. **Public Consultation**

7.1 13 neighbouring properties were notified of the planning application. 4 letters of objection has been received (3 of them are written by the occupier of 16 Thames Side). Issues raised include:

- Similar planning application to the previous application 14/01034/RVC, which was refused by the Planning Committee on the 24<sup>th</sup> September 2014.
- The dwellinghouse as built is totally at odds with the original proposal allowed on appeal (13/00880/HOU). The dwelling is a new build, not extensions to existing dwelling. The demolition of the original house should not have been allowed. There should be no changes from the appeal decision.
- If the timber detailing is to be removed, the external surface should be as the original host building (pebble dash and low brick plinth).
- The classical style porch is not in keeping with the original (appeal) proposal.
- Little detail provided regarding the changes to the fenestration. Stick-on plastic strips have been applied to the installed windows, which is unsatisfactory.
- Side windows are not obscure glazed, as required by condition [*Officer note: this has been checked and there is no breach of the planning condition and no loss of privacy arises*]
- Concern about flooding. The development at 34 Laleham will make flood risk worse [*Officer note: this is not relevant to this application as the principle of this dwelling is approved.*]
- Concern that the garage will be used for commercial purposes, and the associated vehicle movements through St Peter's Close. [*Officer note: this is not relevant to the matters covered by this application and in any case enforcement action could be taken if such a use were to occur in the future.*]

## 8. **Planning Issues**

- Design and appearance

## 9. **Planning Considerations**

### Design and Appearance

9.1 It is noted that there has been considerable animosity between the applicant and neighbouring residents over the last couple of years. Local residents objected to the original proposal that was granted on appeal and are frustrated that the development has not been carried out in accordance with

the approved plans granted, and that various alterations have been applied for. They also complain that the development as completed is effectively a rebuild rather than an extension to the existing (former) house. Many changes have been carried out without first seeking planning permission from the Local Planning Authority and only regularised after they have been done. However, it is important to note that the proposed amendments to the development must be considered on its own merits and in accordance with planning policy. The fact that the applicant has failed to implement the development in accordance with the approved plans is not a material planning consideration in the assessment of this current application which seeks to 'regularise' this final matter.

9.2 As mentioned above, most of the deviations from the approved plans have since been approved in the Non-Material Amendment applications. Consequently, the sole remaining issue for Members to consider in this current application is the red brick finish to the building (instead of the approved mock Tudor boarding and render), particularly its front elevation, and if this is acceptable in design terms in relation to the surrounding street scene.

9.3 Policy EN1a of the CS & P DPD states that:

*"The Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: (a) 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."*

9.4 The key issue in this case is whether or not what is proposed (to retain finishes as now built) is in keeping with the character of the area.

9.5 Whilst this part of Laleham Road (and St Peter's Close to the rear) is mainly residential, the age of buildings spans nearly 150 years and the style of buildings are accordingly widely varied with no uniform pattern of development or building style in the area. For example, most of the properties are dwellinghouses, but there are some examples of small blocks of flats. There is also St Peter's Church, the church hall and some commercial premises in the street. In order to confirm the variation in the character and design of buildings in the area, I have carried out a survey of the Laleham Road (from Gresham Road to Park Avenue) and St Peter's Close. The survey recorded individual plots so the blocks of flats are taken as one unit. A total of 48 plots were surveyed over a road frontage of some 330 metres. The facing material refers to those on the front elevation of the buildings (i.e. facing the road). The results are set out in the table below.

9.6 I first make comment on some of the terms used below:

'Mock Tudor' – This is a style using applied planks of timber to a solid wall – often with render on the remaining surfaces to give the impression of a timber framed property. Used



during the 1850's – 1910 Arts and Crafts era, as well as revived in the 1920's and 1990's.

Applied Timber Panel Detail - Again with Arts and Crafts origin but particularly prevalent in the 1920's – 1930's – often confined to detailing in projecting roof gables over upper floor windows on front elevations (sometimes executed in cement and painted black).

Render - Sometimes including sections of pebbledash finish.

Facing Materials	Detached	Semi-Detached	Terraced	Blocks of Flats	Total
Wholly Red Brick	9 (*4)	4	-	1	14
Wholly Yellow Stock Brick	2 (*1)	-	7	1	10
Wholly Render	4 (*2)	1	1	-	6
Part Render, Part Brick	-	3	-	-	3
Part Render with applied timber detail in gable	2	-	-	-	2
Red Brick with applied timber detail in gable	2	4	-	-	6
Mock Tudor (brick ground floor)	1	2	-	-	3
Part applied Timber Boarding, Part Brick	1	-	-	1	2
Part Tile Hanging, Part Brick	1	-	-	-	1
Grey Cladding	1	-	-	-	1
<b>TOTAL</b>	<b>23</b>	<b>14</b>	<b>8</b>	<b>3</b>	<b>48</b>

\*Bungalows

Age of Building					
19 <sup>th</sup> Century	1	2	8	-	11
1900 – 1920's	5	6	-	-	11
1930's – 1950's	3	6	-	-	9
1960's onwards	14	-	-	3	17
<b>TOTAL</b>	<b>23</b>	<b>14</b>	<b>8</b>	<b>3</b>	<b>48</b>

9.7 The results of the survey demonstrates that the character of the immediate area has a wide variation in the design form and use of external facing materials and the age of the buildings in the street. Indeed, there are very few properties (only 3) which have a full 'mock Tudor' appearance. Some 50% of properties are faced wholly in brick (red or yellow stock). There is also a distinct mix in terraced, semi-detached and detached properties.

- 9.8 Within this mix in the character of existing properties in the area there is a predominance of wholly brick finishes, I consider that the proposed red brick external treatment to be consistent with the character of the area and therefore in accordance with the requirements of Policy EN1 and acceptable. Whilst the building is primarily faced in red brick brickwork, it is worth noting that there is some applied timber planking in the gables above the ground floor windows. I also consider the other proposed alterations to be acceptable and in keeping with the character of the area.
- 9.9 Whilst it is appreciated that local residents wish to see this development implemented exactly as approved on appeal (with 'mock Tudor' detail) and this was also the sentiment of the Committee in determining the July 2014 application (para 4.3 above), this proposal must be considered on its own merits and in line with sound design principles as set out in the Council's guidance. Central to that guidance, and the key issue here, is whether the proposed amendments are consistent with the character of the area. On the evidence of the survey the main characteristic is primarily brick finish. A 'mock Tudor' design – whilst not perhaps arguably harmful to the character of the area such that it could be refused on design grounds – is nevertheless not characteristic generally of the area and there would be no objective basis to insist on it and expect to successfully defend any enforcement action to force the issue.

#### Other Matters Raised by Objectors

- 9.10 The first floor windows in the side elevations of the house are obscure glazed and non-opening up to 1.7m above internal floor level, as required by Condition 4 of the original planning permission. Whilst the ground floor side windows are clear glazed, Condition 4 only requires the first floor windows to be obscured and non-opening and there is no loss of privacy. Consequently there is no breach of planning control in relation to this issue.
- 9.11 It is noted that the third party representations refer to "stick on plastic strips" being applied to the windows in the front elevation. Whilst this is a rather simple way of applying imitation horizontal glazing bars, their appearance is very similar to those windows shown in the original approved plans and very much a standard approach on UPVC windows. It is considered that their revised design is in accordance with those approved in the Non-Material Amendment dated 09 December 2014.
- 9.12 Although the garage as built complies with the revised design and size approved under the Non Material Amendment dated 27/04/2014 (13/00880/AMD2), officers are aware that the floor level has been raised up above adjacent ground level, which is contrary to Condition 6 of the original planning permission (no raising of existing ground levels). This issue has recently been raised with the applicant and is subject to an ongoing investigation by the Planning Enforcement Officer. However, this is a completely separate matter to the issues to be considered under this current planning application.
- 9.13 Accordingly, the application is recommended for approval.

## 10. Recommendation

### 10.1 GRANT subject to the following conditions:-

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

Site location plan and L2145/30 Rev. G received 18 November 2015  
L2145/15 Rev. D and L2145/20 Rev. B received 08 December 2015  
L2145/10 Rev. E received 27 January 2016  
KJT/Laleham/200a; /400a; /600a received 17 June 2013  
KJT/Laleham/800a received 17 June 2013

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

2. All first floor windows on the side elevations shall be fitted with obscured glass and be non-opening to a minimum height of 1.7m above internal floor level, and shall be permanently retained in that condition.

Reason: To safeguard the privacy of the adjoining properties.

3. No further openings of any kind shall be formed in the side elevations of the development hereby permitted, other than in accordance with the approved plans.

Reason: To safeguard the privacy of the adjoining properties.

4. There shall be no raising of the existing ground levels on the site, other than in accordance with the approved plans

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity.

5. All spoil and building materials stored on the site before and during construction shall be removed from the site upon completion of the development hereby permitted.

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity.

6. The rear parking provision shown on the submitted plans shall be constructed within 3 months of the commencement of any other part of the development permitted and thereafter the approved facilities together with the means of access thereto shall be maintained and reserved for the benefit of the development hereby permitted.

Reason:- To ensure the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway and to ensure that the facilities provided are

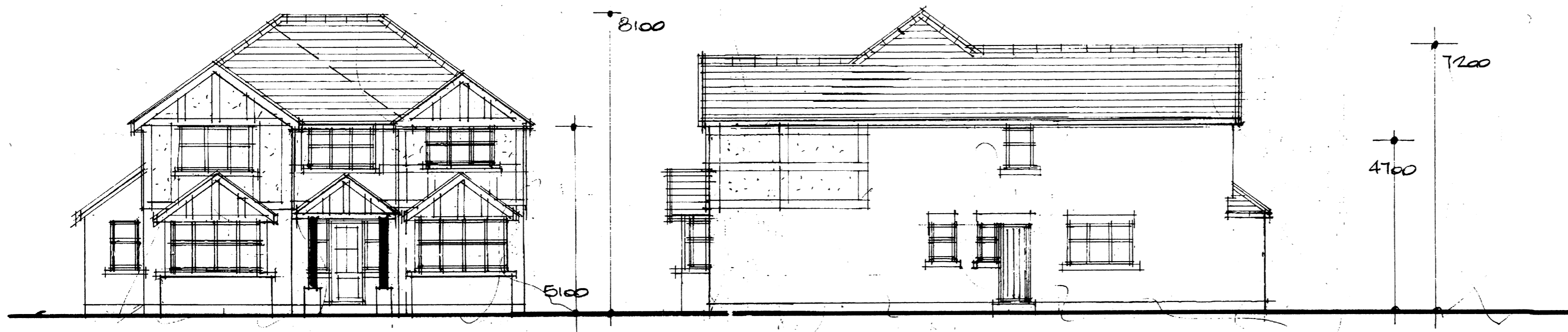
reserved for the benefit of the development for which they are specifically required.

**Decision Making: Working in a Positive and Proactive Manner**

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

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

Appendix 1  
 Approved Elevations and Plans  
 (13/00880/HOU)



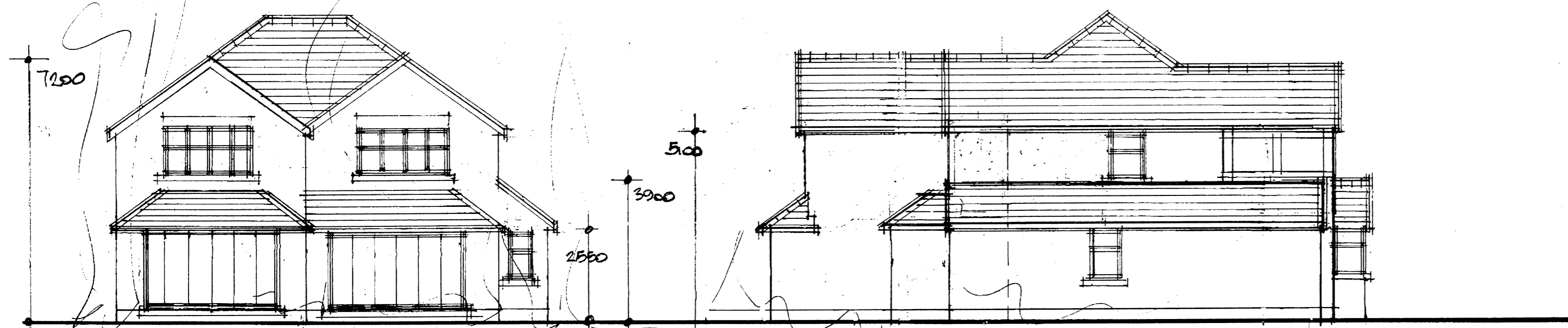
Front Elevation East

Flank Elevation North

ELEVATIONS ONLY - 13/00880/HOU



13/00880



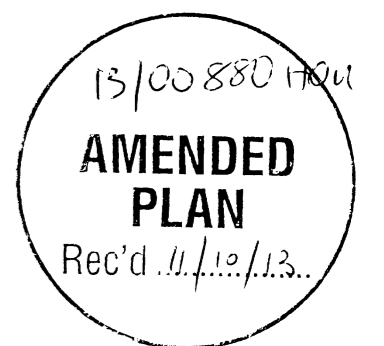
Rear Elevation West

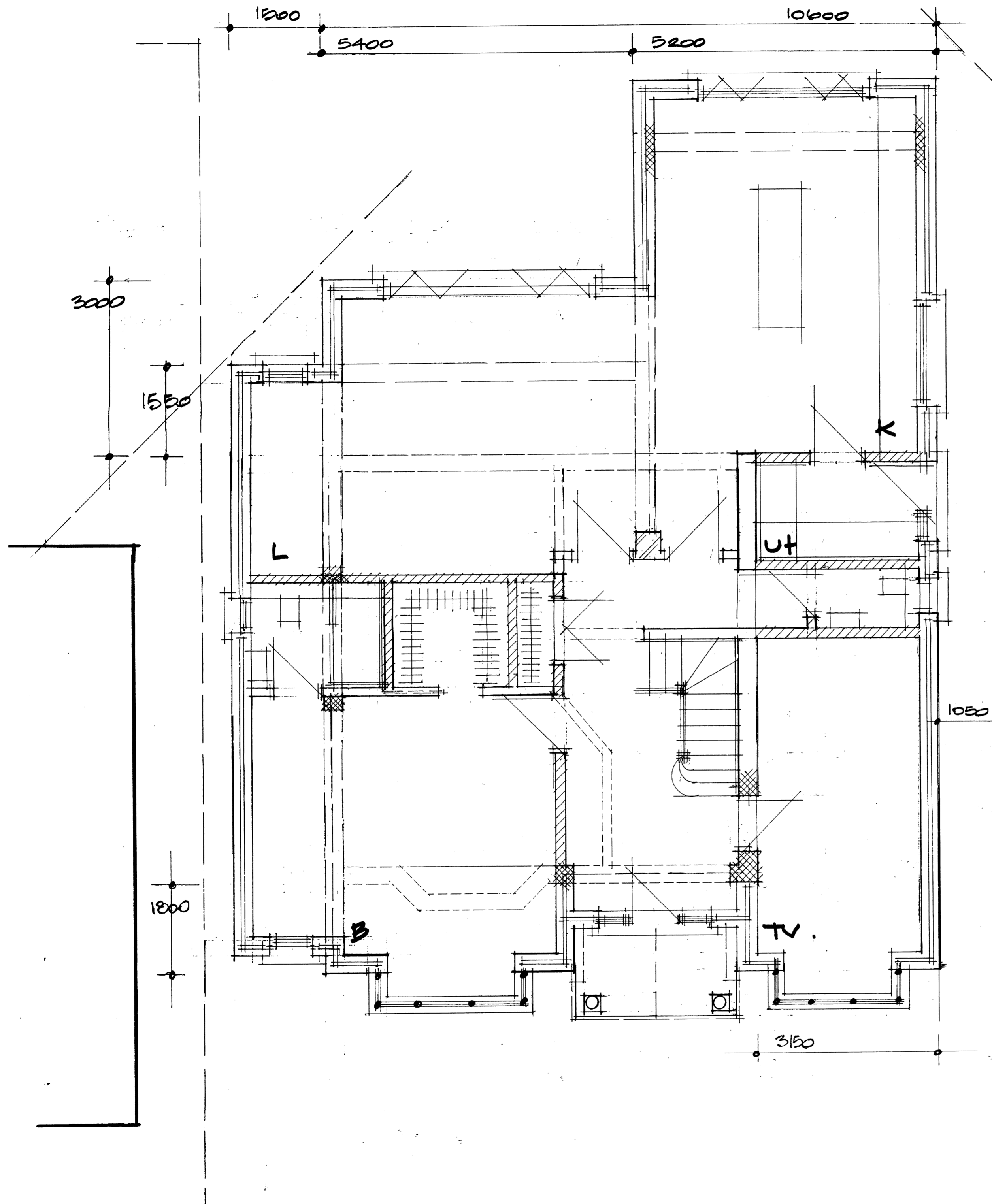
Flank Elevation South

Kevin J Turner FRICS  
 Chartered Surveyor, Architecture, Town Planning  
 4 Little Oaks Close  
 Shepperton  
 Surrey  
 TW17 0GA  
 01932 568568/07711056605

34 Laleham Road  
 Staines  
 Surrey  
 TW18 2DX

Proposed Extensions to dwelling house  
 New Garages and stores  
 Proposed Elevations  
 KJT/Laleham/700a (PE)  
 Scale 1-50 metric





FLOOR PLANS ONLY - 13/00880/HOU

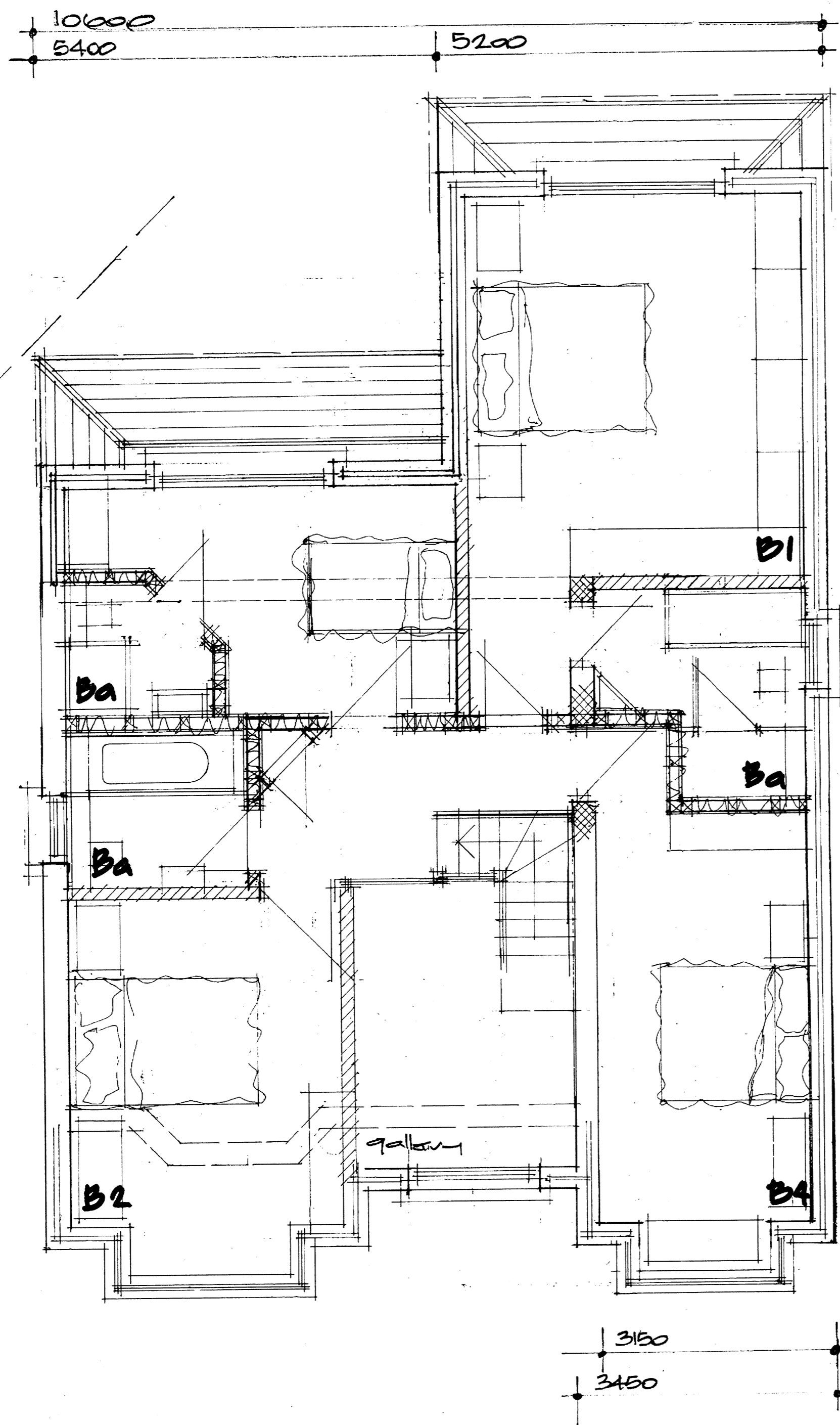


13/00880

Kevin J Turner FRICS  
 Chartered Surveyor, Architecture, Town Planning  
 4 Little Oaks Close  
 Shepperton  
 Surrey  
 TW17 0GA  
 01932 568568/07711 056605

Erection of Extensions  
 Proposed Ground Floor Plan  
 KJT/Laleham/200 (KED)  
 Scale 1-50 metric

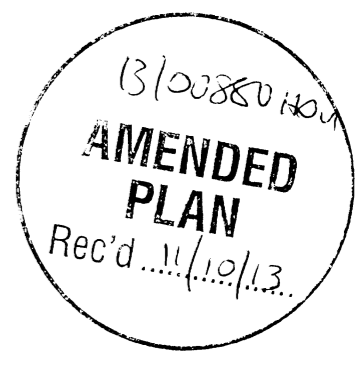




13/00880

34 Laleham Road  
 Staines  
 Surrey  
 TW18 2DX

Proposed Extensions to dwelling house  
 New Garages and stores  
 Proposed First Floor Plan  
 KJT/Laleham/500/2013  
 Scale 1-50 metric



Kevin J Turner FRICS  
 Chartered Surveyor, Architecture, Town Planning  
 4 Little Oaks Close  
 Shepperton  
 Surrey  
 TW17 0GA  
 01932 568568/07711056605

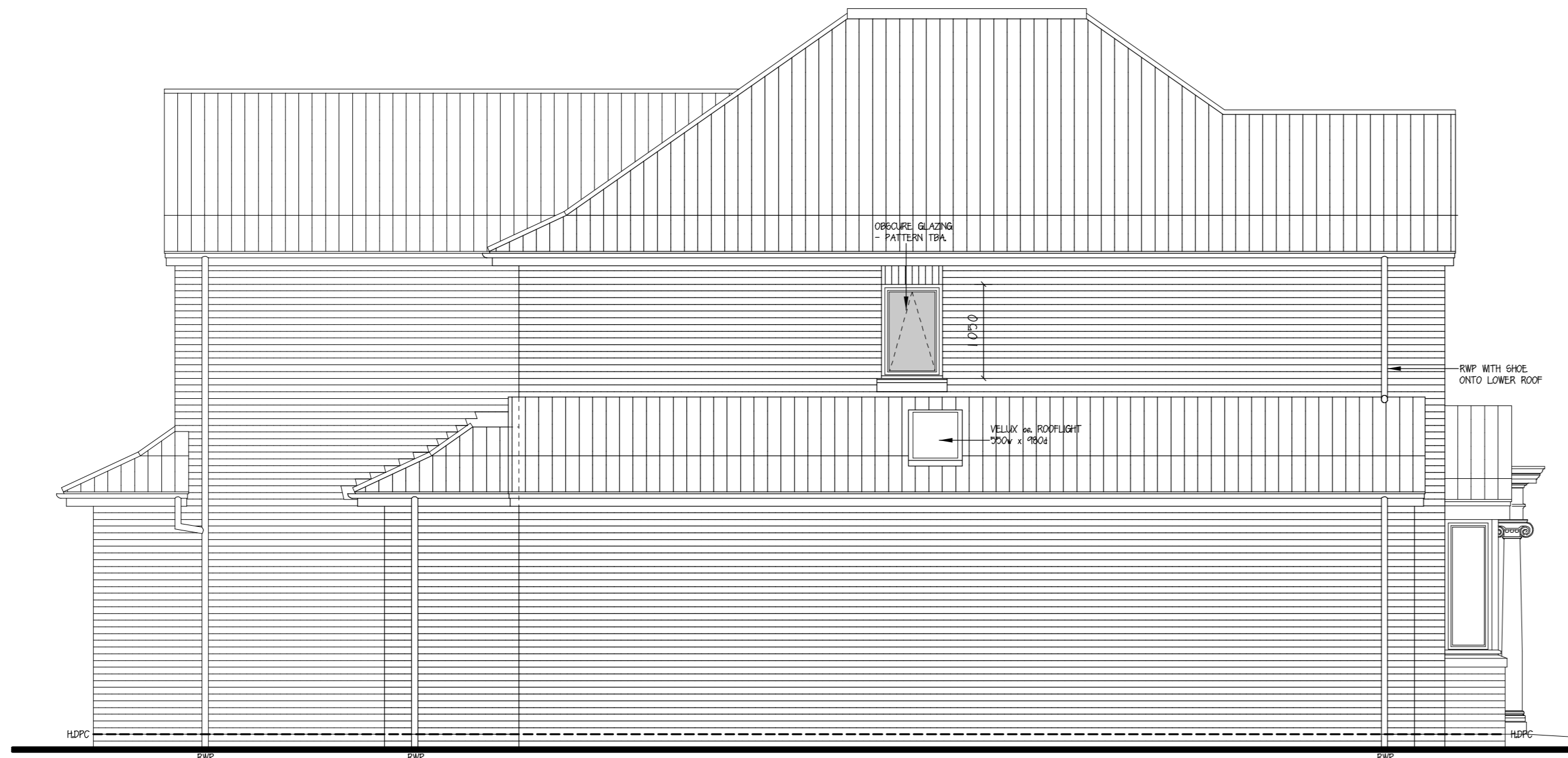


FRONT ELEVATION

UPSIDE CEILING  
GRND. FFL.  
UPSIDE CEILING  
GRND. FFL.



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

B	FRONT BAY GABLE PREFERRED FINISH BRICK	RN	19/06/14
A	SMALL UPDATES & EPPROCKETS ADDED ALL ROUND	ROJ/AD	06/06/14
	REVISION	CHECKED	DATE

**ROBERT DAVIES JOHN WEST LIMITED**  
RIBA Chartered Practice  
The Courtyard 59 Church Street  
Staines upon Thames Middx TW18 4XS  
Tel: 01784 455211 E-mail: info@rdjwtd.com

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

DATE 02/06/14  
SCALE 1:50 @ A1  
DRAWN BY  
CHECKED  
PROPOSED DEVELOPMENT,  
34 LALEHAM ROAD  
STAINES UPON THAMES  
PROPOSED ELEVATIONS

PROJ NO **L2145/16** REV B



**Appendix 3  
Elevations of Non-Material  
Amendment (13/00880/AMD)**

MAIN AND SECONDARY ROOFS TO BE  
35° PITCH.

TILING TO BE REDLAND ROSEMARY CLAY  
PLAIN TILES (BURNT BLEND) WITH HALF  
ROUND TERRACOTTA HIP & RIDGE TILES

MOCK TUDOR PANELS  
FORMED BY CEDRAL  
WEATHBOARD O.E. (DARK  
BROWN) WITH PANELS  
RENDERED IN IVORY.  
WINDOWS TO BE WHITE  
UPVC INTERNALLY AND  
OAK BROWN EXTERNALLY



FRONT ELEVATION



SIDE ELEVATION

AGREED AS A  
MINOR AMENDMENT TO  
REF: 13/00880/AMD  
BY SBC LETTER  
DATED 9/12/14

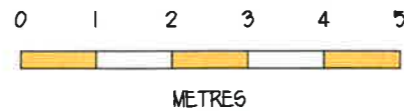


SIDE ELEVATION



REAR ELEVATION

OBSCURE GLAZING -  
PATTERN TBA WITH  
PRIVACY LEVEL OF  
3 OR ABOVE



METRES



**ROBERT DAVIES JOHN WEST LIMITED**  
RIBA Chartered Practice

The Courtyard 59 Church Street  
Staines upon Thames Middx TW18 4XS  
Tel: 01784 459211 E-mail: info@rdjwlttd.com

DATE  
01/10/14

SCALE  
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DRAWN / CHKD  
RN

PROPOSED DEVELOPMENT,  
34 LALEHAM ROAD  
STAINES UPON THAMES  
PROPOSED ELEVATIONS

DRWG NO **L2145/30** REV **C**



# Appendix 4 Proposed Elevations and Plans

MAIN AND SECONDARY ROOFS TO BE  
35° PITCH.

TILING TO BE REDLAND ROSEMARY CLAY  
PLAIN TILES (BURNT BLEND) WITH HALF  
ROUND TERRACOTTA HIP & RIDGE TILES

RED FACING BRICK

MOCK TUDOR PANELS  
FORMED BY CEDRAL  
WEATHBOARD O.E.  
(DARK BROWN) WITH  
PANELS RENDERED  
IN IVORY.

WINDOWS TO BE  
WHITE UPVC



FRONT ELEVATION



SIDE ELEVATION



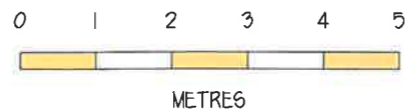
SIDE ELEVATION



REAR ELEVATION

15/01556

OBSCURE GLAZING -  
PATTERN TBA WITH  
PRIVACY LEVEL OF  
3 OR ABOVE



  
**ROBERT DAVIES JOHN WEST LIMITED**

RIBA Chartered Practice

The Courtyard 59 Church Street  
Staines upon Thames Middx TW18 4XS  
Tel: 01784 459211 E-mail: info@rdjw1td.com

DATE  
01/10/14

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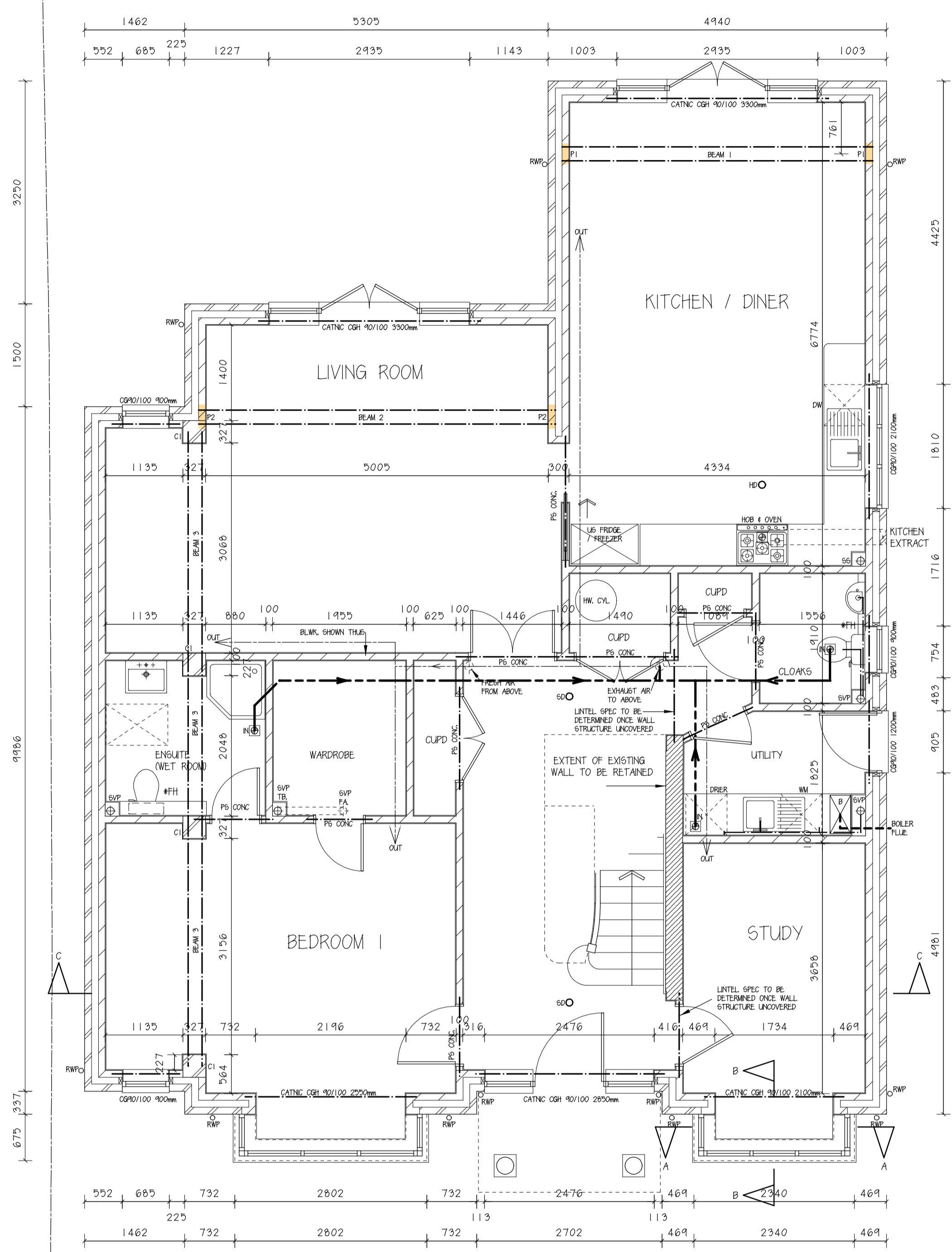
DRAWN / CHKD  
RN

PROPOSED DEVELOPMENT,  
34 LALEHAM ROAD  
STAINES UPON THAMES  
PROPOSED ELEVATIONS

DRWG No **L2145/30** REV **G**



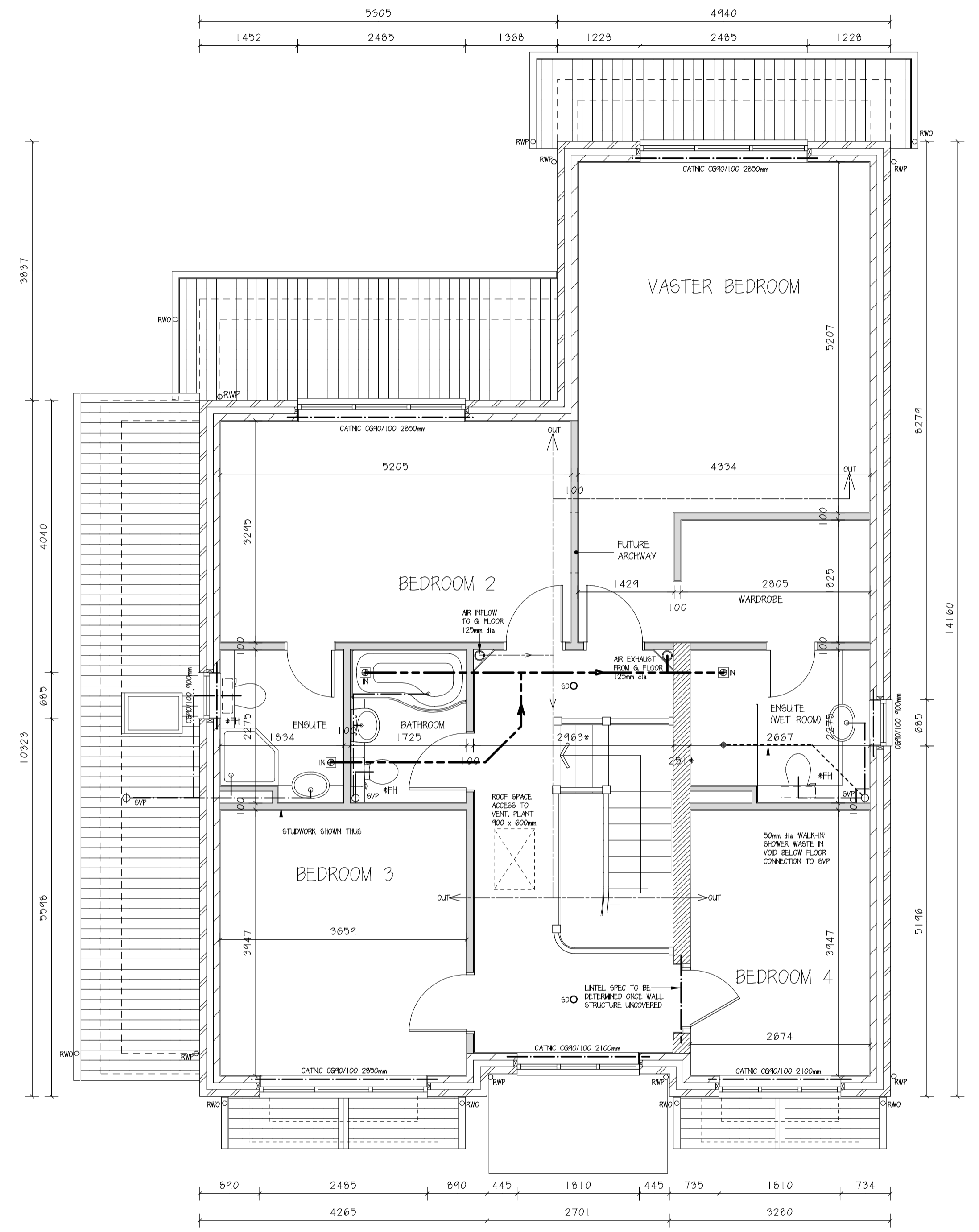
- NOTES
- 1 THE CONTRACTOR IS RESPONSIBLE FOR ALL SETTINGS OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND
  - 2 WRITTEN DIMENSIONS ONLY TO BE TAKEN THIS DRAWING MUST NOT BE SCALED
  - 3 THE ARCHITECT IS TO BE IMMEDIATELY NOTIFIED OF SUSPECTED OMISSIONS OR DISCREPANCIES



- STRUCTURE SCHEDULE
- C1 - 327 x 327mm CLASS B ENGINEERING BRICK PIER WITH TIES TO ADJACENT BLOCKWORK.
  - P1 - 300 x 100 x 215mm dp CONCRETE PADSTONE.
  - P2 - 300 x 100 x 215mm dp CONCRETE PADSTONE.
  - B1 - 2% 234x102 UB20
  - B2 - 2% 260x90 PFC32
  - B3 - 2% 230x90 PFC32

- ⊠ MECHANICAL VENT
- #FH FLEXIBLE HOSE
- ⊙ SMOKE DETECTOR
- ⊙ HEAT DETECTOR

NOTE: MECHANICAL DUCT ROUTES ARE INDICATIVE ONLY - SUPPLIER / INSTALLER TO DESIGN ROUTING FOR APPROVAL PRIOR TO INSTALLATION  
DIMENSIONS MARKED WITH AN ASTERISK ARE TO BE CHECKED ON SITE



- D REAR SINGLE STOREY ROOF6 AMENDED RN 08/215
- C FURTHER DIMS ADDED RN 19/0614
- B BOILER & CYLINDER INDICATED. DIAGRAMATIC AIR DUCT ROUTES SHOWN RN 10/06/14
- A SECT LINES ADDED & WINDOW PATS ALTERED RN 09/0614

REVISION CHECKED DATE

**ROBERT DAVIES JOHN WEST LIMITED**  
RIBA Chartered Practice

The Courtward 59 Church Street  
Staines upon Thames MIDDLESEX TW20 4YX  
Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE: 30/09/14  
SCALE: 1:50 @ A1  
DRAWN BY: [Signature]

CHECKED: [Signature]  
GROUND AND FIRST FLOOR PLANS

DWG NO: **L2145/15** REV D

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**PLANNING APPEALS**

**LIST OF APPEALS SUBMITTED BETWEEN 18 DECEMBER 2015 AND 28  
JANUARY 2016**

<b><u>Planning Application/ Enforcement No.</u></b>	<b><u>Inspectorate Ref.</u></b>	<b><u>Address</u></b>	<b><u>Description</u></b>	<b><u>Appeal Start Date</u></b>
15/00127/ENF	APP/Z3635/C/15/3140643	72 Charles Road, Staines-upon-Thames	Unauthorised use of an outbuilding in the rear garden of the dwellinghouse for primary living accommodation.	18/12/2015
15/01340/HOU	APP/Z3635/D/16/3141832	103 Watersplash Road, Shepperton	Erection of a two storey rear extension, the installation of a ground floor side window and first floor side window within the northern elevation, and the erection of a detached outbuilding following the demolition of the existing detached garage.	12/01/2016
15/01166/HOU	APP/Z3635/D/16/3142151	Cockaigne, Sandhills Meadow, Shepperton	Erection of single storey rear extension, installation of ground floor window in western elevation, installation of rear dormer window with associated railings and provision of rear 600mm raised terrace with hand rails and steps.	18/01/2016
15/01167/HOU	APP/Z3635/D/16/3142167	Cockaigne, Sandhills Meadow, Shepperton	Erection of part 2 storey and part single storey rear extension, installation of ground floor window and velux roof light in western	18/01/2016

			elevation, installation of rear dormer window with associated railings and provision of rear 200mm raised terrace with hand rails and steps.	
15/01294/HOU	APP/Z3635/D/15/3142317	Willowmead, Dunally Park Shepperton	Erection of a part two storey, part single storey front extension incorporating a garage at ground floor and bedroom above.	20/01/2016
15/00333/FUL	APP/Z3635/W/15/3142758	Land Adjoining The Point and Church Island House Church Island Staines-upon-Thames	Change of use of land from a leisure mooring to a residential mooring.	25/01/2015

**APPEAL DECISIONS RECEIVED BETWEEN 18 DECEMBER 2015 AND 28 JANUARY 2016**

<b>Site</b>	48 Richmond Road, Staines-upon-Thames
<b>Planning Application Number:</b>	15/00598/HOU
<b>Appeal Reference</b>	APP/Z3635/D/15/3132156
<b>Appeal Decision Date:</b>	17/12/2015
<b>Inspector's Decision</b>	Allowed
<b>Proposal</b>	Erection of part single storey, part two storey rear extension
<b>Reasons for refusal</b>	The proposal by virtue of its contrived design, scale and position would result in an overbearing impact and lead to a loss of light to no. 50 Richmond Road which would be detrimental to the living conditions and residential amenity of the neighbouring residential occupiers. The proposal is therefore considered contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (February 2009) and the Councils Supplementary Planning Document for the Design of Residential Extensions and New Residential Development (April

	2011).
<b>Inspector's Comments</b>	<p>The Inspector considered that the main issues are the effect on the living conditions of 50 Richmond Road by reason of light and outlook and the effect on the character and appearance of the area.</p> <p>The Inspector commented that the ground floor element would only be a short distance above the existing boundary wall and hedge. As a consequence of this it would not materially reduce the amount of light to No 50 so that it would have a significant harmful impact in terms of loss of daylight. Due to the orientation there would be no material change in the amount of sunlight reaching No 50. Similarly, the change in height would not be such that it would result in an overbearing effect due to its bulk or lead to a loss of outlook.</p> <p>The Inspector noted that the first floor element would extend a shorter distance to the rear, again to line up with one of the existing additions. This would be stepped in from the boundary further than the ground floor element, and through this lesser projection and separation from the boundary would not result in a material loss of light or result in an overbearing effect to No 50.</p> <p>The Inspector commented that whilst the extension has been designed to meet the various guidelines, it is not contrived, would not be visually obtrusive, and is appropriately proportioned and complies with the guidance in the SPD and does not adversely affect the character and appearance of the area.</p> <p>The Inspector concluded that the proposal would comply with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document as it would avoid significant harmful impacts in terms of loss of daylight, sunlight or overbearing effect and the requirements of the SPD. It would also comply with paragraph 17 of the National Planning Policy Framework in that it would secure a good standard of amenity for all existing and future occupants of land and buildings.</p>

<b>Site</b>	62 Kenilworth Road, Ashford
<b>Planning Application Number</b>	15/00363/FUL
<b>Appeal Reference</b>	APP/Z3635/W/15/3127979

<b>Appeal Decision Date:</b>	23/12/2015
<b>Inspector's Decision</b>	Allowed
<b>Proposal</b>	Erection of detached bungalow following demolition of existing garage and part ground floor of existing dwelling. Conversion of existing dwelling into 2 houses with associated access and parking, erection of porch.
<b>Reason for Refusal</b>	The proposal is considered to represent an overdevelopment of the site and will cause unacceptable harm to the character and appearance of the surrounding area. In particular, the proposed bungalow by reason of its siting, scale and design would dominate the plot on which it is located and appear at odds with neighbouring properties, and therefore appear visually obtrusive in the street scene. Moreover, the bungalow is considered to have a poor standard of amenity with inadequate amenity space and poor outlook. The development is therefore contrary to Policy EN1 of the Core Strategy and Policies DPD 2009, and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
<b>Inspector's Comments</b>	<p>The Inspector considered that the main issues were the effect of development on</p> <ul style="list-style-type: none"> <li>(i) the character and appearance of the area; and</li> <li>(ii) the living conditions of the future occupiers in respect of outlook and private outdoor space.</li> </ul> <p>On the first issue, he noted that the area is characterised by semi-detached houses on one side of Kenilworth Road and bungalows on the other. He agreed with the Council that the sub-division of the existing dwelling to create 2 two bedroom dwellings was acceptable. Whilst the proposed bungalow would not be two storey, he was satisfied that it would not look out of place in the street-scene. When viewed from the west, the existing single storey side extension has already the appearance of a bungalow. In this sense, the bungalow would not look too dissimilar. It would be set well away from the western boundary of the site, and, when viewed from public areas, it would be partly screened by the retained brick wall and by the existing highway tree. Overall, the Inspector considered that the bungalow would be in proportion with its proposed plot and that it would appear subservient in scale to the proposed pair of semi-detached dwellings. He did not consider that the development as a whole would be cramped within the plot. A lot of the existing development would be demolished, and therefore the amount of open space within the plot would be similar to that which exists now. He noted that the front elevation of the bungalow would project beyond the main building line of the properties on Kenilworth Road. However, he did not consider that this would cause harm to the character and</p>



	<p>appearance of the street.</p> <p>On the second issue, the proposed bungalow would have rear, front and side gardens and the highway tree has been recently chopped back so would not significantly overshadow the side garden. The Inspector felt that there would be an adequate choice of useable outside space associated with the proposed bungalow which would be larger in size than the proposed semi-detached houses... Furthermore, he added some weight to the fact that there is a park (with a play area) within convenient walking distance of the site. He also considered the outlook from the proposed windows of the bungalow would be acceptable as the open plan areas would have varied views from the front, side and rear. He concluded that the proposed bungalow would have sufficient outdoor space, and that the outlook from the windows would be acceptable.</p>
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<b>Site</b>	Land To Rear of 267 and 269 Kingston Road, Ashford
<b>Planning Application Number</b>	14/02067/FUL
<b>Appeal Reference</b>	APP/Z3635/W/15/3130614
<b>Appeal Decision Date:</b>	23/12/2015
<b>Inspector's Decision</b>	Allowed
<b>Proposal</b>	Erection of a detached 2 bedroom dwelling with associated parking and amenity space.
<b>Reason for Refusal</b>	The proposal is considered to represent an unacceptably cramped and contrived form of development with a poor standard of amenity for future occupiers in terms of inadequate amenity space and poor outlook. Furthermore, it will have unacceptable parking provision. The development is therefore contrary to Policy EN1 and CC3 of the Core Strategy and Policies DPD 2009, the Council's updated Supplementary Planning Guidance 'Parking Standards' 20 September 2011 and Supplementary Planning Document on the Design of Residential Extensions and New Residential Development April 2011.
<b>Inspector's Comments</b>	The Inspector considered that the main issues are the effect of the proposal: (i) upon the living conditions of the occupiers of the proposed

	<p>bungalow in respect of private outdoor space and outlook; and (ii) car parking provision.</p> <p>On the first issue, he noted that the proposed amenity space would exceed what would be required for a 3 bedroom semi-detached or detached dwelling. The Inspector did not consider that the areas would be cramped, or that they would be unsuitable in terms of shape or size. The two areas would be connected, would serve as practical and useable spaces, and would be in proportion with the size of the proposed bungalow. The inspector also considered the relationship of the bungalow's windows to the fence and felt that taking into account the height of the fence and its distance from the windows it would not have a dominating effect. In respect of the side garden, he did not consider that it would be dark or oppressive. It would face south, and he considered that light would sufficiently penetrate this area.</p> <p>On the first issue he concluded that the proposal would not appear cramped, nor have an unacceptable outlook or an inadequate outside amenity space. The proposal would accord with Policy EN1 of the Core Strategy and the SPD, which require high standards of design and layout for new development.</p> <p>On the second issue, the Inspector acknowledged that the proposal does not provide the minimum two off street car parking spaces, and in this respect it does not comply with the SPG. However he concluded that the levels of parking provision would be acceptable taking into account Policy CC3 of the Core Strategy, which seeks to encourage alternative means of travel to the development that would reduce the need for on-site parking. The proposal would not give rise to any on-street car parking problems, result in any highway safety issues, and the area is well served by public transport.</p>
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<b>Site</b>	30 Desford Way, Ashford
<b>Planning Application Number</b>	15/00702/HOU
<b>Appeal Reference</b>	APP/Z3635/D/15/3133860
<b>Appeal Decision Date:</b>	04/01/2015
<b>Inspector's Decision</b>	Allowed

<b>Proposal</b>	Erection of single storey rear extension.
<b>Reason for Refusal</b>	The proposed extension, by virtue of its depth and scale is considered to have an unacceptable, unneighbourly impact upon the adjoining neighbouring dwellings, resulting in an unacceptable impact upon their amenities. The proposal is therefore considered contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (February 2009) and the Councils Supplementary Planning Document for the Design of Residential Extensions and New Residential Development (April 2011).
<b>Inspector's Comments</b>	<p>The Inspector felt that the main issue was the effect of the proposal upon the living conditions of neighbouring residential properties in respect of outlook and light. He acknowledged that the proposed extension, with a depth of 6.5 metres, would be large. However, it would not be conspicuous from the surrounding area and would be sandwiched between the existing rear extensions of numbers 28 and 32 Desford Way. There would be no window on the side elevation facing number 28 Desford Way. In addition, a high existing wooden fence would separate the two extensions. He did not consider that the proposal would lead to an unacceptable loss of light or outlook for the occupiers of this neighbouring property.</p> <p>With reference to the adjoining property, no. 32, he acknowledged that there were some windows in the side elevation of this extension. However, the occupiers of the property already overlook the existing boundary fence. Taking into account the scale of the extension, and the position and height of the existing boundary fence, the Inspector did not consider that the proposal would lead to unacceptable levels of light or outlook for the occupiers of this property.</p> <p>The Inspector concluded that whilst the proposed extension would project more than 4 metres from the rear of the house, the SPD does not preclude extensions that have a greater depth. The proposal would accord with the SPD and Policy EN1 of the CSPDD, which seek to achieve a satisfactory relationship to adjoining properties and to avoid significant harmful impacts such as loss of light and outlook.</p>

<b>Site</b>	136A Chesterfield Road Ashford
<b>Planning Application Number</b>	15/00248/FUL

<b>Appeal Reference</b>	APP/Z3635/W/15/3132106
<b>Appeal Decision Date:</b>	08/01/2016
<b>Inspector's Decision</b>	Allowed
<b>Proposal</b>	Conversion of existing dwelling into a house of multiple occupancy (HMO) for 8 people involving conversion of garage to habitable accommodation.
<b>Reason for Refusal</b>	The proposed change of use to a House of Multiple Occupancy, by reason of the number of residents and the inadequate communal facilities on site, would result in a poor standard of amenity for future occupiers and an unacceptable level of noise and disturbance causing significant harm to the living conditions of occupiers of adjoining residential dwellings. This would be out of character and of detriment to the local area, contrary to Policies EN1 and EN11 of the Core Strategy and Policies DPD 2009.
<b>Inspector's Comments</b>	The inspector considered the main issues were the effect of the proposal on the living conditions of future occupiers and also on the occupants of neighbouring properties. He found that the lounge/dining and kitchen facilities to be adequate for the intended use. He also found that the south facing garden would provide outside space of a good standard and the aspect from the proposed ground floor bedroom onto the forecourt parking area would be acceptable. He concluded that the proposal would not cause unacceptable levels of harm to future occupants. He did not share the Council's concern that eight individuals coming and going from the property would cause unacceptable levels of noise and disturbance and concluded that the proposal would not lead to material harm to the living conditions of neighbouring properties. He also considered that the hard surfacing of the entire frontage of the site would not be out of character or harmful.

<b>Site</b>	Land at Laleham Road, roughly opposite No. 265 Laleham Road, Shepperton
<b>Planning Application Number</b>	15/00028/T56
<b>Appeal Reference</b>	APP/Z3635/W/15/3084337

<b>Appeal Decision Date:</b>	08/01/2016
<b>Inspector's Decision</b>	Dismissed
<b>Proposal</b>	Installation of a 12.5m telecommunications street pole housing 6 no. antennas and installation of 3 no. equipment cabinets.
<b>Reason for Refusal</b>	The proposed telecommunications mast, in view of its siting on an open area of land and its height and bulk would appear visually intrusive in the street scene. The proposal therefore does not comply with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).
<b>Inspector's Comments</b>	<p>The Inspector noted that the site is on a significant green area of land consisting of grass and a number of trees and bushes of varying height, providing an open and spacious character to the immediate, primarily residential, area. He also acknowledged that there are other structures present on this area of land including several lamp post columns also a small number of telegraph poles although their slender appearance and degree of spacing prevents them from dominating the space or appearing as unexpected or dominating features.</p> <p>The Inspector considered that the proposed monopole would be softened in appearance to varying extents by the presence of existing surrounding trees and bushes. However, it would be noticeably taller than any of the nearby lamp posts or telegraph poles and the substantial top antenna section in particular would have a conspicuously thicker profile. As such, any softening effect of the vegetation would be insufficient to prevent the structure from standing out as an alien, incongruous and dominating feature, regardless of the colour of its finish. The top antenna section would be particularly dominant, and also likely to be seen against the skyline from some vantage points.</p> <p>He concluded that the monopole would draw the eye disproportionately and significantly detract from the existing pleasant open and fairly informal nature of this green area of land when seen from the surrounding highways, dwellings and open green area itself. It would therefore also be unlikely, in time, to become a feature considered by onlookers to be not uncommon in the street scene or part of the urban fabric of the area. As such, the proposal would cause unacceptable harm to the character and appearance of the surrounding area and would not comply with policy EN1 of the Council's Core Strategy and Policies Development Plan Document which requires a high standard in the design of new development.</p> <p>In terms of considering the need for the proposal, as Government</p>

	<p>policy, as set out in the National Planning Policy Framework, strongly supports the provision of high quality telecommunications infrastructure, the intended improvements in coverage weigh strongly in favour of the location. It would also have the added benefit of mast sharing between two operators. However, the Inspector considered that such benefits would not outweigh the significant harm that would be caused to the character and appearance of the surrounding area.</p> <p>In terms of alternative sites, one potential alternative location, in the car park of the Bull Inn at 152 Laleham Road, was identified by the appellant as providing the required coverage but discounted as it is considered that on balance it would be more visually prominent in relation to immediate and surrounding land uses than the appeal site. However, based on the evidence submitted and the Inspectors own observations, he was not convinced that this alternative site can be discounted, especially as, whilst closer to surrounding buildings, it is not in such an open or exposed location as that of the appeal site.</p>
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<b>Site</b>	53 Halliford Road, Sunbury On Thames
<b>Planning Application Number</b>	15/00965/TPO
<b>Appeal Reference</b>	APP/TPO/Z3635/4877
<b>Appeal Decision Date:</b>	12/01/2016
<b>Inspector's Decision</b>	Dismissed
<b>Proposal</b>	TPO207/04 - T1 - Yew - Tree to be felled.
<b>Reason for Refusal</b>	The Yew Tree makes a considerable contribution to local amenity and appears to be healthy and stable showing no obvious signs of disease or decay. The Yew Tree is a single tree with a twin stem, and is worthy of a Tree Preservation Order. Whilst the tree does appear to have an impact upon the highway, there is scope for pruning which would remove any potential nuisance. The tree is located approximately 6 metres from the main dwelling house, and whilst other trees are located within the curtilage of the property there is no aboricultural justification for felling the tree.
<b>Inspector's Comments</b>	The Inspector commented that the tree is a mature yew situated in a prominent position near the junction of Halliford Road and

	<p>Loudwater Road. Whilst other trees are growing in the garden of the property, none have the same stature or visual impact of the appeal tree. The tree can be viewed from many vantage points, and contributes significantly to the character and appearance of the area. The removal of the yew tree would result in considerable harm, and any replacement would take a considerable time to fill the gap left. The Inspector commented that there are no details on notice served by the highway authority, although any pruning to clear the tree from the footway or highway would not harm the amenity it offers to the locality. There is nothing to suggest the tree is suffering from disease or decay. In addition he noted that there is nothing to suggest the tree's proximity to the property has caused any structural damage to the property, or that the TPO was served in an incorrect manner. Having considered all matters, the inspector concluded that the loss of the yew tree would result in significant harm to the character of the area, and insufficient justification has been provided to fell the tree.</p>
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<b>Site</b>	38 Willowbrook Road, Stanwell
<b>Planning Application Number</b>	15/00439/FUL
<b>Appeal Reference</b>	APP/Z3635/W/15/3137250
<b>Appeal Decision Date:</b>	08/01/2016
<b>Inspector's Decision</b>	Allowed
<b>Proposal</b>	Conversion of existing dwelling into 3 no. flats with associated parking and amenity space, and erection of two single storey rear extensions.
<b>Reasons for Refusal</b>	The proposed flats, would by virtue of their cramped form, provide a poor standard of amenity for any proposed occupiers. The internal layout of the ground floor units especially would mean that there would be limited scope for natural sunlight to reach the bedroom areas and the proposed kitchen/living areas at the front of the flats would directly overlook parked cars. It is therefore considered to provide an unacceptable cramped set of flats with poor standard of amenity contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (February 2009) and the Councils Supplementary Planning Document for the Design of Residential Extensions and

	<p>New Residential Development (April 2011).</p> <p>The proposal would not provide sufficient provision for off street car parking and would therefore create further on street parking problems in Willowbrook Road and/or Albain Crescent and so would be contrary to Policy CC3 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document (February 2009) and the Councils Supplementary Planning Guidance on Parking Standards (agreed by Councils Cabinet on 20 September 2011).</p>
<b>Inspector's Comments</b>	<p>The Inspector considered that there were two main issues; whether the scheme would provide satisfactory living conditions for future occupiers in terms of natural light and outlook and also there would be adequate off street parking.</p> <p>On the first issue, the Inspector noted that the size of the units together with the outdoor amity space would comply with the Councils' standards set out in the SPD and the size of the flats would meet the national technical standards. In relation to the Council's concerns over the quality of accommodation of the two ground floor flats, the Inspector felt that both would experience an acceptable level of both interior daylighting and sunlight availability. On this point he concluded that the proposals would not cause unacceptable harm to the living conditions of future occupants and would comply with the Council's SPD, policy EN1 and para. 17 of the NPPF.</p> <p>On the second issue, the Inspector noted that the proposal would provide four off street parking spaces compared with the Council's requirements of 5 spaces. The Inspector commented that the site lies within a sustainable location with a range of services and facilities close to hand together with public transport links. In the area, there are good levels of off –street parking and there appears to be spare capacity both day and night for on-road parking. Consequently, the Inspector concluded that the proposal complies with policy CC3 and the NPPF which seeks to provide adequate parking provision thereby avoiding harmful amenity and highway safety issues.</p>

<b>Site</b>	37 Harrow Road, Ashford
<b>Planning Application Number:</b>	15/00748/HOU
<b>Appeal Reference</b>	APP/Z3635/D/15/3134777



<b>Appeal Decision Date:</b>	26/01/2016
<b>Inspector's Decision</b>	Dismissed
<b>Proposal</b>	Erection of a two storey side extension and part two storey part single storey rear extension.
<b>Reason for refusal</b>	The proposed two storey side extension would by reason of size, height and location have a terracing effect upon no.36 Harrow Road, that would materially impact the character of this dwelling, and would have an unacceptable impact upon the prevailing street scene, which would not respect the character of the area, and would be contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) and the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).
<b>Inspector's Comments</b>	<p>The Inspector considered that the main issue was the effect of the proposal on the character and appearance of the host property, the street scene and the surrounding area.</p> <p>The Inspector commented that the majority of the dwellings in the road have clear gaps at first floor level which ensures that a clear distinction between the pairs of properties is maintained and is a feature of the appearance of the street scene. He stated that as no. 36 has been extended at ground and first floor level up to the side boundary, the appeal proposal would create a terrace of four dwellings. The Inspector felt that this would result in an unacceptable effect on the character and appearance of the street scene, the surrounding area and the host property. The proposal would, therefore be contrary to policy EN1 and also the Council's SPD which seeks to avoid a terracing effect by requiring a minimum set in from side boundaries of 1m where two storey extensions are proposed.</p>

#### **FUTURE HEARING / INQUIRY DATES**

<b>Council Ref.</b>	<b>Type of Appeal</b>	<b>Site</b>	<b>Proposal</b>	<b>Case Officer</b>	<b>Date</b>
15/00087 /ENF	Hearing	The Willows, Moor Lane, Staines Upon	Enforcement notice relating to the unauthorised storage on open land.	JF	15/03/2016

<b>Council Ref.</b>	<b>Type of Appeal</b>	<b>Site</b>	<b>Proposal</b>	<b>Case Officer</b>	<b>Date</b>
		Thames.			