

Public Agenda



Please reply to:

Contact: Greg Halliwell
Service: Committee Services
Direct line: 01784 446240
E-mail: g.halliwell@spelthorne.gov.uk
Date: 8 November 2016

Notice of meeting

Planning Committee

Date: Wednesday, 16 November 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 members of the Planning Committee

Councillors:

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

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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

Call Over Meeting

Guidance Note

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

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

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

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

Planning Committee meeting

Start times of agenda items

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

Background Papers

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

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

AGENDA

Page nos.

- 1. Apologies**
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 8**
To confirm the minutes of the meeting held on 19 October 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 detailed in the reports listed below.

 - a) 16/01117/FUL - Land north of M3, Thames Side, Laleham **9 - 18**
 - b) 16/01593/HOU - 19 Clifford Grove, Ashford TW15 2JS **19 - 26**
- 5. Planning Appeals Report** **27 - 30**
To note details of the Planning appeals submitted between 8 October and 3 November 2016 and decisions received between 9 September and 3 November 2016.
- 6. Urgent Items**
To consider any items which the Chairman considers as urgent.

This page is intentionally left blank

**Minutes of the Planning Committee
19 October 2016**

Present:

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

Councillors:

R.O. Barratt	S.M. Doran	A.T. Jones
I.J. Beardsmore	M.P.C. Francis	R.W. Sider BEM
J.R. Boughtflower	C.M. Frazer	
R. Chandler	A.C. Harman	

In Attendance: Councillor S.J. Burkmar

228/16 Minutes

The minutes of the meeting held on 21 September 2016 were approved as a correct record.

229/16 Disclosures of Interest

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

The Chairman, Councillor Smith-Ainsley declared an interest on behalf of all members of the Committee in the first item, 16/01120/CLD – Harper Home, 29-31 Fordbridge Road, Ashford, as the application had been made by Spelthorne Borough Council's property company, Knowle Green Estates Ltd.

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

There were none.

**230/16 16/01120/CLD - Harper Home, 29-31 Fordbridge Road, Ashford,
TW15 2TB**

Description:

Application for a Certificate of Lawfulness for the existing use as 20 no. self-contained residential flats, including 2 units within a single storey building located to the rear of site.

As shown on plan nos. EB/1608031; EB/1608031/E; EB/1608031/1-2; EB/1608031/2-8; EB/1608031/9-18; EB/1608031/20-21 received 30 September 2016, site location plan and block plan received 15 July 2016.

Additional Information:

There was none.

Public Speaking:

There was none.

Debate:

During the debate the following key issues were raised:

- Amendment to point 8 on page 21; should be 2016 not 2006.
- Application is straight forward
- The proposal will regularise the existing situation of four years duration

Decision:

Resolved to grant the application for a Certificate of Lawfulness.

231/16 16/01164/SCRVC, 16/01195/SCRVC, 16/01196/SCRVC - Land at Queen Mary Reservoir, Ashford Road, Ashford, TW15 1UA

Description:

16/01164/SCRVC – Queen Mary Reservoir, Ashford Road, Ashford

SCC consultation to continue the removal of part of the breakwater baffle in Queen Mary Reservoir, the dredging of the underlying sand and gravel, landing of mineral and processing involving the retention of the existing access, haul route and processing plant located on land west of the reservoir without compliance with Conditions 3 and 24 of pp ref SP13/01236/SCC dated Jan 2015 until 22 Oct 2018.

16/01195/SCRVC – Land to the west of Queen Mary Reservoir, Ashford Road, Ashford

SCC consultation to continue the use of land for the importation of construction and demolition waste and siting of recycling facility, involving placement of mobile plant to enable the recovery of alternative aggregates for sale and the production of materials for restoration on land west of QMR without compliance with Condition 22 of pp SP13/01238/SCC dated 6 Jan 2015 and to extend the time period for siting the facility on land west of the QMR unit completion of operations on Manor Farm permitted by pp SP12/01132 dated 23 October 2015 and thereafter to site the facility until 31 Dec 2033 within the existing plant site, details of which to be provided prior to relocation.

16/01196/SCRVC – Land to the west of Queen Mary Reservoir, Ashford Road, Ashford

SCC Consultation to continue importation of raised sand and gravel on to land west of QMR and processing without compliance with Conditions 21 and 22 of pp13/01239/SCC date 6 Jan 2015 to enable use of the existing processing plant until the completion of operations at Manor Farm permitted by pp SP12/01132 dated 23 October 2015 and

thereafter siting and utilising of a mobile plant until 31 Dec 2033 within the existing plant site, details of which to be provided prior to relocation.

Additional Information:

There was none.

Public Speaking:

There was none.

Debate:

During the debate the following key issues were raised:

- Proposals are an extension of current activities
- An assessment of the baffle has already taken place.
- No greater impact on residents than exists already

Decision:

Resolved to inform Surrey County Council that this Council has NO OBJECTION to any of the three applications.

232/16 Planning Appeals Report

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

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

233/16 Urgent Items

An urgent report had been laid around at the meeting in relation to Enforcement Notice 07/00075/ENF for 2a School Road, Ashford, TW15 2BW, seeking the approval of the Planning Committee to take direct action to secure the demolition of the unauthorised out-building to the rear of the dwelling house which was the subject of an outstanding enforcement notice.

Assistant Head of Planning (Development Management) explained the history of enforcement at the property. In light of recent court hearings with the landowner, legal advice had been provided on the ability to use direct action as a way of resolving this long standing enforcement matter. The Committee was advised that direct action should always proceed with due haste to ensure a speedy closure of the matter.

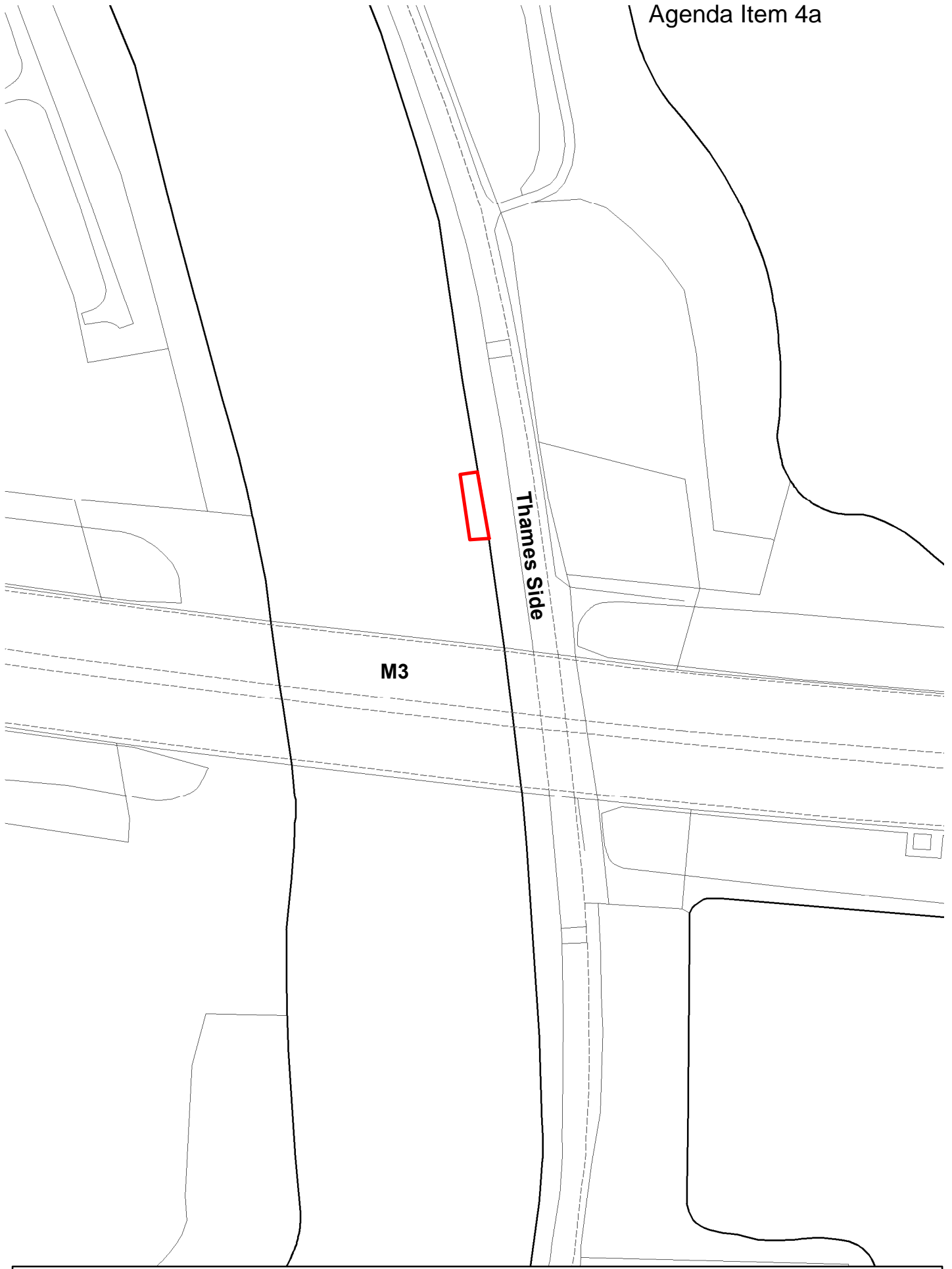
The Chairman had agreed to take this item as urgent business because there were further court dates pending and it was expedient to take the action

proposed as soon as possible rather than defer a decision to the next Committee meeting.

During the debate the Committee raised the following points:

- There was no public interest in taking any other action than that proposed.
- The Council's decisions had been supported by the planning appeal system throughout the process.

Resolved that direct action be taken by Spelthorne Borough Council to achieve compliance with the Enforcement Notice, 07/00075/ENF for 2a School Road, Ashford, TW15 2BW, and the County Court Injunction.



M3

Thames Side



1:1,250

16/01117/FUL
Land North of M3, Thames Side, Laleham

(c) Crown Copyright and database rights 2015 Ordnance Survey 100024284.



Planning Committee

16 November 2016



Application Nos.	16/01117/FUL		
Site Address	Land north of M3, Thames Side, Laleham		
Proposal	Retention of existing pontoon to service canoeing centre		
Applicant	Ms Panagiota Angelopoulou		
Ward	Laleham and Shepperton Green		
Call in details			
Application Dates	Valid: 31.05.2016	Expiry: 30.08.2016	Target: Over 8 weeks
Officer	Matthew Clapham		
Executive Summary	<p>This application is for the retention of a pontoon that is attached to the riverbank alongside the River Thames north of the M3 bridge. It is constructed of rubber/plastic and has a small recess on the downstream side to allow canoes from the adjacent Canoeing Club, to be accessed from both sides to aid safety and accessibility. The site is located within the Zone 3b functional flood plain, the Green Belt and the river is designated as a Site of Nature Conservation Importance.</p> <p>It is considered that the design and limited size of the pontoon is acceptable and also is considered to be appropriate development within the Green Belt. There would be no significant flooding concerns and the pontoon would not result in any adverse impacts upon the landscaping and biodiversity of the surrounding area.</p>		
Recommended Decision	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:

SP1 (Location of Development)

LO1 (Flooding Implications of Development)

SP5 (Meeting Community Needs)

SP6 (Maintaining and Improving the Environment)

EN1 (Design of New Development)

EN8 (Protecting and Enhancing the Landscape and Biodiversity)

EN9 (River Thames and its Tributaries)

EN10 (recreational Use of the River Thames)

'Saved' Local Plan (2001) Policy GB1 – Green Belt.

2. Relevant Planning History

2.1 The planning history relates to the actual site of the Canoe Club which is located a small distance away on the other side of the Towpath to the side of the Pontoon.

13/01009/RVC	Variation of Condition 1 of Planning Permission 12/01498/FUL for the formation of a canoeing centre, to allow the temporary 5 year permission to be extended by an additional 2 years (7 years in total)	Granted 8.03.2016
12/01498/FUL	Formation of a canoeing centre with the installation of an equipment storage container, toilet block and mesh boat store. Creation of new access and provision of associated parking area. Installation of new palisade fencing to Thames Side boundary, all for a temporary period of 5 years.	Granted 26.2.2013

12/00592/FUL

Formation of a canoeing centre with the installation of an equipment storage container and a prefabricated boat store. Creation of new access and provision of associated parking area, all for a temporary period of 5 years.

Granted
9.8.2012

3. Description of Current Proposal

3.1 This application relates to a riverside location on the eastern side of the River Thames and to the west of Thames Side in Laleham. Immediately to the south is the M3 Motorway. The site serves the Surrey Canoe Club which is located just to the east of the pontoon site on the opposite side of Thames Side. . The land lies within the Green Belt. It is also within the 1 in 20 year functional flood plain.

3.2 In February 2013 planning permission was granted for the formation of a canoeing centre with the installation of a storage container, toilet block, boat store, parking area and fencing. (12/01498/FUL). This was originally granted for a temporary period of 5 years although this was subsequently amended to 7 years expiring on the 5th September 2020.

3.3 This application is referred to Committee because the pontoon is attached to land under the ownership of Spelthorne Borough Council. The pontoon, which has already been installed onsite, is small in size and measures 30 square metres in total and is made of black rubber/plastic. The pontoon has a small safety fence erected around it comprising of 8 support posts with safety ropes.

3.4 A copy of the site location and block plans are provided as an Appendix.

4. Consultations

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

Consultee	Comment
Environment Agency	No objections. They advised that the pontoons should be licensed under Section 60 of the Thames Conservancy Act.
Environmental Health (Contamination)	No comments.
Surrey Wildlife Trust	No response to date.
Environment Services	No objection.
Runnymede Borough Council	No response to date – no objections were made to the application for the actual canoe club site.

5. Public Consultation

3 neighbouring addresses were notified of the planning application.

One letter of support from the Spelthorne Disability Sports Club stating without the pontoon, safe access for some members would be impossible, recessed area enables paddlers to be assisted in to a canoe or kayak, pontoon visually discreet..

6. Planning Issues

- Green Belt
- Design and impact upon the Riverside and the River Thames
- Noise
- Flooding
- Ecology and Landscaping

7. Planning Considerations

Green Belt

7.1 Guidance contained within the National Planning Policy Framework (NPPF) and Saved Local Plan Policy GB1 states that the Green Belt will be permanent and within it development will not be permitted which would conflict with the purposes of the Green Belt and maintaining its openness. The NPPF states that development will not be permitted except for a limited number of appropriate uses in the Green Belt. One of these specified appropriate uses is the provision of "appropriate facilities for outdoor sport, outdoor recreation.....as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it".

7.2 When planning permission was granted in February 2013 it was considered that the proposed Canoe Centre was an acceptable form of development in the Green Belt, as the use was regarded as an appropriate facility for outdoor sport and recreation in accordance with the NPPF and 'saved' policy GB1. The retention of the pontoon allows users of the Canoe Club to safely access the canoes and to utilise the River for recreational purposes. The pontoon is small in scale and would not have any adverse impact upon the openness of the Green Belt and is genuinely required in connection with the operation of the Canoe Centre and therefore regarded as acceptable. However, it is necessary to impose a temporary period condition to run alongside the temporary period for the Canoe Centre activity to ensure that the pontoon is removed at the same time as the use of the Canoe Club is to be discontinued (5th September 2020).

Design and impact upon the Riverside and the River Thames

7.3 The pontoon is small in size and measures 30sqm. It is made of black rubber/plastic and floats to reflect river conditions. It has a small safety fence around it comprising 8 support posts with safety ropes attached. In usual river conditions the pontoon is no higher than the riverbank. The pontoon facilitates the recreational use of the River Thames which is

supported by Policies EN9 and EN10 which encourage improvements to public access to the River Thames and is considered to respect the setting of the River Thames. It therefore complies with Policies EN1, EN9 and EN10 of the CS&P DPD.

Noise

- 7.4 The pontoon is used in association with the existing Canoe Club and allows safe access to the River Thames for members of the club. The site adjoins the M3 motorway and Chertsey Weir to the South which is a generator of significant background noise although the nearest residential properties are some distance away. It is not considered that the use of the small pontoon to facilitate the recreational use by existing members of the Canoe Centre would give rise to any significant noise issues.

Flooding

- 7.5 By definition, the pontoon is located within a high risk flood zone and is specifically designed to float on the River Thames. The Environment Agency (EA) have not raised any objections on flooding grounds. The EA have noted that a Licence is required to locate a pontoon on the River and the applicant as part of the submission has included documentation to confirm that the pontoon is already licensed. It is therefore not considered that the pontoon would result in any significant flood risks that could justify the refusal of planning permission.
- 7.6 In terms of safety, the pontoon is used by members of the Canoe Centre. It is considered likely that the users of the club will act responsibly and will adhere to flood warnings such as Environment Agency 'red boards' which are displayed to prohibit use of the River in flood events and it is not considered that the pontoon would give rise to any safety concerns for River users.

Ecology and landscaping

- 7.7 The Surrey Wildlife Trust did not raise any objections to the actual Canoe Centre itself when the use was under consideration with a previous application. In addition, the Council's own Biodiversity Officer has not raised any objections or concerns in respect of the submission. It should be noted that no trees or significant landscaping features are affected by the pontoon and the pontoon will only be located on the river for a temporary basis. Therefore it is not considered that there would be any adverse impacts upon the landscape and Biodiversity and complies with Policies EN8 and EN9 of the CS&P DPD.

Conclusion

- 7.8 In policy terms, the pontoon is considered to be appropriate development within the Green Belt and complies with policies relating to the River Thames, Landscaping and Biodiversity. There would be no flooding concerns. The retention of the pontoon for the lifetime of the canoe club operating on the adjoining site is acceptable

8. Recommendation

8.1 GRANT subject to the following conditions:-

- 1) That this permission be for a limited period of 5 years only, expiring on 05 September 2020 when the pontoon shall be removed in its entirety and the riverbank be restored and reinstated in accordance with a scheme of works and timescale to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the pontoon is used only in association with the adjoining Canoe Club. _

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan and drawing no's: JH/SCC/01; JH/SCC/02 and JH/SCC/03 received 07.07.2016

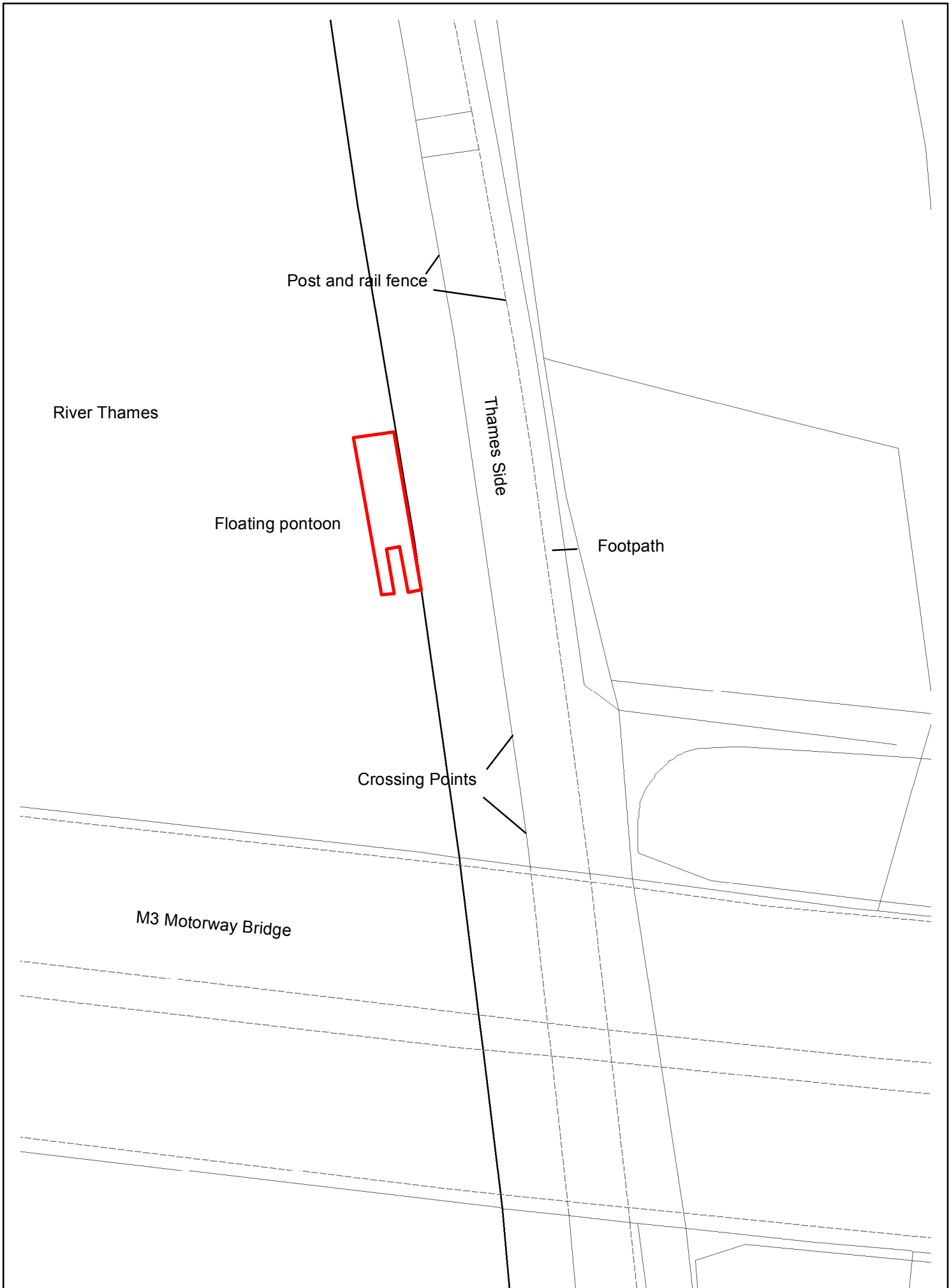
Reason:- For the avoidance of doubt and in the interest of proper planning.

INFORMATIVES

Decision Making: Working in a Positive and Proactive Manner

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

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



1:500

(c) Crown Copyright and database rights 2015 Ordnance Survey 100024284.



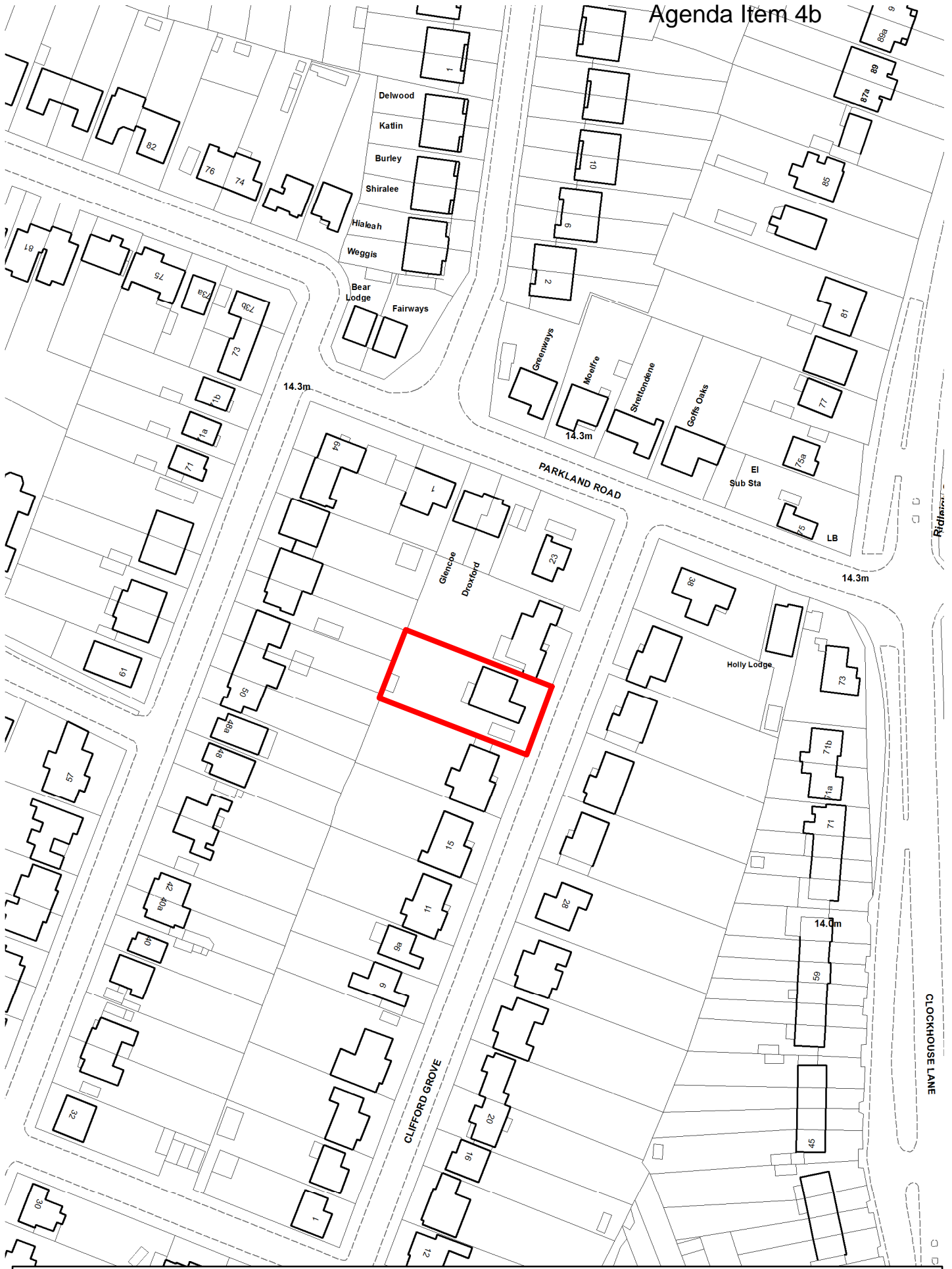
1:1,250

16/01117/FUL
Land North of M3, Thames Side, Laleham

(c) Crown Copyright and database rights 2015 Ordnance Survey 100024284.



This page is intentionally left blank



1:1,250

16/01593/HOU
19 Clifford Grove, Ashford, TW15 2JS

(c) Crown Copyright and database rights 2015 Ordnance Survey 100024284.



Planning Committee

16 November 2016



Application No.	16/01593/HOU		
Site Address	19 Clifford Grove, Ashford TW15 2JS		
Proposal	Erection of an outbuilding (retrospective) As shown on drawing no.: CG/19/04 received 21 September 2016		
Applicant	Mr S. Betteridge		
Ward	Ashford East		
Call in details	The application has been called in by Cllr Mitchell due to concerns of local residents over the impact on the character of the area and amenity of neighbouring properties		
Case Officer	Siri Thafvelin		
Application Dates	Valid: 22.09.2016	Expiry: 17.11.2016	Target: Under 8 weeks
Executive Summary	<p>This application seeks retrospective planning permission for the erection of an outbuilding which is situated in the north-western corner of the rear garden of 19 Clifford Grove. The outbuilding measures 5.608m in width and 4.108m in depth. It has a dual pitched roof with a ridge height of 3.6m and a height of 2.3m to the eaves. The outbuilding is situated 0.15m from the boundary with 21 Clifford Grove to the northeast and 1.3m from the rear boundary with 56 Parkland Grove to the northwest. Planning permission is required as the outbuilding exceeds the height allowed for an outbuilding situated within 2m from the boundary which may be built under 'permitted development'. The outbuilding is situated a minimum of 16m from the nearest dwellinghouse and is considered to have an acceptable impact on the amenity of adjoining residential properties and the character of the area.</p> <p>The proposal complies with Policy EN1 (Design of New Development) of the Spelthorne Borough Core Strategy and Policies DPD (2009).</p>		
Recommended Decision	The 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:

- EN1 (Design of New Development)

2. Relevant Planning History

16/00225/HOU	Erection of a first floor extension with a two storey side and front extension, a new roof with four rear dormers and four rooflights in the front elevation to convert the chalet style dwelling to a two storey house.	Application Refused 04.05.2016
16/01293/HOU	Erection of a first floor extension with part single storey, part two storey front and side extensions with a new roof over to convert the existing chalet style dwelling to a two storey house with accommodation in the roofspace.	Application Granted Conditionally 29.09.2016

3. Description of Current Proposal

- 3.1 This application site is located on the western side of Clifford Grove and is currently occupied by a detached single storey dwelling. The area is characterised by Edwardian-style two storey houses with gable features and mock Tudor boarding.
- 3.2 This application seeks planning permission for an outbuilding that has been constructed in the rear garden of the property. The outbuilding measures 5.608m in width and 4.108m in depth and is situated in the north-western corner of the site, 0.15m from the boundary to 21 Clifford Grove to the north and 1.3m from the boundary to 56 Parkland Grove to the west. It has a dual pitched roof with a ridge height of 3.6m and a height of 2.3m to the eaves and a gable feature over the French doors in the south elevation. The outbuilding has windows in the northwest (side), southwest (front), and southeast (side) elevations and a small area of hard surfacing along the south elevation.
- 3.3 Two applications were made earlier this year (16/00225/HOU and 16/01293/HOU) to extend the bungalow into a two storey house. In the letters of representation received for these two applications reference was made to an outbuilding which had been erected in the rear garden of 19 Clifford Grove. After the case officer visited the site on 27 April 2016, the applicant was notified that planning permission was required for the outbuilding as it exceeded the height requirements of 'permitted development' under Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for an outbuilding situated within 2m of the property boundary.

3.4 Copies of the proposed plans 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 comments

5. Public Consultation

5.1 24 letters of notification were sent out to neighbouring properties. At the time of writing 9 letters of representation had been received from 8 separate addresses. The following concerns have been raised:

- The outbuilding is/can be used as a dwelling or office
- Back-fill development contrary to planning policy
- The height of the outbuilding is too great for its proximity to the boundaries
- Out of character
- Out of proportion
- Parking problems and noise
- There are inaccuracies on the planning application form on the start and completion dates
- Overlooking neighbouring properties
- Is in contravention to covenants on the site (officer's comment: this is not a planning matter).

6. Planning Issues

- Design and appearance
- Impact on neighbouring properties

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 and pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

7.2 The outbuilding is constructed from log timber with a felt covered dual pitched roof with a lower gable feature in the south elevation. It has windows in the front and side elevations and a small paved sitting out area along the south elevation. The outbuilding is situated in the north-west corner of the site, approx. 32m from Clifford Grove and while the top of the outbuilding can be seen from the road, views are largely screened by the existing bungalow and

garden fence.

- 7.3 It is considered that the outbuilding complies with the requirements of Policy EN1 and that it is in keeping with the character of the area. It is modest in size and in proportion with the plot. The internal floor space, measuring 5.25m by 3.8m is not an unusual size for an outbuilding and is not subdivided into rooms. The outbuilding is made from wood with an attractive pitched roof and has all the characteristics of an outbuilding. It is therefore considered in proportion and in keeping with the character of the area.

Impact on adjoining properties

- 7.4 Policy EN1(b) of the Core Strategy & Policies DPD (CS & P DPD) states that the Council will require proposals for new development to demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.5 The outbuilding is situated 0.15m from the boundary to 21 Clifford Grove, 1.3m from the boundary to 56 Parkland Grove and 13.5m from the boundary to 17 Clifford Grove. The nearest dwellinghouses to the northeast are Glencoe, Droxford and no. 1 Parkland Grove, situated approx. 30m from the rear of the outbuilding, the nearest dwellinghouses to the southwest are 56 and 58 Parkland Grove situated approx. 26-28m from the outbuilding. The outbuilding is situated approx. 16m from the dwellinghouse at 21 Clifford Grove to the east and approx. 24m from 17 Clifford Grove to the southeast.
- 7.6 Third party representatives have raised concern that the height of the outbuilding and its proximity to the boundaries which will have an overbearing impact and overlook neighbouring properties. Whilst the development exceeds the height allowed under permitted development for outbuildings situated within 2m of the boundary, it is not considered to have any adverse impact on the amenity of neighbouring properties. It is situated at the far end of the rear garden and, as mentioned above, is located a substantial distance away from the neighbouring dwellinghouses. Due to its relatively low eaves height (2.3m) it will be largely screened from outside the site by the existing boundary fencing. The proposal is therefore considered to comply with the requirements of Policy EN1 of the S & P DPD. It is also worth noting that an outbuilding of the same footprint and window design, but with a lower roof, could have been constructed on the same site without planning permission and given the distance to the nearest residential properties it is therefore not considered that refusal can be justified on amenity grounds.
- 7.7 Whilst the impact on the amenity of neighbouring properties is acceptable, it is recognised that a number of third party representations have raised concerns about the future use of the building and that it may be used for living accommodation. In view of this it is considered appropriate to impose a condition to prevent it being used for living accommodation in the future.

Conclusion

- 7.13 It is considered that the design and style of the outbuilding is acceptable and after careful consideration it is not considered that it would result in any

significant adverse impacts upon the residential amenity of adjoining properties. Accordingly, the application is recommended for approval.

8. Recommendation

8.1 GRANT subject to the following conditions:-

1. That the outbuilding hereby permitted be used only for purposes incidental to the enjoyment of the dwellinghouse and shall not be used for any form of primary living accommodation.

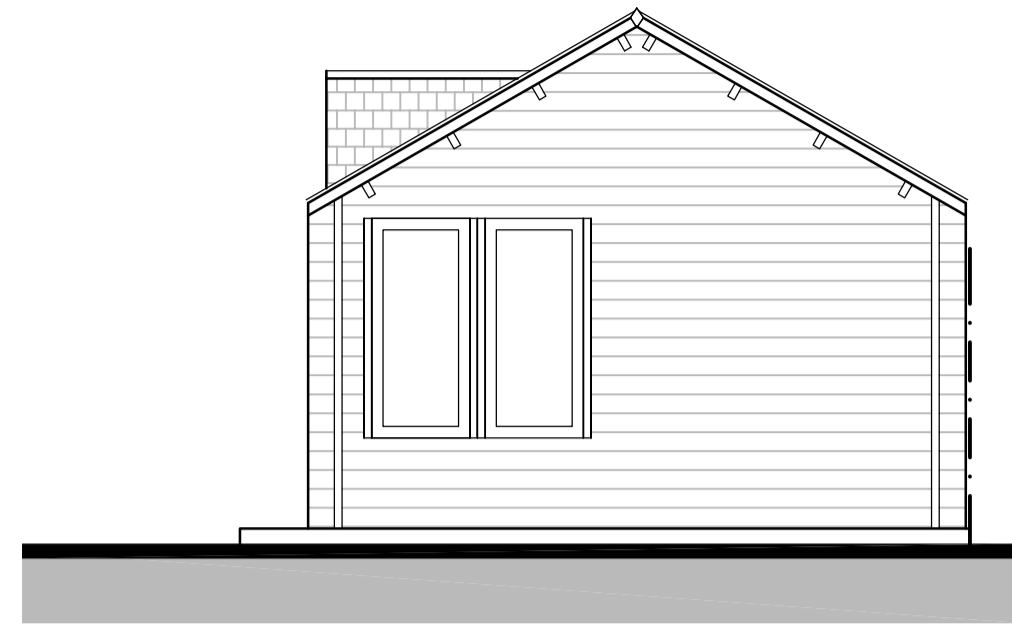
Reason:- To safeguard the amenity of the surrounding dwellings and the character of the locality.

2. The outbuilding hereby approved shall be maintained in accordance with approved drawing CG/19/04 received 21 September 2016.

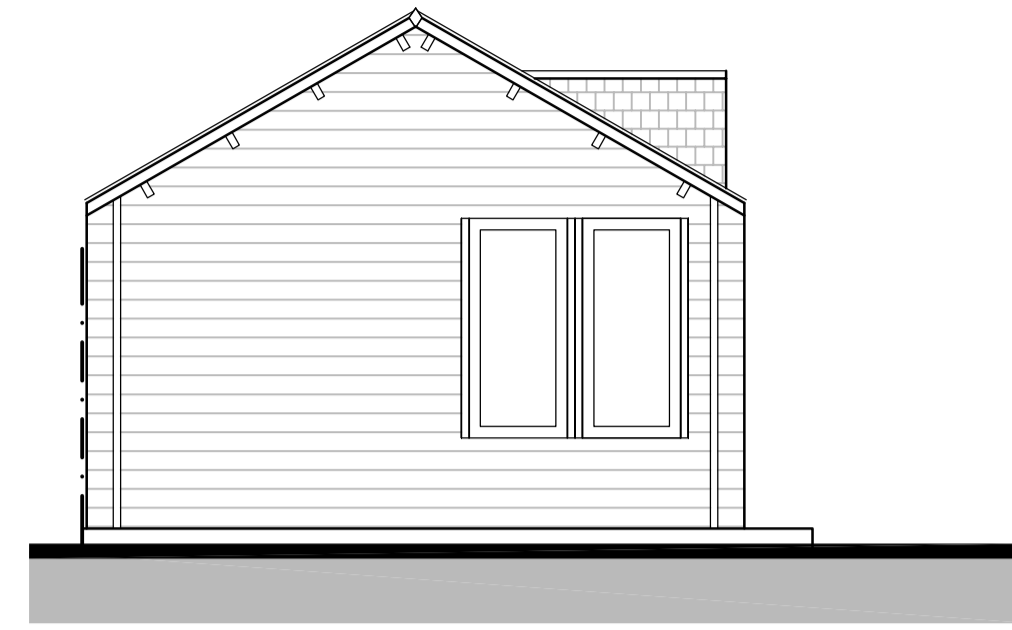
Reason:- For the avoidance of doubt and in the interest of proper planning.

Informatives

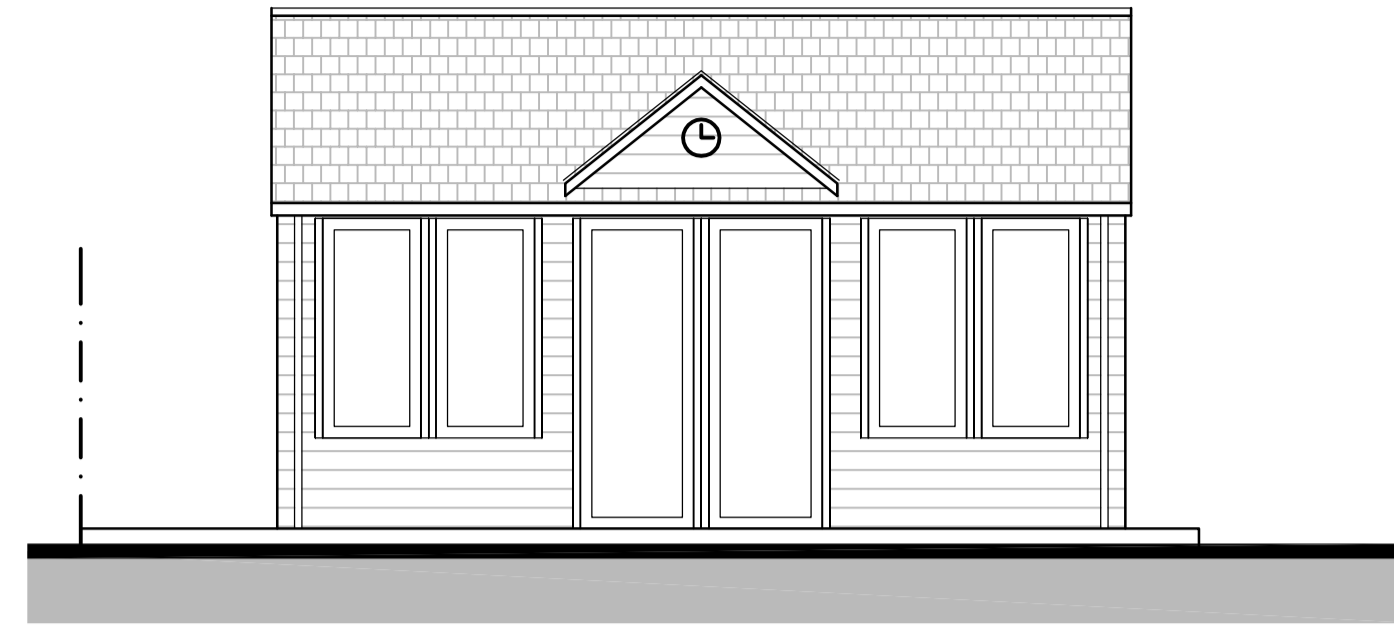
1. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-
 - a) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
 - b) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.



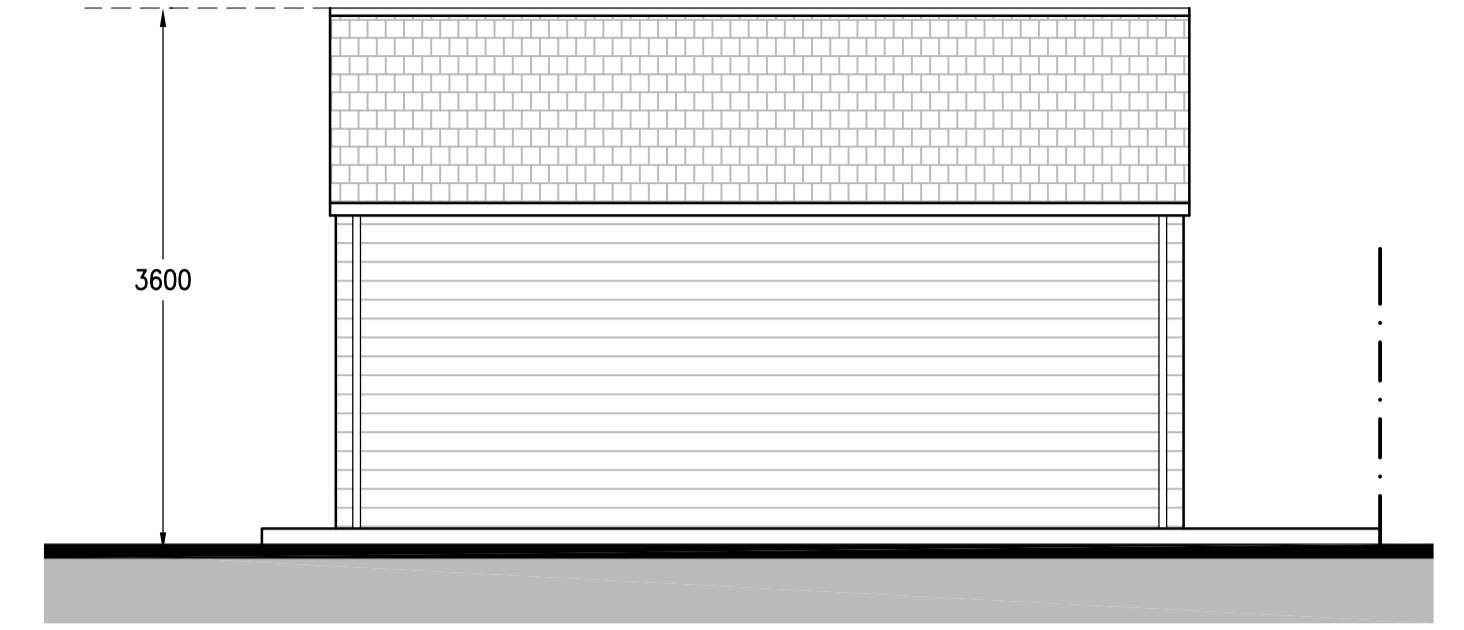
PROPOSED SIDE ELEVATION



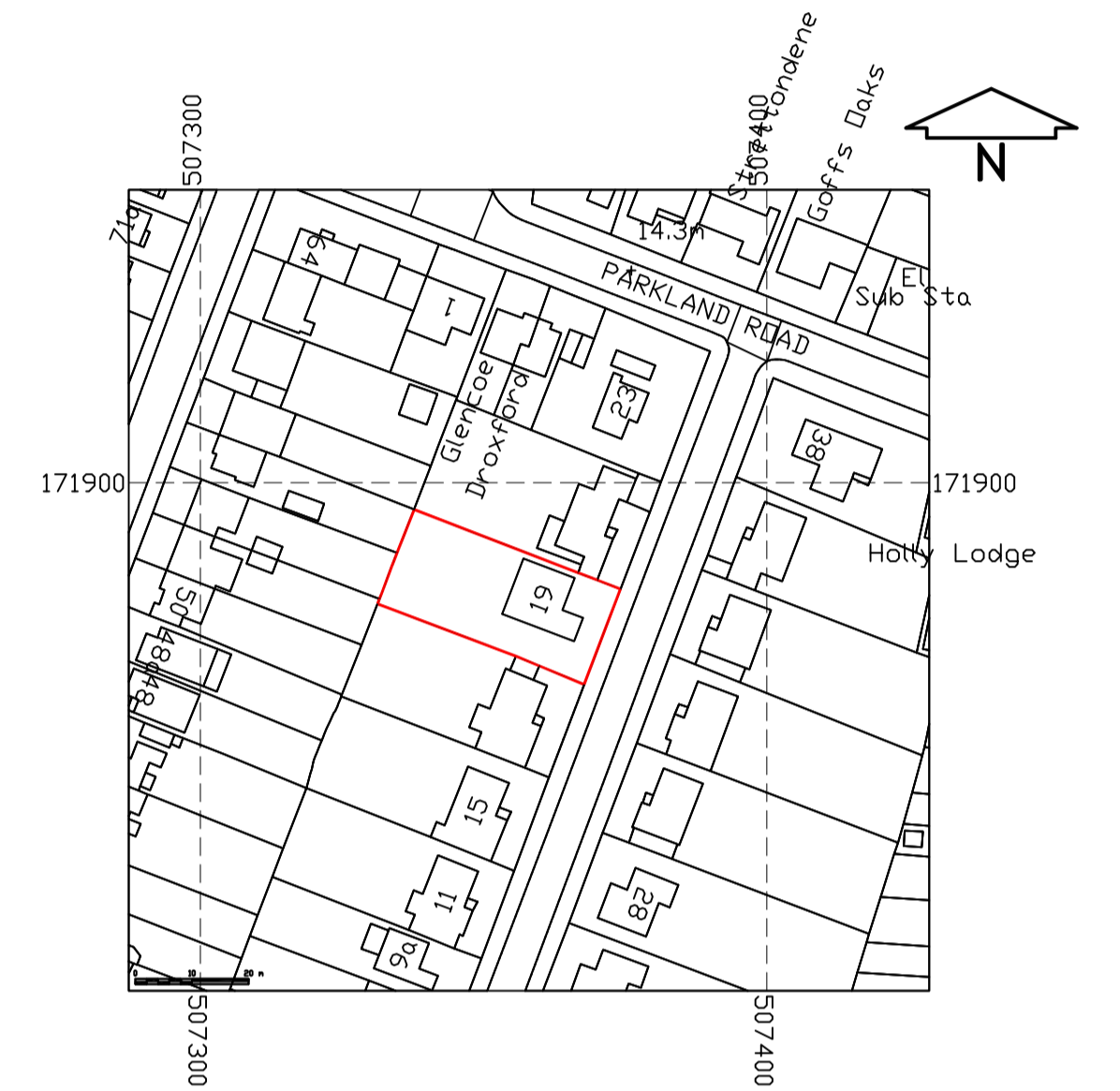
PROPOSED SIDE ELEVATION



PROPOSED FRONT ELEVATION



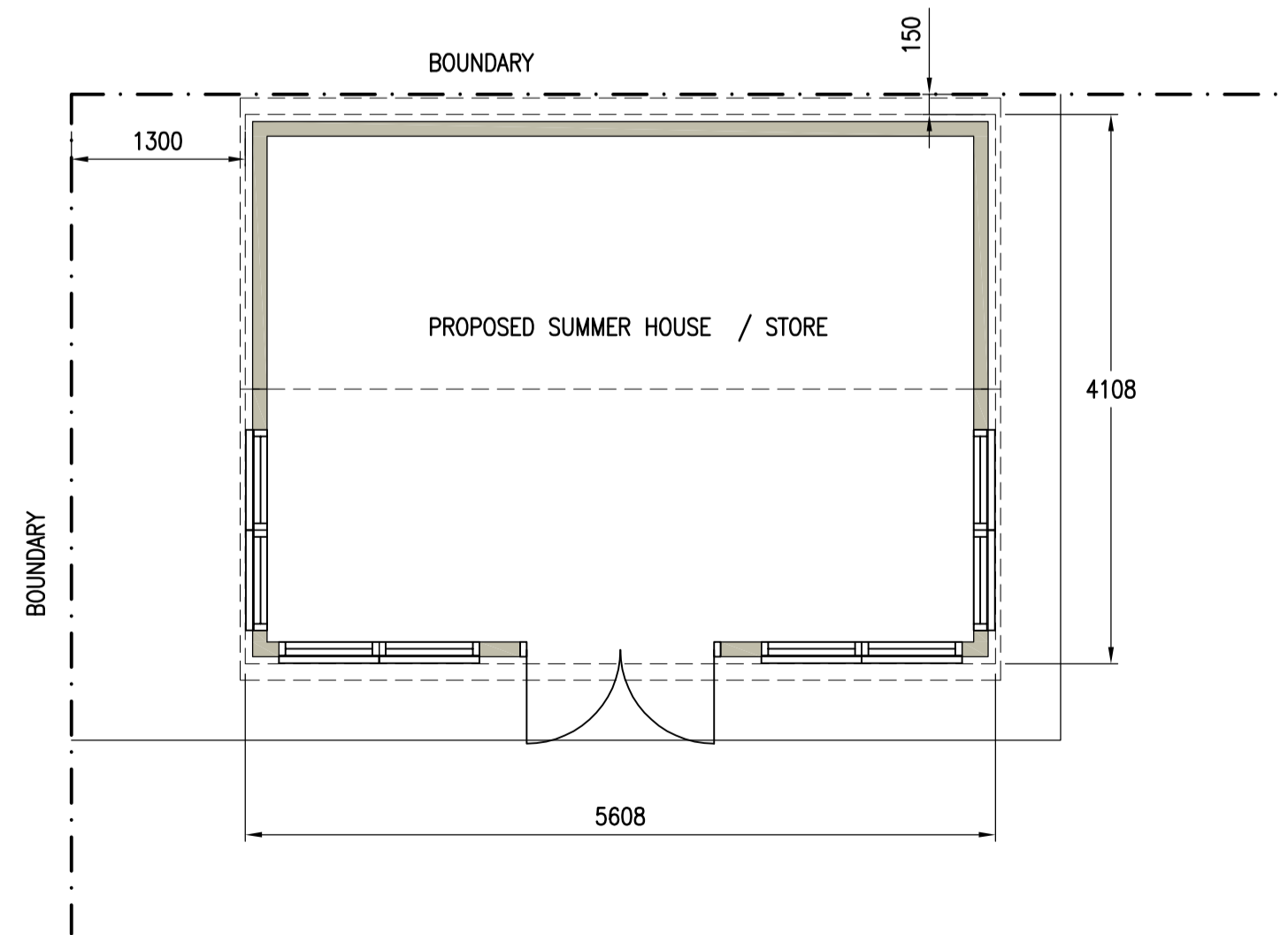
PROPOSED REAR ELEVATION



LOCATION PLAN 1:1250
(Streetwise licence No. 100047474)



PROPOSED SITE PLAN 1:200



PROPOSED FLOOR PLAN

ajt design services ltd
9 queensway, sunbury-on-thames,
middlesex. TW16 6HA

AJT DESIGN

t: 01932 782943
m: 07973 419204
e: info@ajt-design.co.uk
www: ajt-design.co.uk

PLANNING ISSUE

Address
19 CLIFFORD GROVE,
ASHFORD,
MIDDLESEX.
TW15 2JS

Title
PROPOSED OUTBUILDING

Org. No. **CG/19/04**

Revision:

Scale : 1:50, 1:100 & 1:1250 @ A1

Date: FEB. '16





PLANNING APPEALS**LIST OF APPEALS SUBMITTED BETWEEN 8 OCTOBER AND 3 NOVEMBER
2016**

<u>Planning Application/Enforcement Notice</u>	<u>Inspectorate Ref.</u>	<u>Address</u>	<u>Description</u>	<u>Appeal Start Date</u>
16/00890/HOU	APP/Z3635/D/16/3157735	38 Vereker Drive Sunbury On Thames.	Erection of a two storey rear extension.	21/09/2016
15/01620/HOU	APP/Z3635/W/16/3157687	35 Avondale Avenue, Staines-upon-Thames.	Erection of single storey rear extension and enlarged conservatory. Erection of new roof with higher ridge height and 6 no. side facing dormers to provide accommodation in the roof space.	17/10/2016
16/00840/T56	APP/Z3635/W/16/3157703	Highway Verge Worple Road, adjacent to corner of Hurstdene Avenue, Staines	Installation of a 12.5m telecommunications dual user replica telegraph pole and 1 no. equipment cabinet.	17/10/2016
16/00444/FUL	APP/Z3635/W/16/3158310	132 Viola Avenue Stanwell	Erection of part single storey/ part two storey rear extension to facilitate the change of use of existing dwellinghouse to two self-contained flats.	26/10/2016
16/00460/FUL	APP/Z3635/W/16/3158714	81 Garrick Close Staines-upon-Thames.	Insertion of kitchen extraction system and change of use from Use Class A1 (Retail) to Use Class A5 (hot food takeaway).	26/10/2016
16/00890/HOU	APP/Z3635/D/16/3157735	38 Vereker Drive Sunbury On Thames.	Erection of a two storey rear extension	26/10/2016

16/00904/FUL	APP/Z3635/W/ 16/3159369	Rear Of 52 Nursery Road Sunbury On Thames	Proposed conversion of annex building to a two bedroomed two storey house.	26/10/2016
16/00194/FUL	APP/Z3635/W/ 16/3158479	418 Staines Road West Ashford.	Erection of a single storey dwellinghouse with basement	26/10/2016
16/00730/HOU	APP/Z3635/W/ 16/3158137	95 Worples Avenue Staines-upon- Thames	Erection of a first floor rear extension above the existing extension.	26/10/2016
16/00970/HOU	APP/Z3635/D/1 6/3158725	22 Broomfield Sunbury On Thames	Erection of detached summer house/log cabin to rear.	01/11/2016

**APPEAL DECISIONS RECEIVED BETWEEN LIST OF APPEALS SUBMITTED
BETWEEN 9 SEPTEMBER AND 3 NOVEMBER 2016**

Site	72 Charles Road, Staines
Enforcement no.:	15/00127/ENF.
Breach of Planning Control:	Unauthorised use of an outbuilding in the rear garden of the dwellinghouse for primary living accommodation
Appeal Reference	APP/Z3635/C/15/3140643
Appeal Decision Date:	21/09/2016
Inspector's Decision	The Enforcement notice is void. The application for an award of costs against the Council is refused.
Reasons for serving the Enforcement Notice	Use of the outbuilding for primary habitable purposes results in an unacceptable level of noise and disturbance to adjoining residential properties and has a detrimental impact on the amenity and enjoyment of their houses and gardens, contrary to policies EN1 and EN11 of the Core Strategy and also the Council's SPD on new residential development.

Inspector's Comments:	<p>The Inspector commented that the detailed wording of the enforcement notice was incorrectly framed and he concluded that the enforcement notice was a nullity on a technical ground. The applicant applied for an award of costs against the Council. The PPG advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. However the Inspector considered that unreasonable behaviour on the part of the Council resulting in unnecessary or wasted expense, as described in the PPG, had not been demonstrated by the Applicant's costs application. He therefore dismissed the application.</p>
------------------------------	---

FUTURE HEARING / INQUIRY DATES

Council Ref.	Type of Appeal	Site	Proposal	Case Officer	Date
16/00135 /FUL	Hearing	The Paddocks rear of 237 - 245 Hithermoor Road, Stanwell Moor	Siting of static mobile home for one family.	KW/LT	TBA

This page is intentionally left blank