

Public Agenda



Please reply to:

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Date: 28 February 2017

Notice of meeting

Planning Committee

Date: Wednesday, 8 March 2017

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

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

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

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

To the members of the Planning Committee

Councillors:

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

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Call Over Meeting

Guidance Note

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

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

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

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

Planning Committee meeting

Start times of agenda items

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

Background Papers

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

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

AGENDA

Page nos.

- 1. Apologies**
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 16**
To confirm the minutes of the meeting held on 8 February 2017.
- 3. Disclosures of Interest**
To receive any disclosures of interest from councillors under the Councillors' Code of Conduct, or contact with applicants/objectors under the Planning Code.
- 4. Planning Applications and other Development Control matters**
To consider and determine the planning applications and other development control matters detailed in the reports listed below.

 - a) 17/00091/FUL - Hengrove Park, Station Crescent, Ashford **17 - 24**
 - b) 16/00430/FUL - Land Adjacent to Manor Farm, 126 Charlton Road, Shepperton **25 - 52**
 - c) 17/00099/FUL - Headline House, Stanwell Road, Ashford **53 - 72**
 - d) 17/00130/HOU - 104 Avondale Avenue, Staines-upon-Thames **73 - 80**
 - e) 17/00006/UNDEV - Land to the west of Sheep Walk, Shepperton **81 - 96**
- 5. Planning Appeals Report** **97 - 104**
To note details of the Planning appeals submitted and decisions received between 27 January and 23 February 2017.
- 6. Urgent Items**
To consider any items which the Chairman considers as urgent.

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**Minutes of the Planning Committee
8 February 2017**

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	N.J. Gething	

Apologies: Apologies were received from Councillor A.C. Harman and Councillor D. Patel

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.

308/16 Minutes

The minutes of the meeting held on 14 December 2016 were approved as a correct record.

309/16 Disclosures of Interest

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

There were none.

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

Councillors R.A. Smith Ainsley, H.A. Thomson, R.O. Barratt, R. Chandler, S. Doran, M.P.C. Francis, C.Frazer and R.W. Sider BEM, reported that they had received correspondence in relation to application 16/00972/FUL - Former Brooklands College, Church Road, Ashford, TW15 2XD - but had maintained an impartial role, had not expressed any views and had kept an open mind. Councillor N. Gething reported that he had also received correspondence in relation to application 16/00972/FUL and had previously expressed his views in public but had kept an open mind.

Councillors R.A. Smith Ainsley, R.O. Barratt, R. Chandler, M.P.C. Francis, N. Gething and R.W. Sider BEM, reported that they had received correspondence in relation to application 16/01934/HOU - Ambleside, Penton Hall Drive, Staines-Upon-Thames - but had maintained an impartial role, had not expressed any views and had kept an open mind.

310/16 16/00972/FUL - Former Brooklands College, Church Road, Ashford, TW15 2XD

Description:

The demolition of the existing buildings and the construction of new buildings between one and six storeys to accommodate 366 dwellings, 619 square metres of flexible commercial floor space and 442 square metres of educational floor space. The application also includes the provision of public open space and associated car parking, cycle parking, access and related infrastructure and associated works.

Additional Information:

The Assistant Head of Planning (Development Management) reported that 7 late letters of representation had been received. Most of the issues raised were already covered in the report however the following additional issues included:

- Strong concerns regarding the assessment and formal response from the County Highway Authority
- Loss of amenity to 49 Meadway
- Concern about the future maintenance of the existing trees
- Concern about the future boundary fencing separating the new public open space and the properties in Village Way

With regard to Bullet Point 1, a copy of the letter was forwarded to the County Highway Engineer, who responded with an email which set out why he continued to consider the proposal to be acceptable.

With regard to Bullet Point 2, it was recommended that an additional condition be imposed requiring the installation of privacy screens to prevent overlooking in relation to the neighbouring property.

With regard to Bullet Point 3, the proposed Section 106 Agreement together with Condition 39 (future tree surgery) will ensure that the existing trees are maintained to a satisfactory manner. However, it was also recommended that an additional condition should be imposed, requiring a landscape management plan to be submitted for approval.

With regard to Bullet Point 4, it was recommended that a condition be imposed requiring details of boundary treatment to be submitted for approval.

The Assistant Head of Planning (Development Management) advised of the following corrections to the Officer's Report:

1. Paragraph 3.15: The total amount of private amenity space (*not including balconies*) for residents is some ~~6,386 sqm~~ 0.66 hectares.
2. Paragraph 3.16: The proposal will provide public space of some ~~19,473 sqm~~ 1.29 hectares in total
3. Page 37 third paragraph: The total on-site parking provision represents a shortfall of ~~120~~ 128 parking spaces

The Assistant Head of Planning (Development Management) also reported that a consultation response had been received from the Victorian Society raising objection to the proposal and recommending refusal on the loss of the school building on the grounds of the unjustified loss of an historic building which would harm the character of the local area and deprive it of an heritage asset of high local importance. A consultation response had also been received from the Council's Historic Advisor which raised no objection to the loss of the school building.

The Assistant Head of Planning (Development Management) also reported the following additional conditions:

Condition 46

Prior to the construction of the buildings hereby approved details of privacy screens to be installed on the roof terraces of 3rd floor Unit A2.3.13 and fourth floor Unit A2.4.10 shall be submitted to and approved in writing by the Local Planning Authority. The agreed privacy screens shall be installed prior to the occupation of the Units and thereafter retained as approved.

Reason

To safeguard the amenity of neighbouring properties.

Condition 47

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

Reason:

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

Condition 48

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

Reason

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

Condition 49

The public open space and children's playground hereby approved shall be made permanently available and accessible to members of the public during the following times, unless otherwise agreed in writing by the Local Planning Authority:

- 08.00 to 16.00 hours November, December and January
- 08.00 to 17.00 hours February
- 08.00 to 18.00 hours October and March
- 08.00 to 20.00 hours April, May, June and July
- 08.00 to 20.00 hours August
- 08.00 to 19.00 hours September

Reason

To ensure that the public open space and playground is made permanently available to the public.

In respect of the above condition, the Assistant Head of Planning (Development Management) advised that the opening hours in the proposed legal agreement, referred to as Head of Term point 2 on pages 44 and 45 of the Officer's report were now to be provided as the above condition and would be slightly modified.

Condition 50

Prior to the construction of the buildings details of all street furniture to be installed on the site together with a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The street furniture shall be carried out in accordance with the agreed details and timetable.

Reason

To ensure that a satisfactory level and quality of street furniture is provided on the site.

The Assistant Head of Planning (Development Management) also reported the following amended condition:

Condition 41

Notwithstanding the submitted plans the development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for storing a minimum of 378 bicycles in a secure, covered and accessible location. The scheme shall include the provision of at least 1 disabled parking space within the

public car park. Thereafter the parking areas shall be retained and maintained for their designated purpose.

Reason

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

The Assistant Head of Planning (Development Management) also reported the following clarification on the Officer's recommendation:

- 9.1 In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, refer to the Secretary of State with a recommendation to APPROVE subject to the following:
- 9.2 (A) Subject to the applicant first entering into an appropriate legal agreement in respect of the following:
 1. To provide at least 52 affordable housing units on site built in accordance with current Homes and Communities Agency Scheme Development Standards, the details of which shall be agreed with The Council's Head of Planning Services and Housing Strategy.
 - The split of the type of affordable housing shall be at least 34 for affordable rent and at least 18 for shared ownership.
 - Prior to implementation the Registered Social Landlord (RSL) shall enter into a Nominations Agreement in respect of the affordable housing (in order that the social housing meets local needs).
 - Build and complete the affordable units and hand over to the Registered Social Landlord for occupation before more than 50% of the open market units are sold or substantially completed, whichever is the sooner.

That the affordable housing viability assessment be reviewed on an open book basis in the event that the scheme was not substantially commenced within 18 months of planning permission being granted.
 2. To secure public access and maintenance of the public open space, the Local Equipped Area of Play (LEAP), the Pocket Park and the Town Square, details to be agreed with the Local Planning Authority.

3. To secure public access and maintenance of the 25 no. Public Parking spaces, the details of which including charging, terms of use and management arrangements should be commensurate with other public car parks in the Borough.
4. To provide the following sustainable transport financial payments and measures:
 - (a) Payment of a travel plan audit fee of £6,150
 - (b) Provision of two car club vehicles for a minimum of two years, with all costs associated with the provision of the vehicles including provision of parking spaces being met by the developer.
 - (c) Provision of 25 miles worth of free travel for residential users of the proposed development using the car club vehicles.
 - (d) Provision of one year free membership of the car club for the first occupants of each of the proposed residential units.
 - (e) Provision of one £50 sustainable travel voucher per household (equates to £18,300 for the 366 proposed residential units) which can be spent on either public transport tickets or towards a bicycle. If part or all of the £18,300 is not spent within one year towards purchasing a public transport ticket or towards purchasing a bicycle it shall be reinvested into other non-private vehicles modes of transport.

In the event that the Section 106 Agreement is not completed

In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Assistant Head of Planning (Development Management) in consultation with the Chairman of the Planning Committee the following: -

REFUSE the planning application for the following reasons:

- 1) The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009.
- 2) The proposal does not provide a satisfactory level of public access to the proposed open space, contrary to Policy EN4 of the Core Strategy and Policies DPD 2009
- 3) The proposal fails to provide sustainable transport measures and is therefore contrary to Policy CC2 of the Core Strategy and Policies DPD 2009.

- 9.3 (B) In the event that the S106 agreement is completed to the satisfaction of the Local Planning Authority; GRANT subject to the conditions and informatives set out on pages 45 to 59 (inclusive) of the Officers' report

together with the additional and amended conditions already referred to above.

Public Speaking:

In accordance with the Council's public speaking procedures, Stuart Webster spoke against the proposed development and raised the following key points:

- Inadequate car parking
- Traffic congestion
- Will lead to on street parking
- No provision for commercial vehicles used by home occupiers

In accordance with the Council's public speaking procedures, Margaret Dobbie spoke against the proposal raising the following key points:

- Impact on local amenity
- Scale/height of proposal
- Traffic circulation
- Impact on education
- Impact on health facilities
- Inadequate parking
- Overlooking/loss of privacy
- Renewable energy concerns

In accordance with the Council's public speaking procedures, Simon Slatford spoke for the proposal raising the following key points:

- Applicant fully engaged with officers at pre-application stage
- Public square and shops will improve vitality for the local area
- Open up area of private open space to local people
- Well received at pre-application consultation
- New homes are needed
- In a sustainable location
- Supported by the National Planning Policy Framework and Development Plan
- Have provided a maximum amount of affordable housing
- Parking and height issues covered in officer's report.

In accordance with the Council's public speaking procedures, Mark Gilpin spoke for the proposal raising the following key points

- Two years of consultation
- Benefits of regeneration
- Extensive pre-application with officers
- Two public exhibitions
- Scheme amended according to local concerns
- Public open space will be managed

- 366 residential units located in heart of town; will improve vitality of town centre
- Quality scheme

In accordance with the Council's procedure for speaking at meetings, Councillor Naz Islam spoke as Ward Councillor against the proposal raising the following key points

- Concern over height
- Concern over number of units
- Vehicle traffic
- Will change the nature of Ashford Town Centre
- Impact on health facilities

Debate:

During the debate the following key issues were raised:

- Urban open space is not accessible to the public. Proposal will allow considerable access
- Meets Council policies
- There is a need for small dwellings
- Loss of sports field not an issue due to no demand
- Transport improvements with Heathrow
- There is a need to reduce car ownership
- Design concerns
- Change in character of the town
- Concern over vehicle movements
- Not a satisfactory level of public access to the open space
- Parking shortfall
- Inadequate affordable housing
- Overdevelopment of the site
- Proposal is incompatible with the transport infrastructure
- Loss of school building – objection from the Victorian Society
- Queries over car club
- Need for housing
- Too many dwellings proposed
- Concern over height of buildings
- Transport concerns – transport links not well developed
- Less cars will lead to less pollution
- Need electrical charging points for cars
- Need for additional education and medical facilities
- Density concerns
- Not sustainable

The Assistant Head of Planning (Development Management) referred to the Government's White Paper, "Fixing our broken housing market" which had been published on the 7 February 2017. She specifically mentioned the section "Using land more efficiently for development" – 1.51 and the

aim of avoiding building homes at low densities, addressing the particular scope for high density housing in urban locations and ensuring that the density and form of development reflects the character, accessibility and infrastructure capacity of an area. The Assistant Head of Planning (Development Management) advised that it was early days but the Government was proposing to amend the National Planning Policy Framework to reflect these matters.

In accordance with Standing Order 5.1 the Committee, having sat for three hours, **RESOLVED** to continue the meeting and complete the remaining business on the agenda.

Decision:

The recommendation was **overturned** and **refused** for the following reasons:

- 1. The proposed development, by reason of the height, scale, proportions and design, fails to respect and make a positive contribution to the street scene and is out of character with the surrounding area, contrary to policy EN1(a) of the Spelthorne Core Strategy and Policies DPD, 2009.**
- 2. The density of the proposed development is excessive and will result in an overdevelopment of the site, out of character with the surrounding area, contrary to policy HO5 of the Spelthorne Core Strategy and Policies DPD, 2009.**
- 3. The proposal fails to comply with the Council's parking standards, resulting in unacceptable traffic congestion, contrary to policy CC3 of the Spelthorne Core Strategy and Policies DPD, 2009.**

Councillor R.W. Sider BEM was not present for the remaining items on the agenda.

311/16 16/02045/FUL - Churchill Hall. Churchill Way, Sunbury-on-Thames, TW16 7RY

Description:

The demolition of Churchill Hall and its replacement with 3 no. two storey terraced dwellings with car parking and amenity space.

Additional Information:

The Assistant Head of Planning (Development Management) reported that a consultation response had been received from the Council's Tree Officer which raised no objection to the loss of an existing tree on the site.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Loralie Hankin spoke against the application and raised the following key points:

- Elderly people living nearby would be affected by noise from children
- Car parking concerns
- Footway concerns

The Chairman used his discretion and permitted Councillor Ian Harvey to speak as Leader of the Council in favour of the application and he raised the following key points:

- The building is disused
- The dwellings will be let as affordable houses by the Council

Debate:

During the debate the following key issues were raised:

- The building is not in use
- Traffic problems
- Detrimental to the street scene
- Chronic problems with the traffic system

Decision:

The application was **approved** as per the agenda.

312/16 16/01900/FUL - 381-385 Staines Road West, Ashford, TW15 1RH

Description:

The demolition of existing buildings and the erection of 12 residential units, all with associated parking, amenity space and landscaping.

Additional Information:

There was none.

Public Speaking:

There was none.

Debate:

During the debate the following key issue was raised:

- The proposal would not adversely impact on the surrounding properties

Decision:

The application was **approved** as per the agenda.

313/16 16/01934/HOU - Ambleside, Penton Hall Drive, Staines-Upon-Thames, TW18 2HP

Description:

The conversion of a loft to form habitable space and associated alterations.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Kevin Turner spoke for the application and raised the following key points:

- Proposal complies with policy guidance
- No overshadowing

The Chairman read out correspondence from Councillor Edgington who had called the application in for the Committee to determine. The points raised were:

- Overdevelopment
- Loss of light on adjoining properties
- Impact in terms of visibility on adjoining properties

Debate:

During the debate the following key issue was raised:

- Application complies with planning guidance

Decision:

The application was **approved** as per the agenda.

314/16 16/00305/UNDEV - 2 Wolsey Road, Ashford, TW15 2RB

Description:

The unauthorised erection of a building for use as a dwelling at the end of the rear garden.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Emma Andrews spoke in support of the enforcement action and raised the following key point:

- The property will be used as a House of Multiple Occupation

Debate:

During the debate the following key issues were raised:

- The site is an on-going problem
- Concerns over possible House of Multiple Occupation at the site
- Action should be taken quickly

Decision:

Agreed that enforcement action should be taken as per the agenda subject to the time for compliance being amended from 6 months to 3 months.

315/16 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 Assistant Head of Planning and Housing Strategy.

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

316/16 Urgent Items

There were none.

ED & Ward Bdy

Recreation Ground

Hall



107

89

87a
87b

25

Ward Bdy

Det

Chy

El Sub Sta

146

6

13

Ashford Park
Primary School

5



1:1,250

17/0091/FUL
Hengrove Park, Station Crescent, Ashford, TW15 3HN

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Planning Committee

8 March 2017



Application Nos.	17/00091/FUL		
Site Address	Hengrove Park, Station Crescent, Ashford		
Proposal	Installation of fitness equipment for adults and associated surfacing		
Applicant	Spelthorne Borough Council		
Ward	Ashford Town		
Call in details	N/A		
Case Officer	Paul Tomson		
Application Dates	Valid: 17/01/2017	Expiry: 14/03/2017	Target: Within 8 weeks
Executive Summary	<p>This planning application seeks permission for the installation of fitness equipment for adults and associated surfacing within Hengrove Park. Whilst the site is located within the Green Belt and is currently free of development, the proposal is for outdoor sport and recreational purposes. It is therefore considered an appropriate form of development in the Green Belt and is acceptable. The fitness area will be sited at least 114 metres away from the nearest residential properties and is not considered to have any adverse impact on their amenity. In terms of visual impact, the proposed equipment is low key in scale and the colour and type of materials would blend in with the surroundings.</p>		
Recommended Decisions	This planning 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:

- CO1 (Providing Community Facilities)
- EN4 (Provision of Open Space and Sport and Recreation Facilities)

1.2 It is also considered that the following Saved Local Plan Policy is relevant to this proposal:

- GB1 (Green Belt)

2. **Relevant Planning History**

16/00610/FUL Installation of a concrete BMX/Skate facility Withdrawn
01/06/2016

3. **Description of Current Proposal**

3.1 This application relates to Hengrove Park, which is located to the west of Hengrove Crescent and Station Crescent in Ashford. To the south of the park is Ashford Park Primary School. The site is located within the Green Belt.

3.2 The proposal involves the installation of fitness equipment area for adults and associated surfacing. The fitness area will be sited to the west of the existing children's playground and games area and will measure 16.5 metres in length and 8.5 metres in width. The facilities will be similar to adult gym equipment (e.g. stationary exercise bikes). The maximum height is 2.99 metres. The surfacing will be a "Wetpour safety surface" (coloured black). The fitness equipment will be painted a mix of black and green.

3.3 Site layout and elevation plans are provided as an Appendix.

4. **Consultations**

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

Consultee	Comment
County Highway Authority	No objection
Environmental Health	No objection

(Noise)	
Leisure Services	Confirm that they are supportive of the proposal.

4. **Public Consultation**

16 neighbouring properties were notified of the planning application. At the time of writing no letters of representation had been received.

5. **Planning Issues**

- Impact on the Green Belt

6. **Planning Considerations**

Green Belt

- 6.1 The site lies within Green Belt. Saved Local Plan Policy GB1 seeks to ensure only appropriate development is allowed in the Green Belt. The National Planning Policy Framework (NPPF) allows the provision of appropriate facilities for outdoor sport and 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.
- 6.2 The proposal will involve the creation of an outdoor fitness area, which will be used for outdoor recreation purposes. It will be similar in nature and appearance to children's playground or other park facilities and is considered an appropriate facility in the Green Belt. The outdoor fitness facility will be small in comparison to the overall size of Hengrove Park and the equipment is modest in scale. It will help to support and maintain the overall use of the land as a park. It is therefore considered to preserve the openness of the Green Belt and will not conflict with the purposes of including land within it. I also consider that the proposal will not harm the visual amenities of the Green Belt. Accordingly, the impact on the Green Belt is considered acceptable.

Other Matters

- 6.3 The proposed fitness area for adults will be sited at least 114 metres away from the nearest residential properties in Hengrove Crescent and Station Crescent and is not considered to cause any loss of amenity to them. The relationship with Ashford Park Primary School will also be acceptable, which is located at least 47 metres away.
- 6.4 The proposal will provide a new outdoor recreational facility to the existing park and will accord with the requirements of Policy CO1 (Providing Community Facilities) of the Core Strategy and Policies DPD.
- 6.5 Accordingly, the application is recommended for approval.

Recommendation

7.1 GRANT subject to the following conditions:-

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

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

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

Site location plan received 12 January 2017

Site Layout Plan Revision 01 Page 1 of 2 received 11 January 2017

Plan and Elevations Revision 02 Page 2 of 3 received 17 January 2017

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

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.

Customer : Sperrthorne Borough Council
 Project : Outdoor Gym
 TPL :

Revision: 01
 Date: 10/01/17
 Scale : Unless stated otherwise 1:100
 Page Size : A3
 Page : 1 of 2

TGO project manager : Matt Delaney
 Project contact : Cassie Smith
 Drawing by : JB
 Checked by : SK

Site address :
 Installer :
 Installation type :
 Installation start date :
 RPII date :

Existing surface details : Grass
 Surface type : Wetpour
 Surface area & perimeter : 140.25m², 50m

Product Colour : TGO Black & Green
 Coastal or Non Coastal : Non coastal
 Additional Comments :

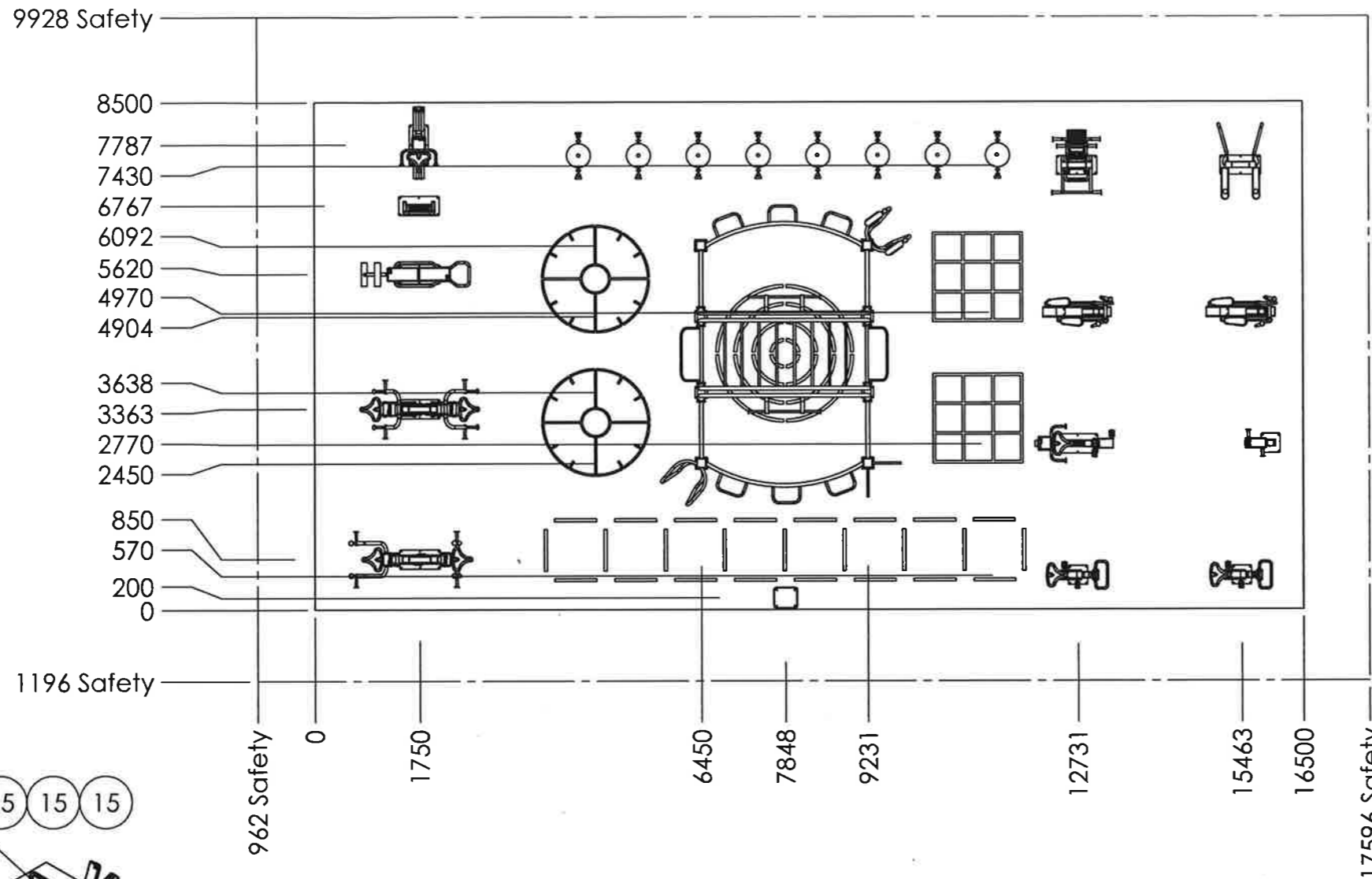
Customer Sign-off

I the customer am happy with the proposed design and agree for TGOGC to continue with the order and installation as shown below:

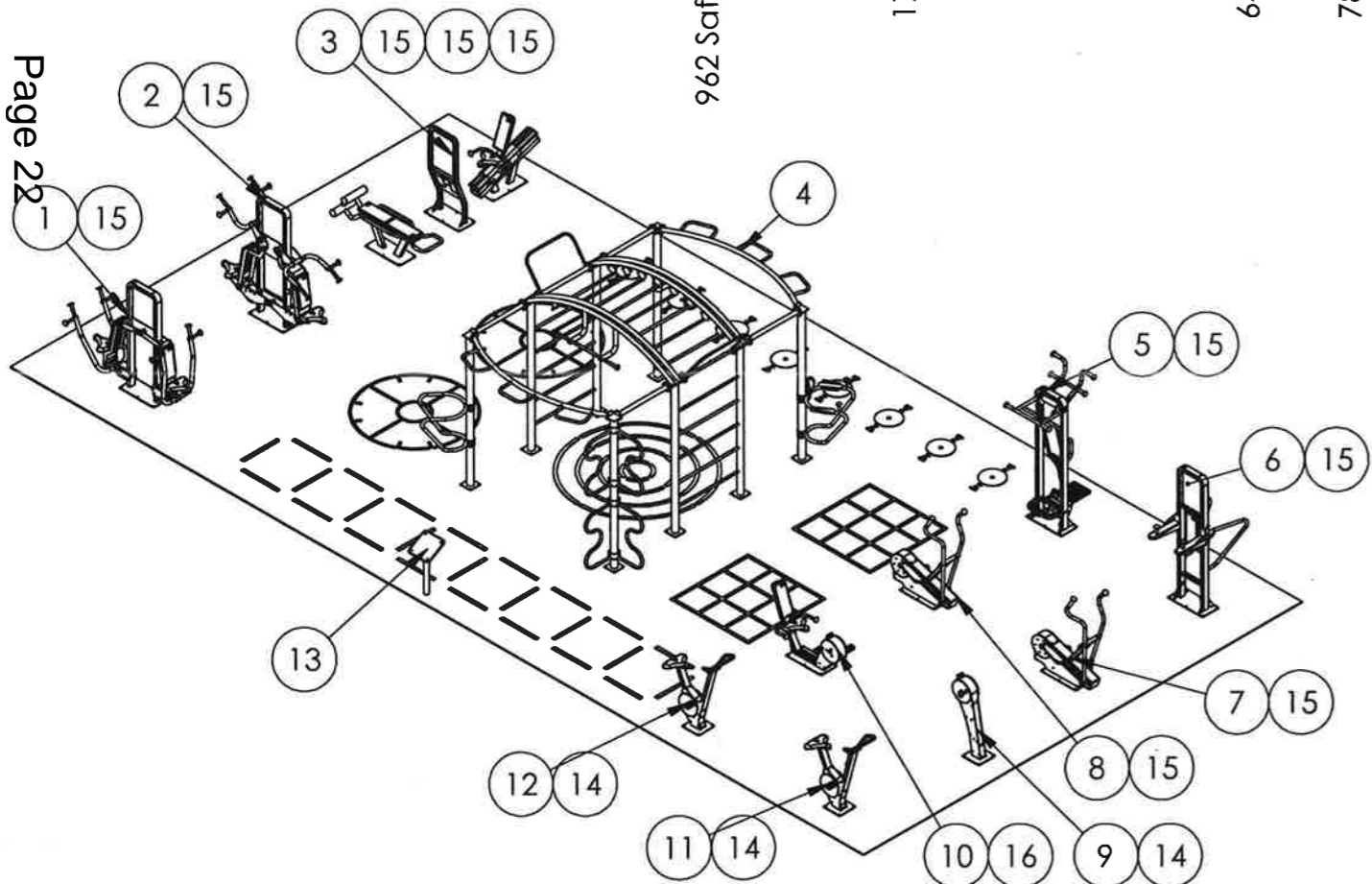
Sign:

Print:

Date:



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ITEM NO.	PART NUMBER	DESCRIPTION	QTY.
1	TGO835	Chest Press and Seated Row	1
2	TGO825	Lat Pull Down and Shoulder Press	1
3	TGO951	Leg Press and Bench	1
4	TGO510	Rig	1
5	TGO810	Pull Up and Assisted Pull Up	1
6	TGO800	Dips and Leg Raise	1
7	TGO862	Glow Cross Trainer	1
8	TGO861	Cross Trainer	1
9	TGO908	Energy Charge Hand Bike	1
10	TGO892	Energy Glow Recumbent Bike	1
11	TGO971	Energy Charge Spinning Bike	1
12	TGO970	Spinning Bike	1
13	TGO889	Welcome Sign	1
14	UKTGOGC24	Medium Ground Anchor	3
15	UKTGOGC25	Large Ground Anchor	10

Phone: 01795373301
Email: info@tgogc.com
Address: The Old Dairy,
 Brogdale Farm,
 Brogdale Road,
 Faversham, Kent,
 ME13 8XZ,
 UK

IMPORTANT

- MINIMUM 1500 SAFETY CLEARANCE REQUIRED BETWEEN GYM STATIONS & ALL CONFLICTING OBSTACLES ABOVE GYM STATION GROUND LEVEL.
- ALL TGO EQUIPMENT DIMENSIONS ARE MEASURED FROM THE CENTRE POINT OF BASE PLATES
- DIMENSIONS ARE IN MILLIMETRES (MM) UNLESS OTHERWISE STATED
- ANY DISCREPANCIES ARE TO BE REPORT TO TGOGC
- THIS INSTALLATION DRAWING IS MADE TO EN16630 STANDARD
- ADVISORY STATEMENTS HAVE BEEN STIPULATED FOR COMPLIANCE PAS888 INSTALLATION GUIDELINES
- ENSURE YOU HAVE READ THE MOST RECENT EDITION OF THE 'TGOGC INSTALLATION AND ASSEMBLY GUIDELINES' AND RELEVANT 'TGOGC PRODUCT CARDS' PRIOR TO INSTALLATION



This is our vision for your Outdoor Gym at Hengrove Park.

Our gym offers a combination of exciting and modern fitness equipment, suitable for all abilities. This offer includes 12 individual units, giving an incredible 27 plus stations which enables up to 27 users to use this gym at any one time. 4 of these units are TGO's unique energy generating cardio units, allowing users to charge their mobile phones while using the equipment.

The addition of TGO's functional training 'Rig' can accommodate up to 12 users at any one time and will attract individuals and groups who are looking for a more advanced workout, including using battle ropes, pulleys and resistance bands.

We have designed the gym to complement the park and its existing facilities. The surface is a Wetpour safety surface and includes line marking to allow additional floor workouts, creating a true 'destination' gym.

Due to our UK manufacturing, we can offer this gym in other more bespoke colours if required. See page 15.



Exceeds all relevant safety standards (En16630)

Page 23



27+ users at a time!
Offering a thorough full body workout for athletes and beginners alike.



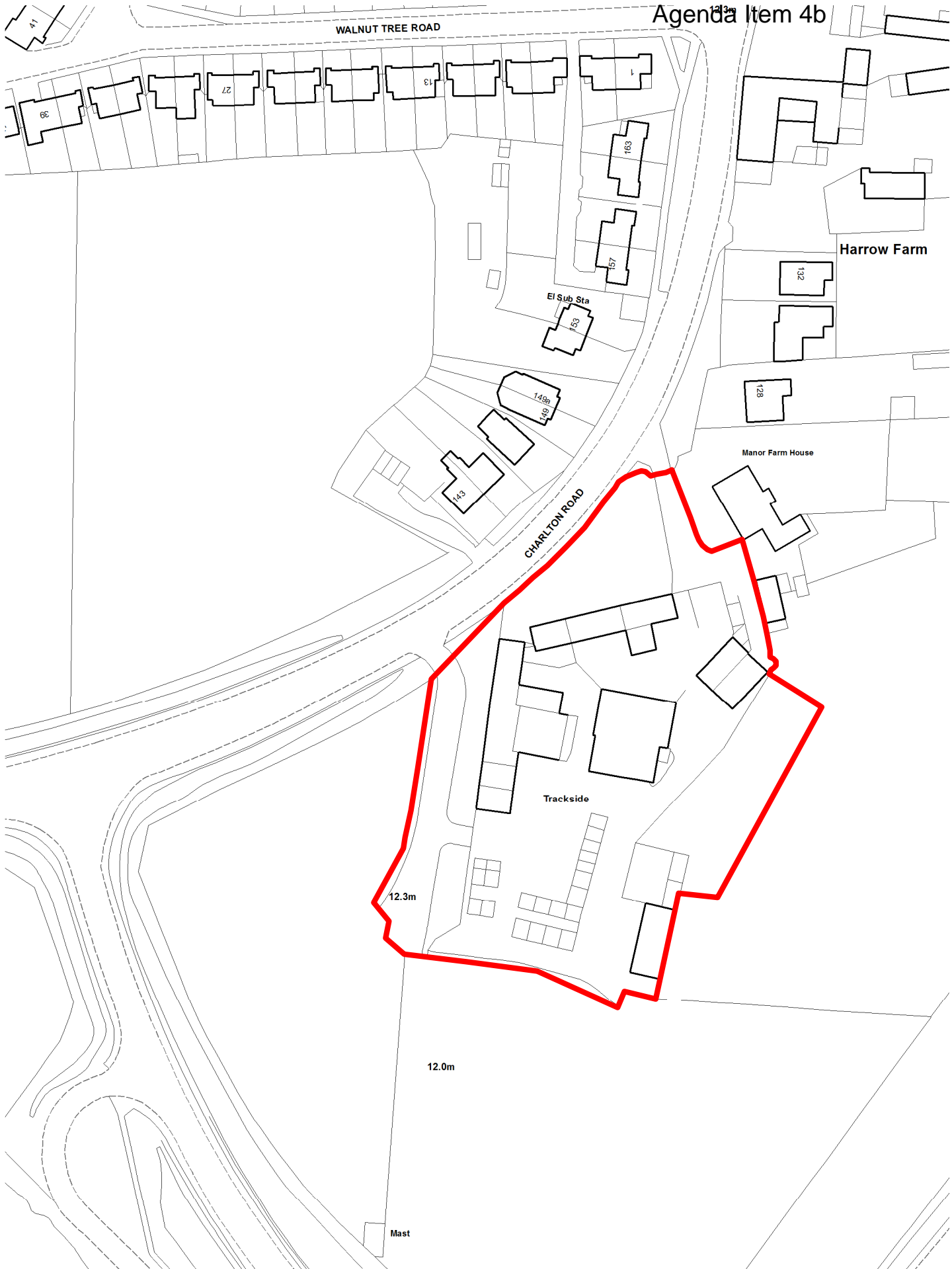
EN 16630

25 YEAR WARRANTY

MADE IN BRITAIN

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WALNUT TREE ROAD



1:1,250

16/00430/FUL
Land adj to Manor Farm, 126 Charlton Road, Shepperton

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Planning Committee

08 March 2017



Application Nos.	16/00430/FUL		
Site Address	Land adjacent to Manor Farm, 126 Charlton Road, Shepperton		
Proposal	Demolition of all existing buildings and the erection of 8 no. commercial units (Use Class B1/B8) together with associated car parking, hardstanding and landscaping.		
Applicant	Mr Wayne Michaels (The Stunt Company Ltd)		
Ward	Laleham and Shepperton Green		
Call in details	Whilst Councillor Smith-Ainsley has requested this application be reported to the Planning Committee for consideration because of public concern about potential uses of the site and the effect on the [locally] listed buildings on it, an application of this size would automatically be reported to Committee if recommended for approval.		
Application Dates	Valid: 14.09.2016	Expiry: 09.11.2016	Target: Agreed extension of time
Executive Summary	<p>This application involves the demolition of all of the existing buildings on the site and the erection of 8 no. new commercial buildings together with associated car parking, hardstanding and landscaping. The proposed buildings are very similar in scale to the existing buildings and are considered to have no greater impact on the Green Belt. The new buildings will be low profile in nature and be built in traditional materials appropriate to the semi-rural setting.</p> <p>Whilst some of the existing buildings appear to be unoccupied, the lawful use of them is a mix of Use Class B1 (Business) and B8 (Storage and Distribution). The proposed replacement buildings will also be used for a mix of B1 and B8 purposes. The proposed floorspace would be similar to that of the existing buildings and consequently the level of commercial activity will be similar, and it is considered that no objection could be raised on noise and disturbance grounds. The County Highway Authority has raised no objection on highway safety or parking grounds.</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:

- LO1 (Flooding)
- EM2 (Employment Development on Other Land)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN5 (Buildings of Architectural and Historic Interest)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC3 (Parking Provision)

Saved Local Plan Policy GB1 (Green Belts)

2. Relevant Planning History

SP/90/358	Construction of estate road and erection of sixteen three and four bedroom houses with garages and parking, resiting of existing grain store	Refused 22/08/1990
01/00299	Change of use of workshops from vehicle repair, panel beating and spraying and storage of motor vehicles to mixed use of classes B1 & B8 together with assembly of film equipment	Approved 11/12/2001
08/00226/FUL	Continued use of site for stationing of one Portacabin for use as an office, use of part of The site as car storage with landscape Perimeter, retention of 13m x 16.5m concrete Base and retention of west boundary fence Until January 2011	Refused 25/07/2008
06/00077/ENF	Two Enforcement Notices.	
-/USE	(i) Change in the use of land from use as open storage to use for:- (a) the storage and/or parking of motor Vehicles (b) the positioning of two jacked cabins (c) the position of metal containers	Issued 01/11/2007
-/DEV	(ii) construction of hardstanding and erection	Issued

	of metal fencing.	31/10/2007
08/00546/FUL	Demolition of all existing buildings; with 2 locally listed buildings to be rebuilt, & 7 buildings to be erected, together incorporating 14 flats & 1230 sqm of Class B1 floorspace, with access alterations, parking, landscaping & ancillary works	Refused 04/12/2008
11/00522/CPD	Certificate of Lawfulness for the alterations and extensions to existing B1/B8 Use Class units and the erection of a new B1/B8 Use Class building	Refused 07/11/2011
13/00292/FUL	Demolition of all existing buildings and structures and redevelopment of the site to provide 24 dwellings (2 no. 1-bedroom and 22 no. 2-bedroom) including the rebuilding of 2 locally listed buildings. Provision of associated parking, amenity space, allotment area, landscaping and other associated works	Refused 10/06/2013 Appeal Dismissed 22/04/2014

- 2.1 With regard to planning application 08/00546/FUL, this was refused on the grounds that the proposal constituted inappropriate development in the Green Belt and that no very special circumstances existed to justify such development. In particular, it was considered that the height of the proposed buildings in the southern part of the site, and overall spread of buildings, would significantly harm the appearance and openness of the Green Belt. The application was also refused because inadequate information had been submitted regarding groundwater, archaeology and refuse/recycling facilities.
- 2.2 With regard to the Certificate of Lawfulness application 11/00522/CPD, this was refused because the proposal did not comply with the criteria set out in the General Permitted Development Order.
- 2.3 With regard to planning application 13/00292/FUL, this was refused for 4 reasons. Firstly, the proposal constituted inappropriate development in the Green Belt. Secondly, the scheme was considered to represent an overdevelopment of the site. Thirdly, insufficient ecological surveys had been submitted and it was not therefore possible to ascertain the presence or otherwise of protected species on the site. Fourthly, the proposal comprised more than 15 dwellings and no affordable housing was provided in the scheme. Whilst the Inspector who dealt with the subsequent appeal did not consider the scheme to be inappropriate in the Green Belt, he did find the incongruous design and character of parts of the scheme and the unsuitability of the parking provision to be harmful. He also considered that the potential impact on protected species had not been adequately addressed. He left the issue of affordable housing undecided.

3. Description of Current Proposal

- 3.1 The application relates to a site of 0.74 hectares located at the southern end of Charlton Village. It comprises a number of former agricultural buildings which related to Manor Farm. The original farmhouse is located to the north, was converted into 5 flats back in the mid-1990's, and is not included within the application site. The use of the buildings for agricultural purposes ceased many years ago and they subsequently became used for commercial/industrial purposes. Planning permission was granted in 2001 for a mixed use of Classes B1 and B8 (office/research and development/light industry/storage or distribution), together with assembly of film equipment. At the time of my site visit it was noted that some of the existing buildings appeared to be unoccupied, whilst some of the other buildings located towards the southern end of the site were occupied as stables. Most of the buildings are single storey in scale. However, there are two relatively large barn structure located towards the northern part of the site, plus a modest two-storey brick built building in the north-eastern corner. The southern part of the site is more open in character and comprises only small single storey structures. Access is via an adopted roadway to the east of the site which is off Charlton Road. Much of the surrounding land including Manor Farm House is within the control of the applicant (i.e. it is outlined in blue ink on the site location plan).
- 3.2 The application site includes the pond adjacent to Charlton Road and access roadway to the west of Manor Farm House. It also includes a strip of land to the east, which has previously been subject to Enforcement Notices (see the planning history section in this report). Whilst I understand that the applicant originally complied with these enforcement notices by clearing the land of the hardstanding and structures (and reducing the metal fencing in height to 2m – the Permitted Development limit), my site visit revealed that this area of land was being used for the parking/storage of lorries. I will raise this issue with the applicant and consider enforcement action if necessary.
- 3.3 The site is located within the Green Belt. Two of the former agricultural buildings are locally listed. These are the single storey building located immediately to the south of the pond, and the brick built building in the north-eastern corner of the site.
- 3.4 The proposal involves the demolition of all of the existing buildings and the creation of a new development comprising 8 no. commercial units together with associated car parking, hardstanding and landscaping. The units located towards the northern part of the site (Units 1a, 1b, 2, 3 and 4) are to be used for either B1 (Business) or B8 (Storage or Distribution). The units at the southern end of the site (Units 5, 6, and 7) will be used for B8 purposes. The 2 no. locally listed buildings will be demolished and rebuilt in a similar traditional design to provide Units 1a/1b and 2. The overall scheme has been designed so that the proposed buildings are similar in scale and are on similar footprints to the existing buildings to be demolished. A total of 33 no. car parking spaces and 2 no. lorry parking spaces are to be provided. Areas of land in the southern and eastern parts of the site will be used as soft landscaping. This includes the strip of land subject to the enforcement notices.

3.5 Copies of the proposed site layout and elevations are provided as an Appendix.

4. **Consultations**

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

Consultee	Comment
County Highway Authority	No objection subject to a condition.
Environmental Health (Noise)	No objection subject to a condition.
Environmental Health (Pollution)	No objection subject to conditions relating to contaminated land and the demolition and construction phase.
Sustainability Officer	No objection
Charlton Village Residents Association	Objects to the demolition of the buildings and that the owner has left the land and buildings to deteriorate. Concerns about flooding and drainage, increase in noise and traffic. Comments that the buildings are home to bats and owls and that it is believed that the reeds/pond is home to newts.
Conservation Officer	No objection to the demolition of the 2 no. locally listed buildings and the proposed scheme.
County Archaeologist	No objection subject to a condition
Crime Prevention Officer	Made various security related comments which have been forwarded to the applicant. Request that a condition is imposed requiring the development to achieve the full Secured by Design award.
Environment Agency	No response. Did not object to the previous residential scheme (13/00292/FUL)
Surrey County Council Local Lead Flood Authority	No objection subject to conditions
Thames Water	No objection in terms of water and sewerage infrastructure. Advises that there are public sewers crossing or close to the development, and that the applicant will have to gain approval from Thames Water where new buildings are situated close to them. Makes comments regarding surface water drainage and advises that where a developer proposes to discharge groundwater into a public sewer, prior approval from Thames Water will be

	required. Also recommends that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Recommends an informative in relation to water pressure.
Surrey Wildlife Trust	Satisfied with the submitted ecological survey and confirms that bats do not appear to present a constraint to the proposed development. Recommends that bat roosting opportunities are incorporated into the new scheme. Makes comments regarding demolition works, external lighting and breeding birds.

5. **Public Consultation**

5.1 24 properties were notified of the planning application, including the Charlton Village Residents Association. A site notice was displayed and notice was provided in the local press. 5 letters of objection have been received.

Reasons for objecting include: -

- Objection to the demolition of the existing buildings, including the 2 no. locally listed buildings.
- The land and buildings have been left to deteriorate by the owner. The former granary on the site was demolished.
- Concern about flooding and drainage.
- The buildings are home to bats and owls, whilst it is believed that the reeds/pond is home to newts.
- Green Belt
- Concern about highway safety.
- Concern about sewerage and the impact on the existing sewerage pipeline running from Imberpark, Nutty Lane, which passes the entrance to the new development.
- Loss of existing stables on the site.
- The industrial nature of the proposed development is on Green Belt land and is out of character with the area.
- Increase in lorry movements and the impact on pollution

6. **Planning Issues**

- Green Belt
- Design and appearance
- Demolition of locally listed buildings
- Impact on neighbouring residential properties
- Parking
- Biodiversity

7. **Planning Considerations**

Green Belt

7.1 The site lies within the Green Belt. Section 9 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to

Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 7.2 The proposal involves the demolition of all of the existing commercial buildings and the erection of 8 no. replacement commercial buildings together with associated hardstanding and parking. The NPPF states that a local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. The NPPF does provide a limited list of exceptions to this, one of which is:

“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.”

- 7.3 The lawful use of the existing buildings is a mix of B1 (Business) and B8 (Storage and Distribution) uses together with assembly of film equipment, following the grant of planning permission in 2001 (01/0299). It is recognised that some of the buildings appear to be unoccupied, whilst some of the other buildings are currently occupied as stables. However, in view of the lawful use of the buildings, and that the proposed replacement buildings will continue to be used for B1/B8 purposes, and be very similar in size and location, it is considered that the proposal fits into the above exception specified in the NPPF. Furthermore, the extent of the proposed hardstanding/parking is not greater than the existing hardstanding. Consequently, the proposal does not constitute inappropriate development in the Green Belt and is therefore acceptable, despite the objections raised.

- 7.4 It is relevant to note that the Inspector who dealt with the previous appeal scheme (13/00292/FUL) did not consider that particular proposal to constitute inappropriate development in the Green Belt. He considered that the site to be properly regarded as ‘*previously development land*’ (i.e. brownfield land) and that the new development would not have a greater impact on the openness of the Green Belt.

Design and Appearance

- 7.5 Policy EN1 of the Core Strategy and Policies DPD (CS & P DPD) states that the Council will require a high standard in the design and layout of new development. Proposals should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

- 7.5 The site is located to the south of Charlton Village and is within the Green Belt. It comprises a number of low profile former farm buildings and the site and the surrounding area still has a rural character. The proposed buildings will be similar in design and appearance to the existing buildings and the scheme is considered to comply with Policy EN1. They will continue to be low profile in nature and will be built with traditional materials comprising a mix of brickwork, timber cladding, roof tiles and other materials currently used on the existing buildings. It is considered that the proposed design and appearance

will continue to maintain the existing semi-rural character of the area. A condition will be imposed requiring the final details of the materials to be submitted for approval.

Loss of the Locally Listed Buildings

- 7.6 Policy EN5 of the CS & P DPD states that the Council will encourage the retention of buildings of local architectural or historic interest and seeking to ensure that their character and setting is preserved in development proposals.
- 7.7 The proposal involves the demolition of both locally listed buildings on the site. With regard to the single storey locally listed building adjacent the dried-up pond, this will be replaced with a very similar building in terms of design and appearance, and it will be located in the same location. With regard to the other locally listed building in the north-eastern corner, this will be replaced with a new building of a slightly different design and position, but will nevertheless continue to retain the agricultural character and appearance of the original structure. The Council's Conservation Officer was consulted and has raised no objection to the scheme and the demolition of the buildings. He has made the following comments:

"This scheme differs [from the previous appeal scheme] in that most of the structures are to be re-created in roughly their existing footprints including height and bulk- Green Belt issues will therefore not be a factor this time. The applicant clearly sees a market in providing a variety of small industrial/workshop type units here which is similar to the current use of some of the buildings. The two locally listed structures no longer have any significant merit or interest so, as before, their removal is not opposed.

The spaces around the various buildings on this scheme can accommodate vehicle circulation and parking, this is made possible due to the need for amenity space in association with residential units not being required.

I consider that on balance the gain of a variety of serviced small employment units outweighs the loss of two low significance locally listed buildings. In coming to this view I have had special regard to the need to recognise these buildings and afford them the weight appropriate to their significance, which as stated I believe to be minimal."

- 7.8 It is also relevant to note that the Council did not previously object to demolition and rebuilding of the same locally listed buildings in planning applications 08/00546/FUL and 13/00292/FUL (although those applications were refused for a number of other reasons). Furthermore, the Inspector in the previous appeal did not object to the demolition of the locally listed buildings. Consequently, I do not consider a refusal could be justified on this particular issue, despite the objections raised by third parties in this regard.

Impact on Neighbouring Properties

- 7.9 The site is mainly surrounded by open land and the only residential property adjoining the proposal is the existing Manor Farm House. This particular property is owned by the applicant and is converted into 5 flats. It has a

communal garden to the rear and a former farm outbuilding located on the site boundary and now used for car parking.

- 7.10 The proposed 2-storey replacement locally listed building in the north-eastern corner of the site will be situated only 3m – 4.5m away from the site boundary and the adjacent outbuilding used for car parking. Normally, a new 2-storey residential building should be positioned at least 10.5m away from the rear boundary in accordance with the Council's Supplementary Planning Document (SPD) on the residential development so to avoid unacceptable amenity impacts on neighbouring properties. However, as the new building faces onto the adjacent car parking building and the vehicle forecourt beyond, I do not consider there would be an unacceptable loss of amenity to the neighbouring development.
- 7.11 It is not considered that an objection could be raised on noise and disturbance grounds, particularly as the lawful use of the site is for a mix of Class B1 (Business) and B8 (Storage and Distribution), and the new buildings will be very similar in size. The nearest new commercial building (Building 2) and its car parking area will face away from the flats in Manor House, which in any case are owned by the applicant. The commercial vehicles will continue to access the site from the old Charlton Road carriageway cul-de-sac, which is situated away from any existing residential properties. The Council's Environmental Health Officer has raised no objection to the proposal on noise grounds subject to the imposition of conditions.

Parking

- 7.12 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.
- 7.13 The applicant is seeking the flexibility of using the buildings for either Use Class B1 (Business) or B8 (Storage and Distribution), which have different maximum parking standards. According to the Council's Parking Standards, Use Class B1 would stipulate a maximum parking standard of 55 spaces for a scheme of this size. If all of the buildings were to be occupied as Use Class B8, the maximum parking provision would be 20 spaces. It is however, likely that the new buildings will be used for a mix of B1 and B8 uses. All of the individual buildings are relatively small for commercial purposes and the proposed provision of 33 spaces and 2 lorry spaces is considered acceptable. The County Highway Authority has raised no objection on parking and highway grounds. Indeed they state that the proposal will lead to a [slight] decrease in commercial floor space on the site and therefore a decrease in potential trips generated. On the basis of the highway consultation response, it is not considered that the objections raised by third parties on highway safety and increased lorry movements could be sustained.

Biodiversity

- 7.14 Policy EN8 of the CS and P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, wherever possible, contributes to an improvement in the

landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest. It is also important to note the guidance regarding protected species in Circular 06/2005. This states that *"it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*

- 7.15 The site includes a number of old farm buildings and a pond, which potentially could be capable of being used as a habitat for protected species (i.e. bats, great crested newts and reptiles). The applicant has therefore submitted an Ecological Assessment in support of the application, which includes the results of surveys carried out on the site. The Assessment concludes that the site does not host roosting bats nor does it host reptiles and that the proposals are unlikely to affect other protected species, despite the representations received in this regard. The existing 'pond' on the site is dried up and it is considered unlikely that Great Crested Newts inhabit the site. The Assessment therefore concludes that there are no requirements for further surveys to be carried out. It does however, recommend that care is taken when removing the roof tiles (by hand) of Building 10 to avoid harming bats in the unlikely event that they have begun to roost in the building.
- 7.16 The Surrey Wildlife Trust was consulted on the application and has raised no objection, but recommends a precautionary approach to the works and that the removal of the existing roof and tiles is carried out by hand. It is recommended that this advice is provided on the decision notice in the form of an informative. The Trust also recommend that bat roosting opportunities should be incorporated into the new development, which can be secured by a condition. Accordingly, the impact on ecology is considered acceptable.

Other Matters

- 7.17 The site is located within Flood Zone 1 (greater than 1 in 1000 year chance of flooding) and notwithstanding the representations on flooding grounds, there is no objection to redeveloping the site on flood risk grounds. However, given the scale of the development proposed it is necessary for the applicant to submit details of a Sustainable Drainage Scheme (SuDS) and for the Surrey County Council Local Lead Flood Authority (SFFA) to be consulted. The SFFA originally raised an objection and they stated that the proposed surface water strategy did not comply with the requirements laid out under the Government's Technical Standards. The applicant has since submitted further details and the SFFA have removed their objection subject to the imposition of a number of drainage related conditions.
- 7.18 The Sustainable Drainage Scheme includes using the existing dried-up pond as an '*attenuation pond*'. This will enable surface water run-off to be stored on the site and prevent rainwater from being discharged straight into the sewer network, thereby minimising flood risk elsewhere. With regard to sewerage, the developer would need to address any issues with Thames Water before any scheme were to be implemented, to ensure that the development does not adversely effect the existing sewers and allow access to them to be maintained. It is relevant to note that the proposed buildings will be erected

entirely within the site and will not encroach onto the adjacent highway verge. A copy of the Thames Water response was forwarded onto the applicant.

- 7.19 The County Highway Authority has raised no objection on highway safety grounds.
- 7.20 The Council's Sustainability Officer is satisfied that the proposed renewable energy facility (photovoltaic panels) can achieve the minimum 10% renewable energy requirement stipulated in Policy CC1 of the CS & P DPD. A condition is to be imposed require the final details to be submitted for approval.
- 7.21 The Council's Noise Officer (Environmental Health) has raised no objection to the proposal on noise grounds, subject to a condition requiring a Construction Environmental Management Plan to be submitted for approval.
- 7.22 The County Archaeologist has raised no objection to the proposal provided a condition is imposed requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted for approval.
- 7.23 With regard to the Crime Prevention Officer's comments, I do not consider it is appropriate to impose a condition, as requested, relating to "Secured by Design". Many of the requirements are very detailed (e.g. standards of windows, doors and locks), elements which are not normally covered and enforced under the planning regulations. Conditions are to be imposed requiring an external lighting scheme to be implemented and full details of boundary treatment, partly for security purposes. However, a copy of the officer's response has been forwarded to the applicant and it is proposed to add a relevant informative to the decision notice.
- 7.24 Accordingly, the application recommended for approval.

8. Recommendation

8.1 GRANT subject to the following conditions: -

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

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

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

010; 011; 030; 031; 100; 200; 201; 202; 203; 204; 205; 206 received 17 March 2016.

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

3. Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the building and the surface material for the parking spaces be submitted to and approved by the Local Planning Authority.

Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. No development shall take place until:-

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

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

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

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

Reason:-

- (a) To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

NOTE

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

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

5. 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.

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

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

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

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

8. No development shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The trees, shrubs and other associated proposals shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased,

with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

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

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

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

10. Demolition works and construction of the development hereby approved must only be carried out on site between 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and none at all on Sunday, Public Holidays or Bank Holidays.

Reason:- In the interest of amenity

11. Before any construction commences, details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting on the site shall at all times accord with the approved details.

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

12. Prior to the commencement of construction, a scheme to provide bird and bat boxes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained.

Reason:- To encourage wildlife on the site.

13. The proposed site clearance and demolition works shall be carried out strictly in accordance with the recommended mitigation measures in Sections 4 and 5 of the GS Ecology Ecological Assessment ECO1700 dated 06 October 2015.

Reason:- In the interest of safeguarding wildlife on the site.

14. No demolition shall take place, including any works of demolition or site clearance, until a Demolition Method Statement (DMS) detailing the proposed methodology for demolishing the existing structures and the mitigation measures to be implemented has been submitted to and approved in writing by the Local Planning Authority. The DMS shall include submission of a Pre-Demolition Asbestos Survey. The agreed

methodology and mitigation measures shall be implemented in accordance with the approved details.

Reason:- To safeguard the amenity of neighbouring properties.

15. No development shall take place, including any works of demolition or site clearance, until a Construction Environmental Management Plan (CEMP) for the site has been submitted and approved by the Local Planning Authority. All of the demolition and construction work shall then be undertaken in strict accordance with this approved plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To safeguard the amenity of neighbouring properties.

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

Reason:- The above condition is required in order that the development should not prejudice highway safety no cause inconvenience to other highway users.

17. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order), the commercial premises shall be used only for purposes within Use Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

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

18. Prior to construction of the development hereby approved the following drawings need to be supplied where appropriate:
 - A drainage layout detailing the location of SuDS elements and all associated works such as pond, swales /manholes/ chambers/ pipes, points of connections to existing sewer (If applicable) etc.
 - an pervious/ impervious area plan showing whole area
 - long or cross sections of each SuDS elements,
 - details of storage volumes for each Sustainable Drainage system feature (pond, swales) must be submitted to and approved by the local planning authority

Reason: To ensure the drainage design meets the technical standards

19. Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on-site and off-site, must be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the proposal has fully considered flood events exceeding design capacity and system failure.

20. Before the commencement of the construction of the buildings hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason: To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

21. Before the commencement of the construction of the building hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details

Reason: To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

22. Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System is built to the approved drawings.

23. Prior to the occupation of the buildings hereby permitted the rebuilt locally listed Buildings 1a/1b and 2 shall be fully implemented in accordance with the approved plans.

Reason: To ensure that the proposed buildings to replace the existing locally listed buildings are implemented on the site.

Informatives

1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

2. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

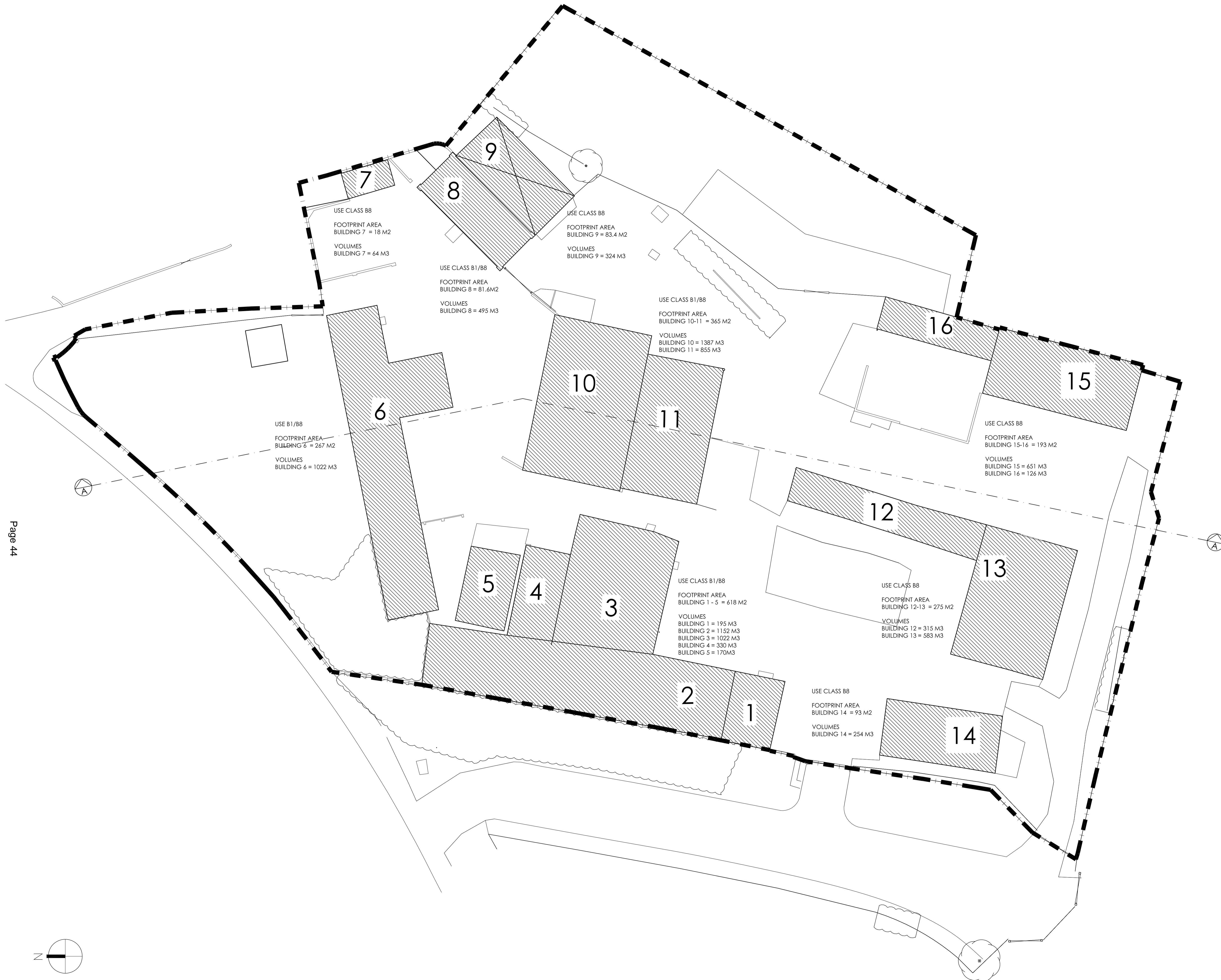
3. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.

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

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 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.

NOTES



01	APR 15	ISSUED FOR PLANNING	DL
00	MAR 15	ISSUED FOR PLANNING	DL

REV	DATE	DESCRIPTION	DRAWN
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CLIENT
MR W MICHAELS

PROJECT
MANOR FARM
CHARLTON ROAD, TW17 0RJ

DRAWING TITLE
EXISTING SITE PLAN

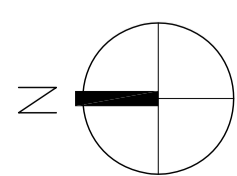
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FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2268	PL	011	01

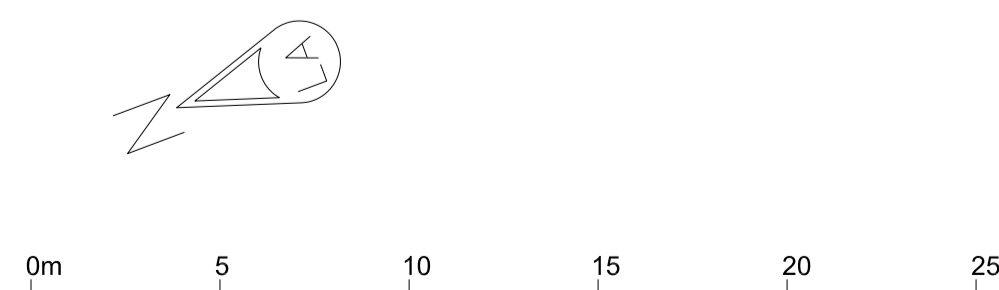
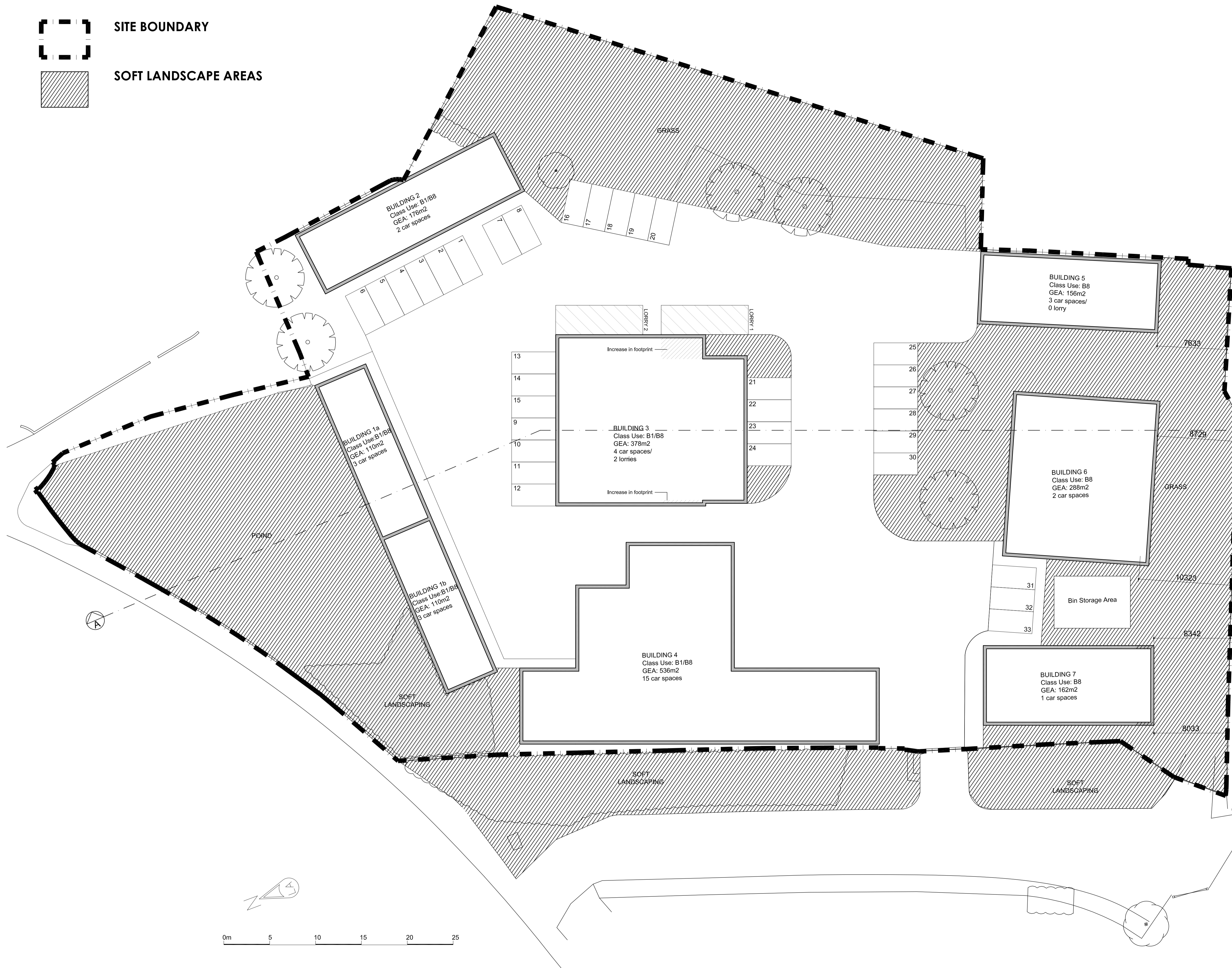
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 **SITE BOUNDARY**
 **SOFT LANDSCAPE AREAS**



NOTES

01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL

REV	DATE	DESCRIPTION	DRAWN
CLIENT			
MR W MICHAELS			
PROJECT			
MANOR FARM			
CHARLTON ROAD, TW17 0RJ			
DRAWING TITLE			
PROPOSED SITE PLAN			
STATUS			
FOR PLANNING			
PROJECT No	DWG TYPE	DWG No	REV
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SCALE	DATE	DRAWN	CHECKED
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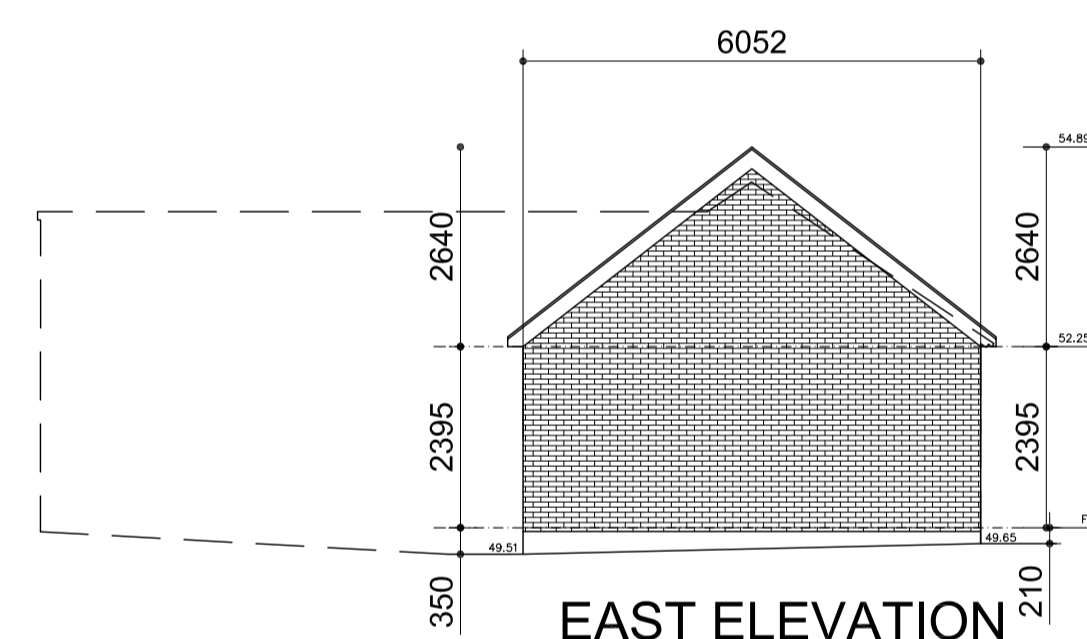
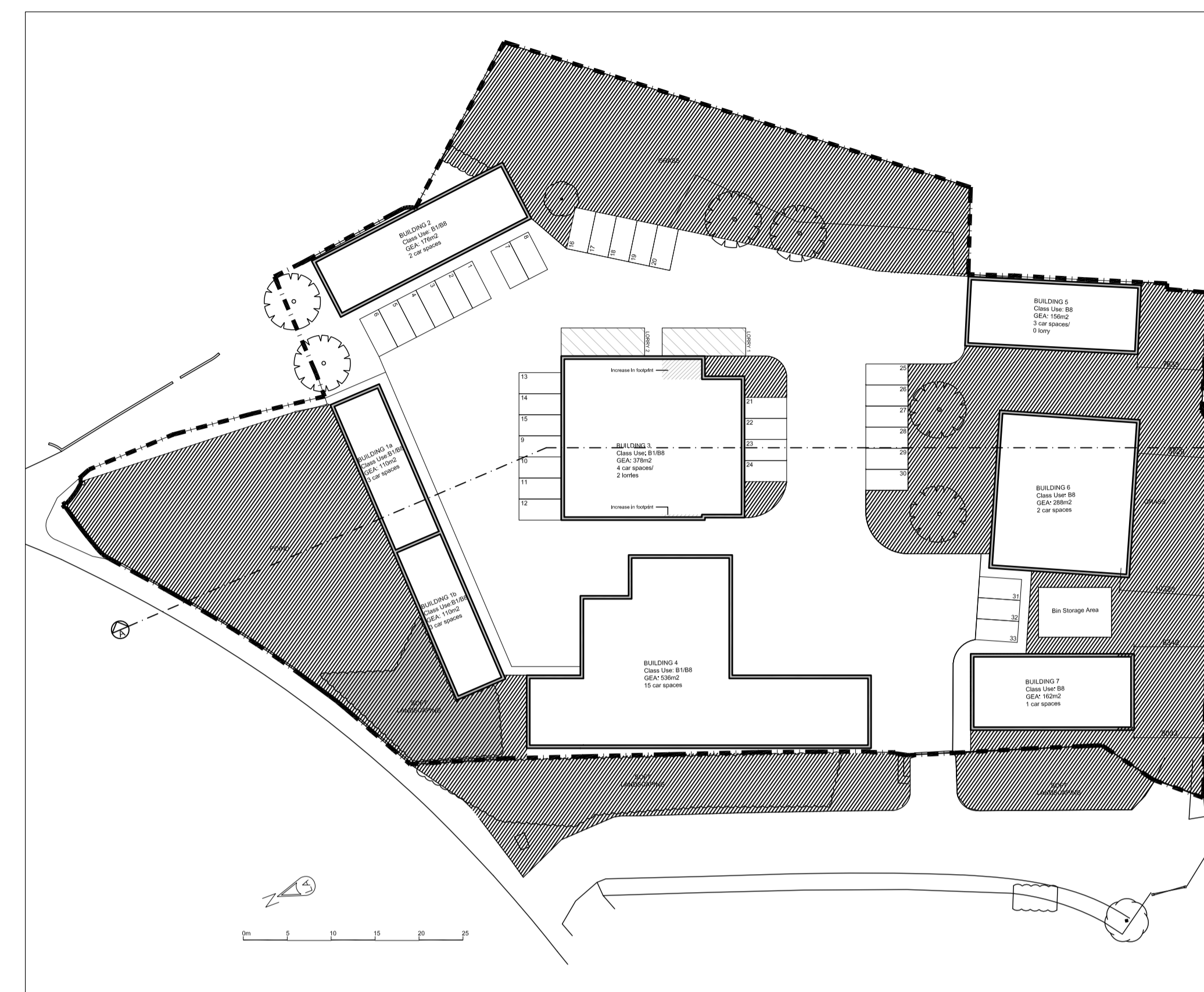
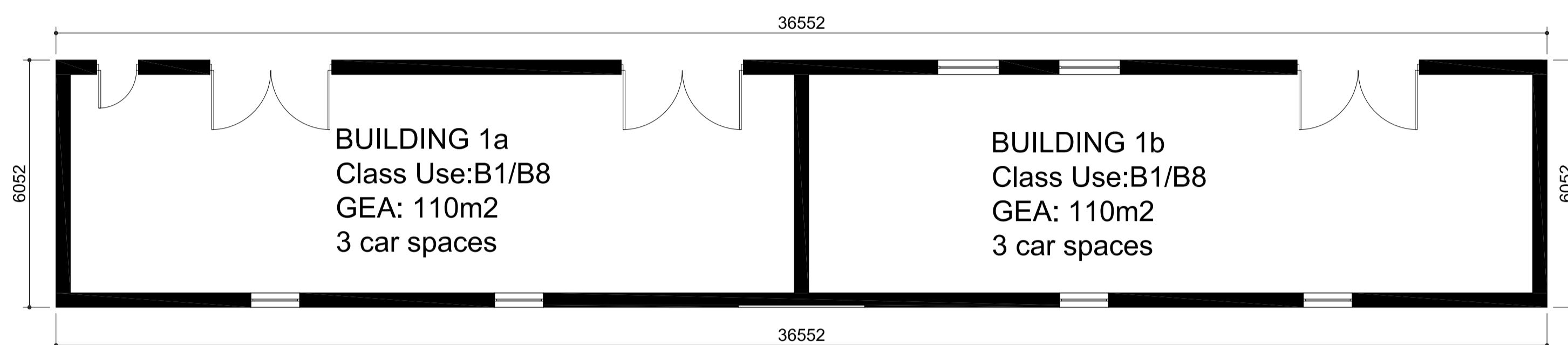
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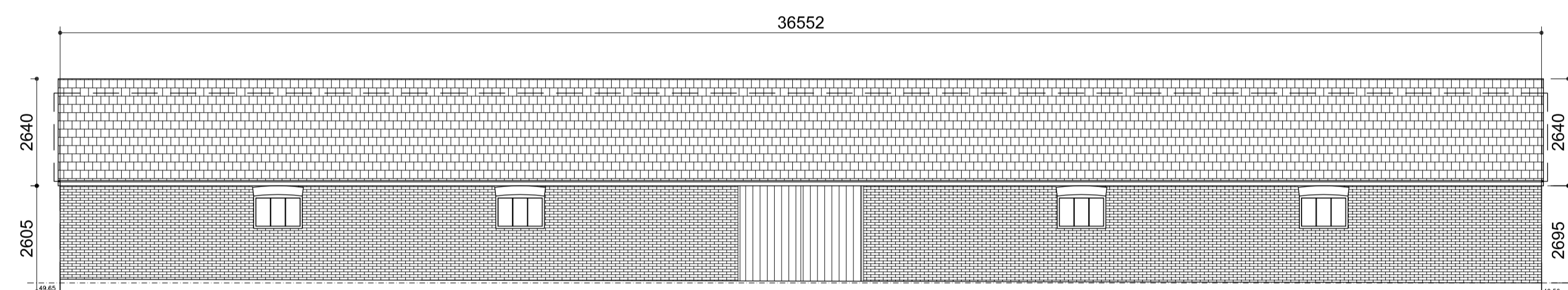
BUILDING 1a and 1b (Formerly building 6)
 Class Use: B1/B8
 GEA: 220m²
 Volume: 912m³
 6 car spaces
 Building Raised to prevent flooding



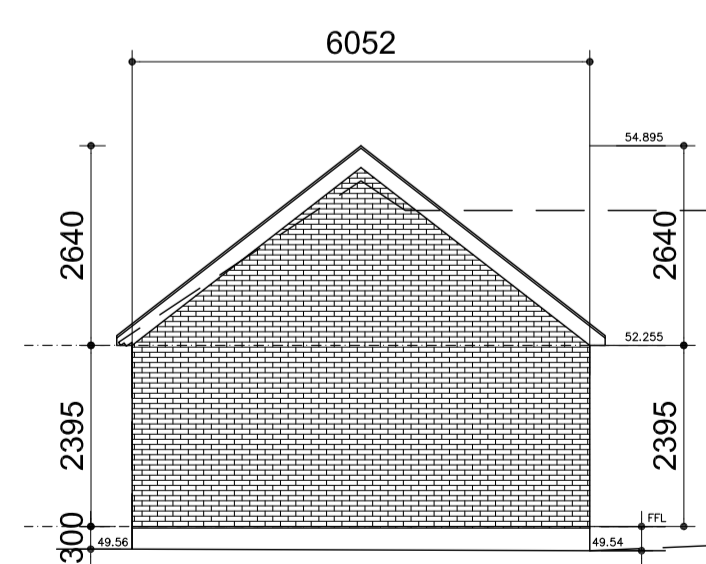
Outline of existing building being demolished.



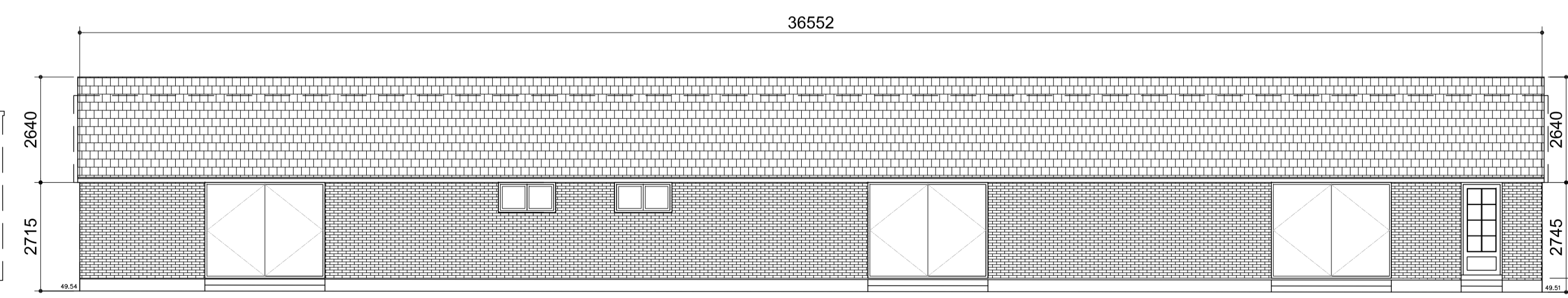
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

NOTES

02	JUN 16	DIMENSIONS ADDED	JAS
01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL

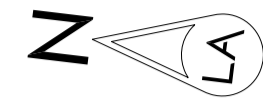
REV	DATE	DESCRIPTION	DRAWN
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CLIENT
 MR W MICHAELS
PROJECT
 MANOR FARM
 CHARLTON ROAD, TW17 0RJ
DRAWING TITLE
 BUILDING 1a&1b PROPOSED DRWGS

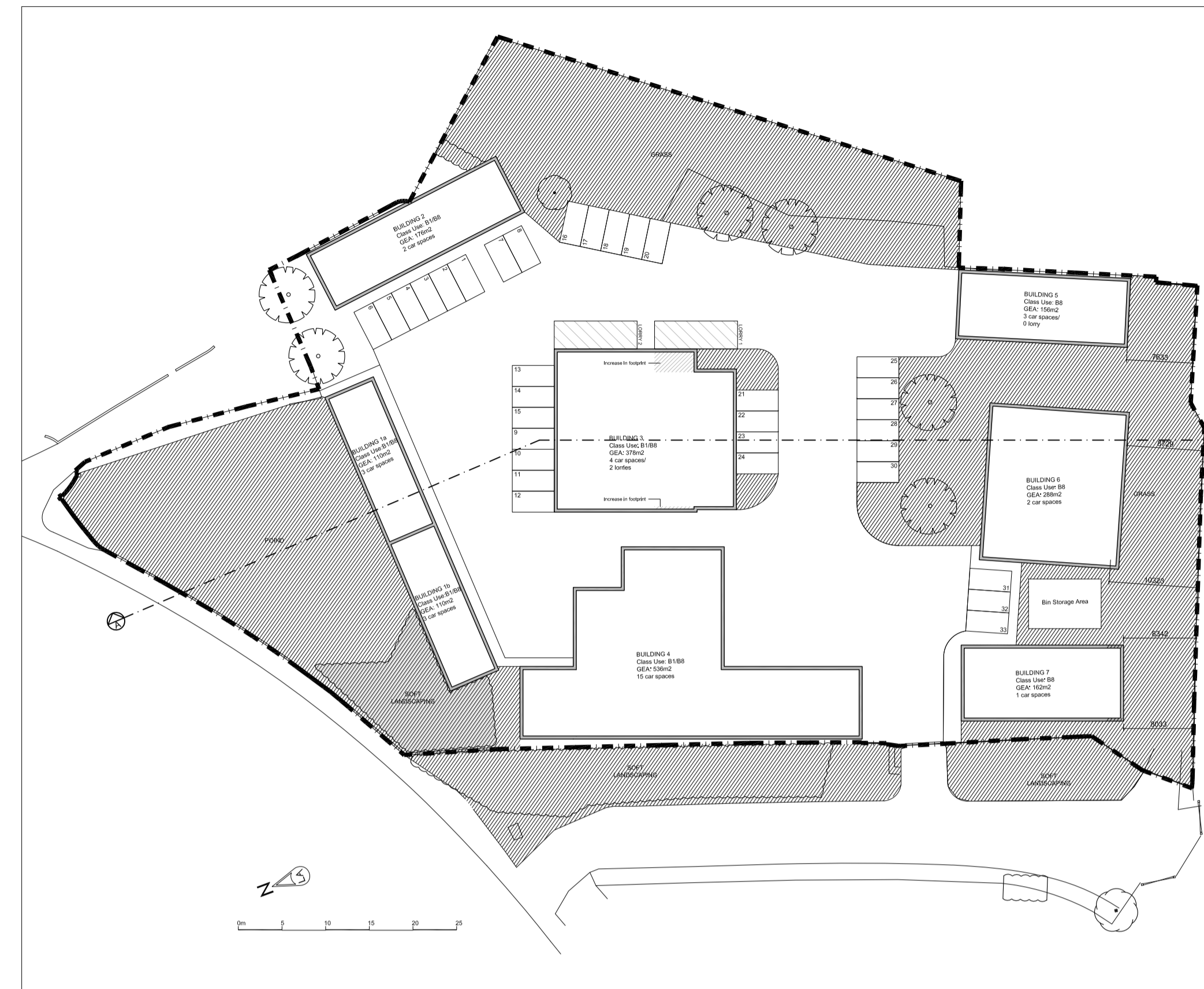
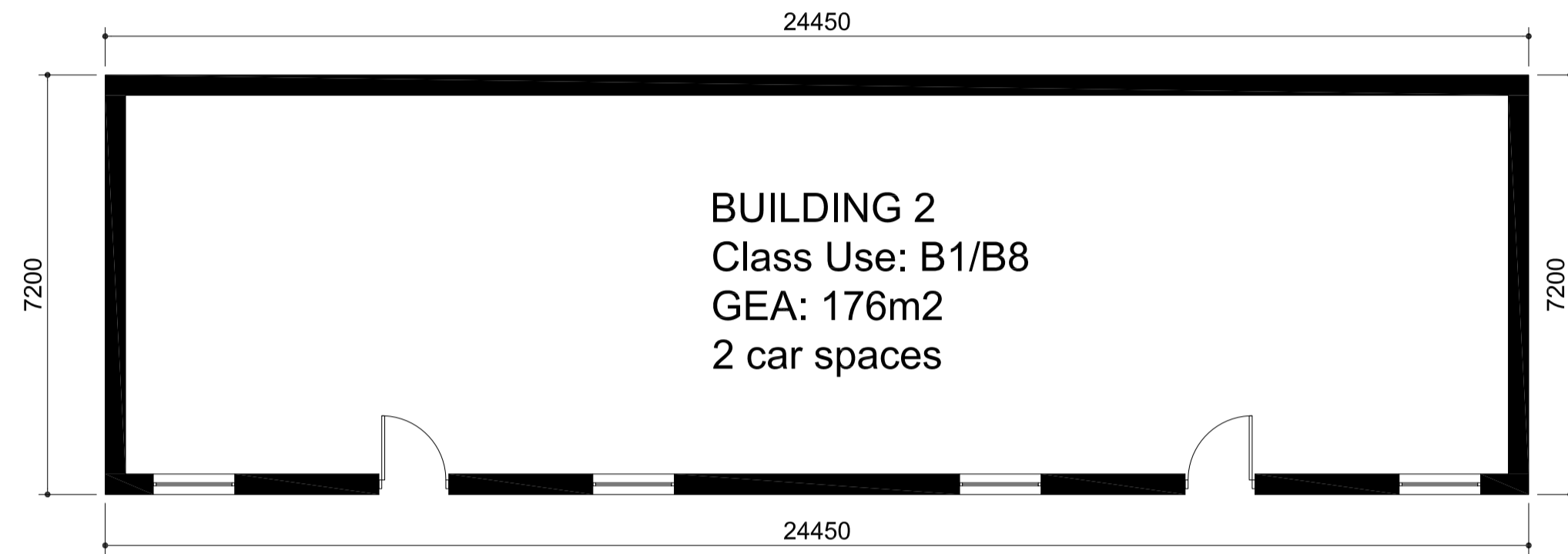
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PROJECT No 2268	DWG TYPE PL	DWG No 200	REV 02
SCALE 1:100@A1	DATE DEC'15	DRAWN AC	CHECKED DL

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BUILDING 2 (Formerly buildings 7, 8 & 9)
 Class Use: B1/B8
 GEA: 176m²
 Volume: 880m³
 2 car spaces



Outline of existing building being demolished.



NOTES

02	JUN 16	DIMENSIONS ADDED	JAS
01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL

REV DATE DESCRIPTION DRAWN

CLIENT
 MR W MICHAELS
 PROJECT
 MANOR FARM
 CHARLTON ROAD, TW17 0RJ
 DRAWING TITLE
 BUILDING 2 PROPOSED DRWGS

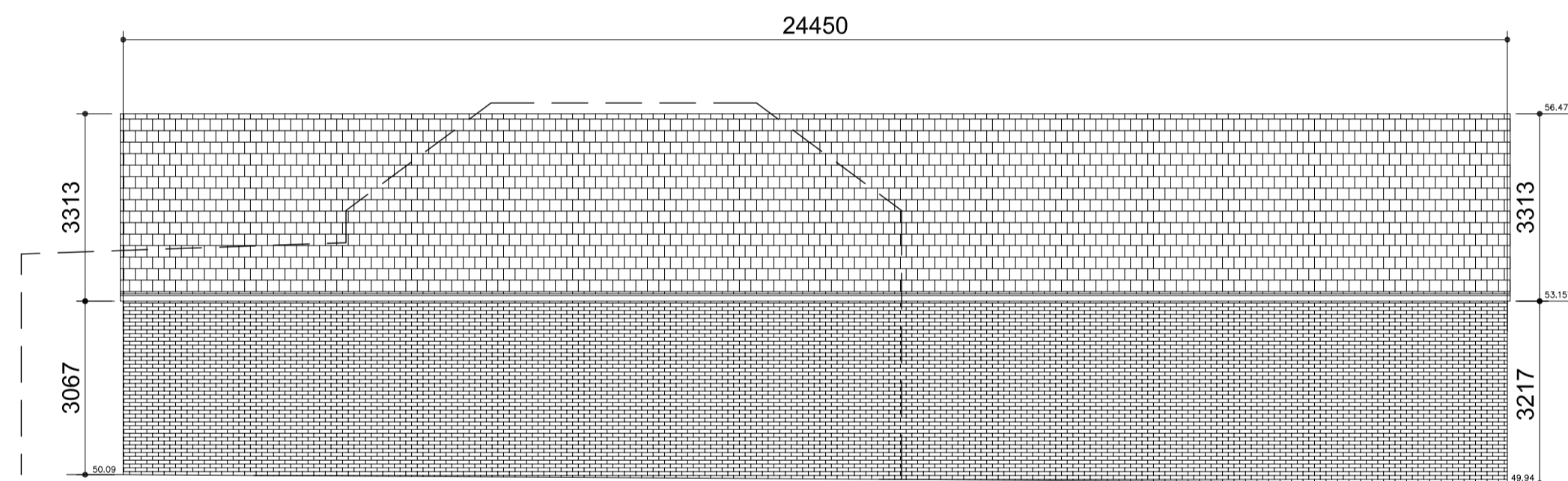
STATUS
 FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2268	PL	201	02

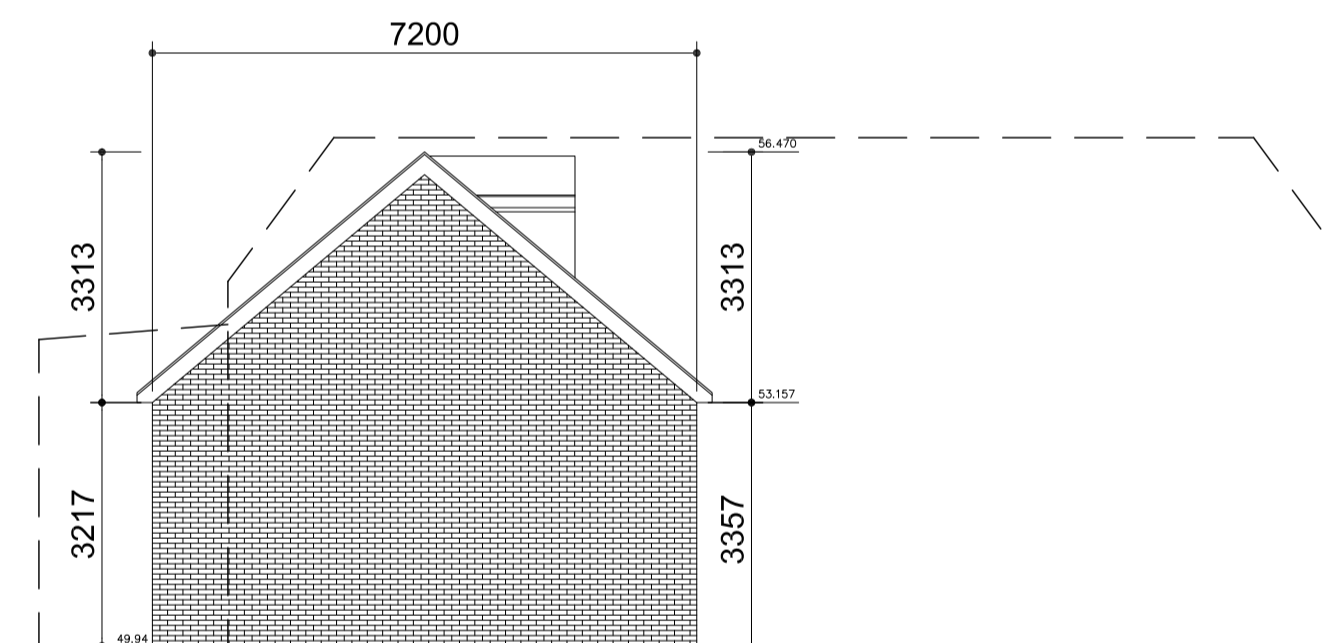
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1:100@A1	DEC'15	AC	DL

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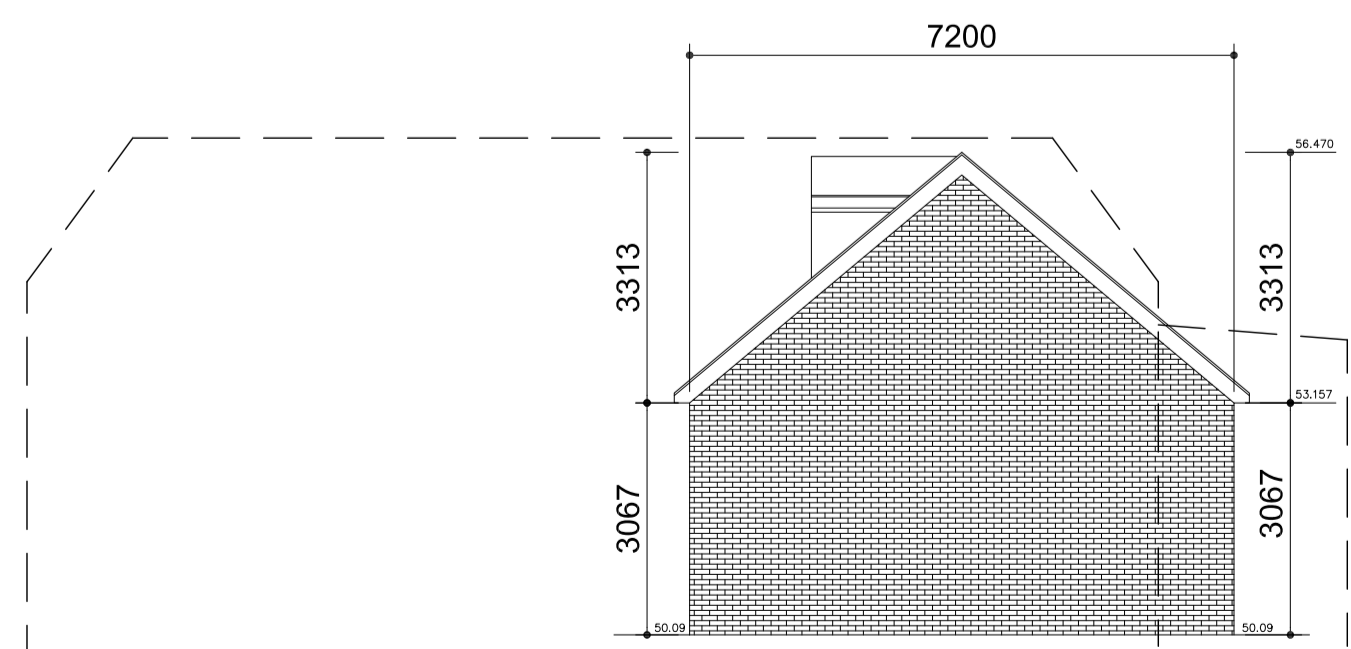
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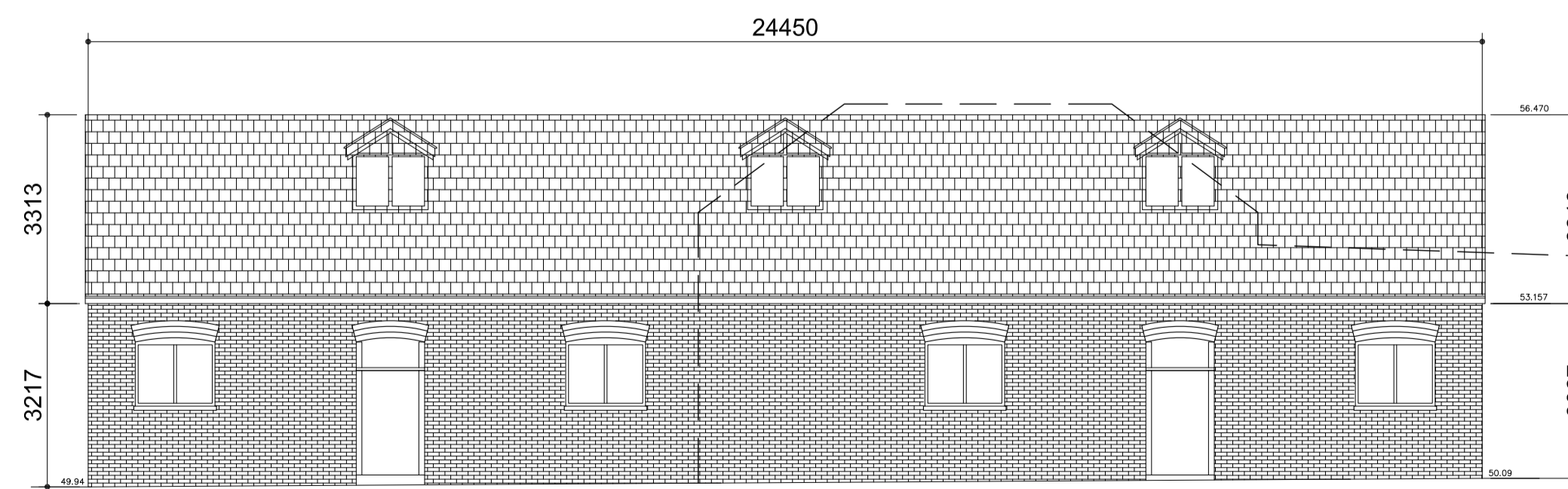
EAST ELEVATION



NORTH ELEVATION

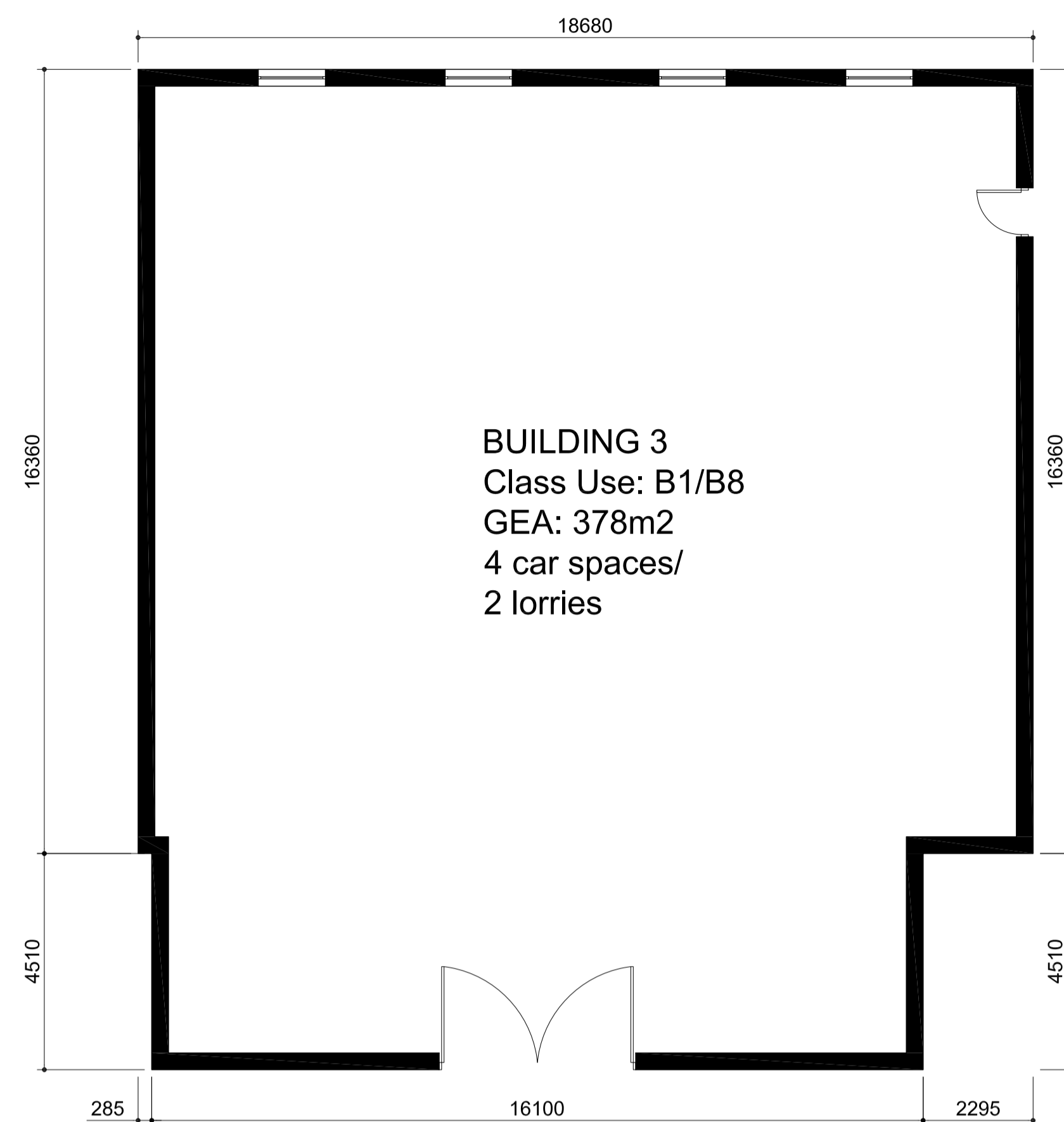


SOUTH ELEVATION



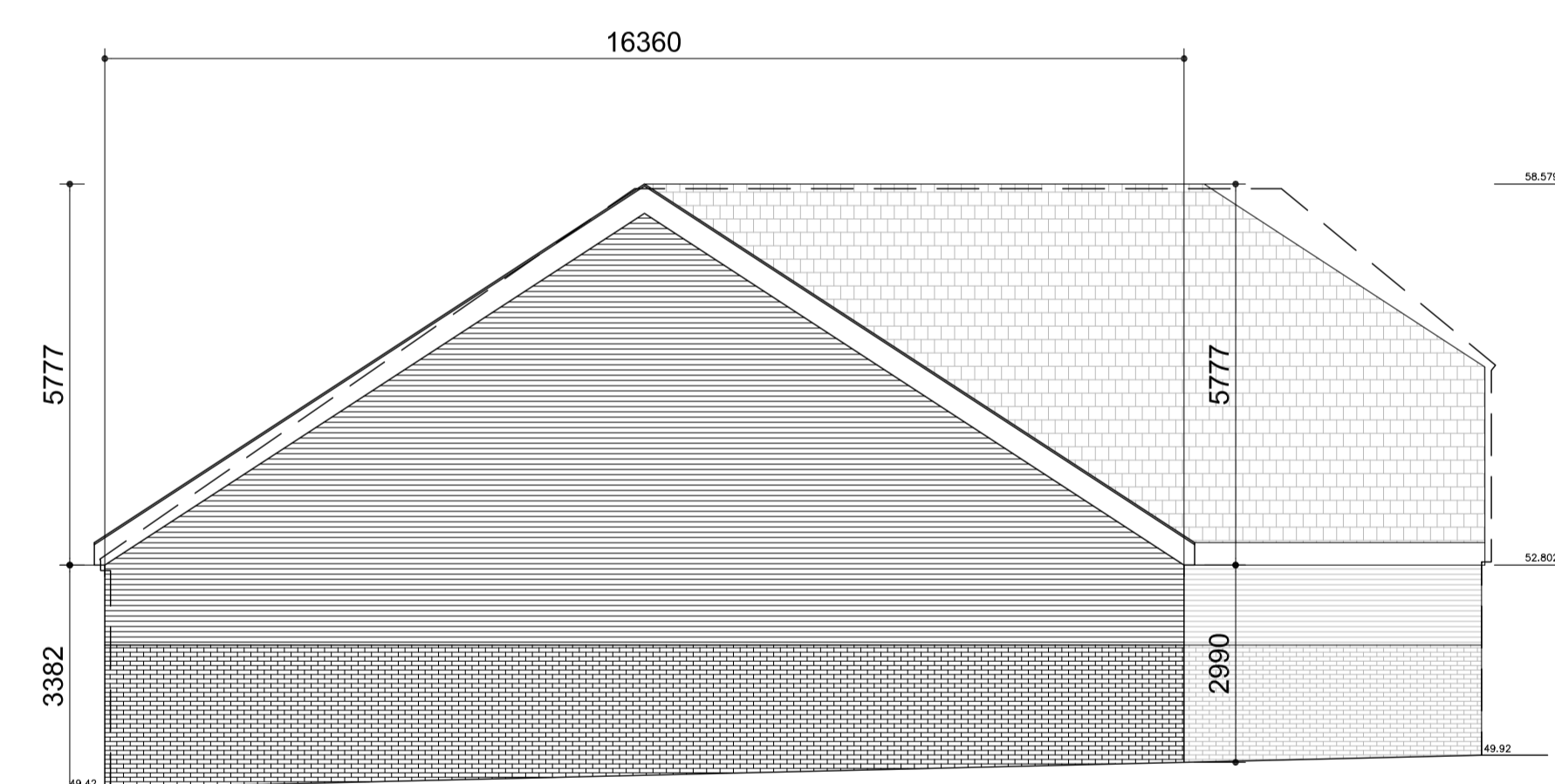
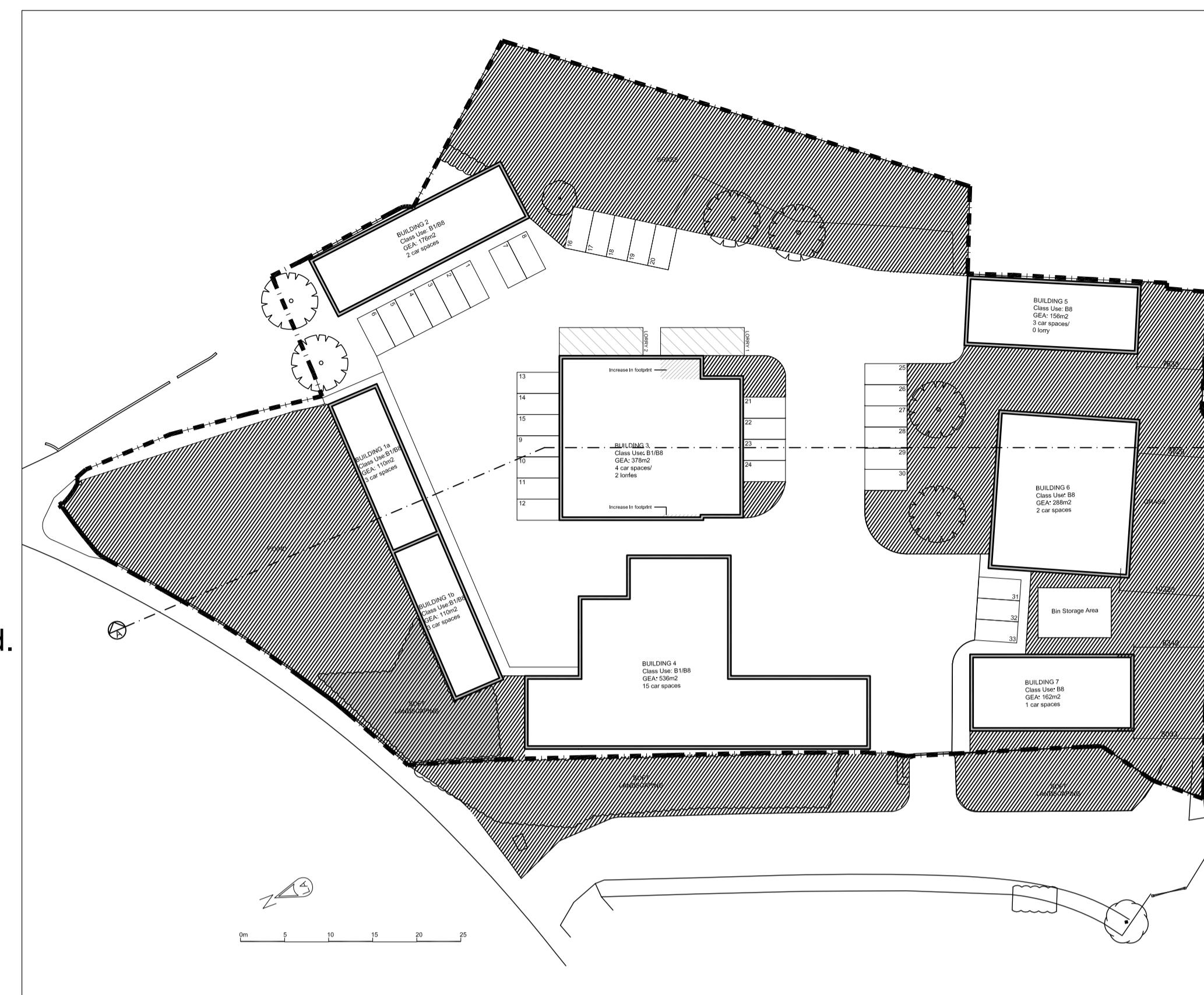
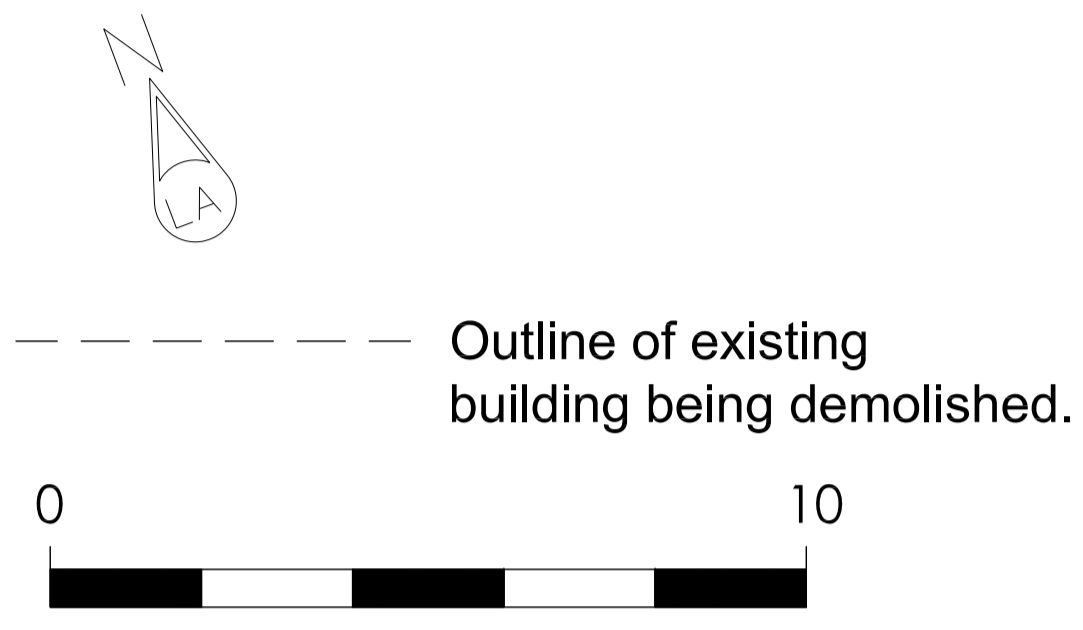
WEST ELEVATION

NOTES

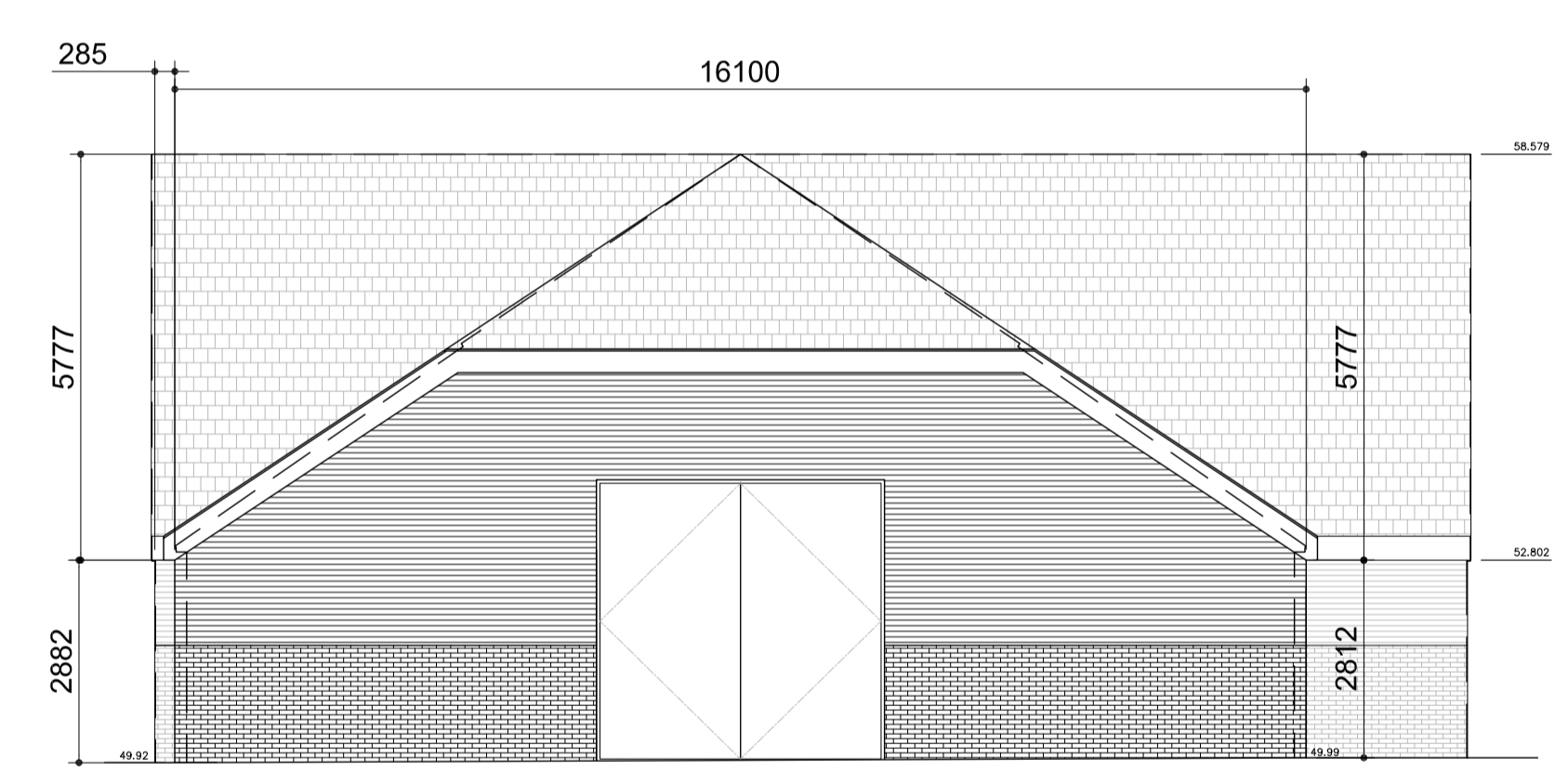


BUILDING 3
Class Use: B1/B8
GEA: 378m²
4 car spaces/
2 lorries

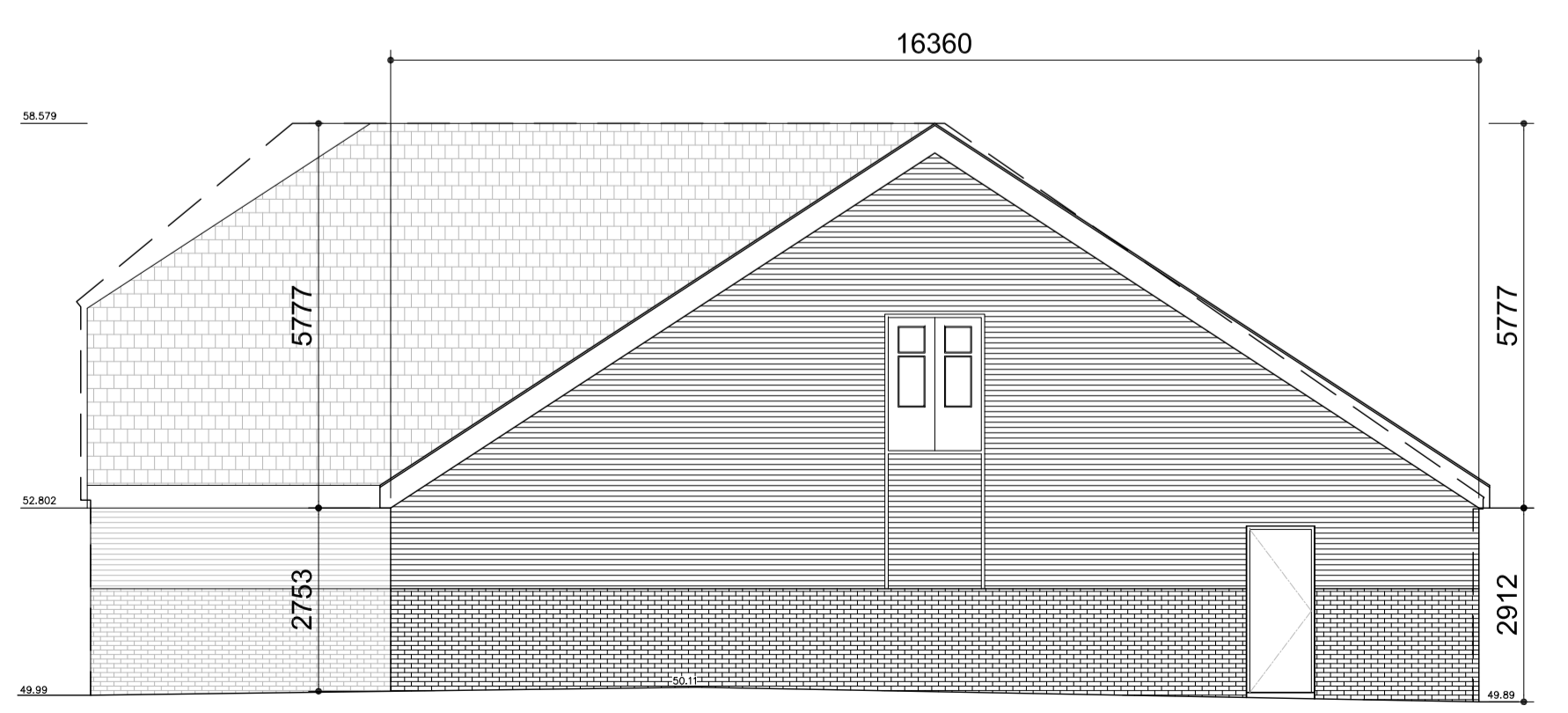
BUILDING 3 (Formerly buildings 10&11)
Class Use: B1/B8
GEA: 378m²
Volume: 2345m³
4 car spaces/
2 lorries



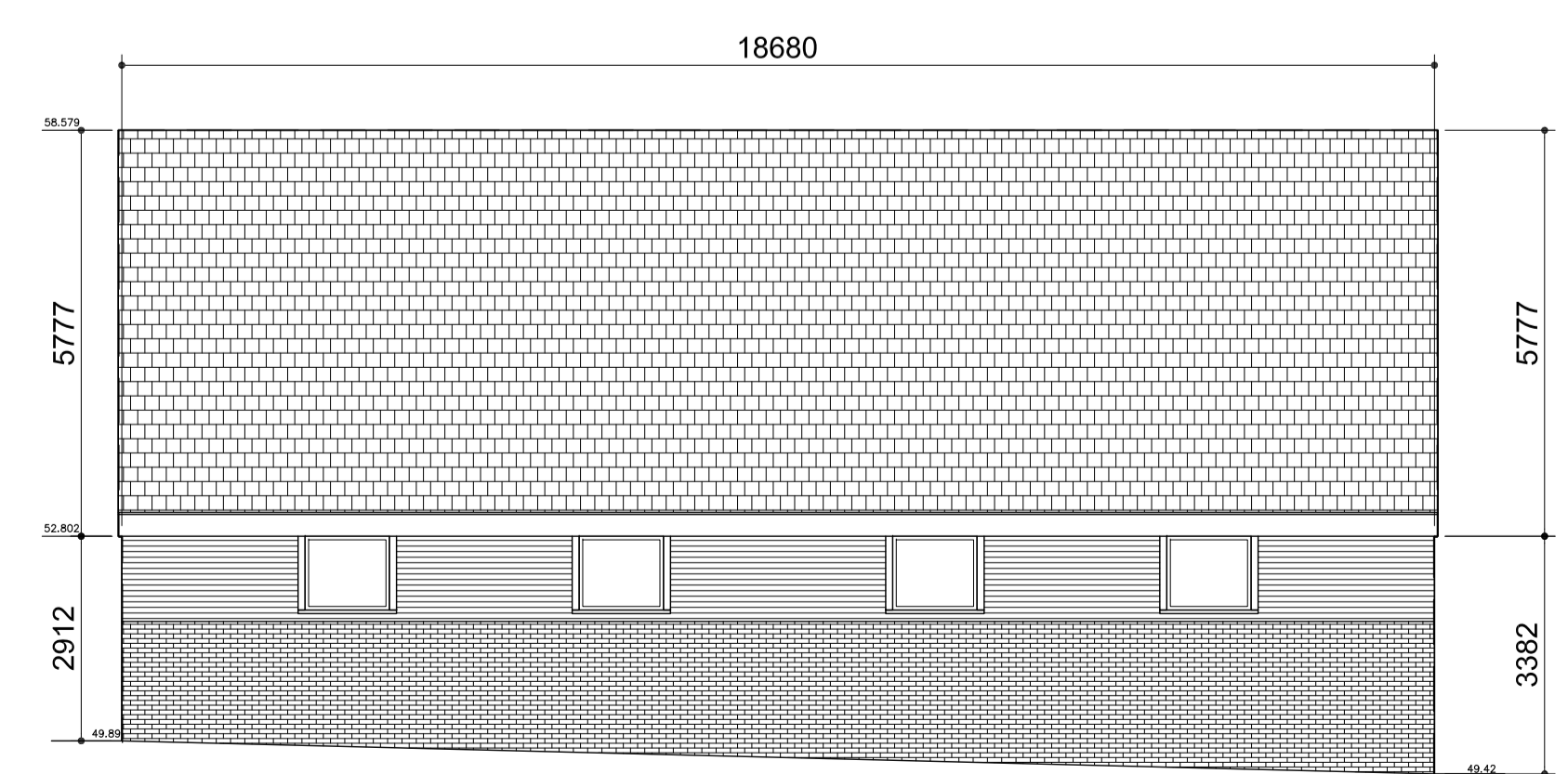
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

02	JUN 16	DIMENSIONS ADDED	JAS
01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL

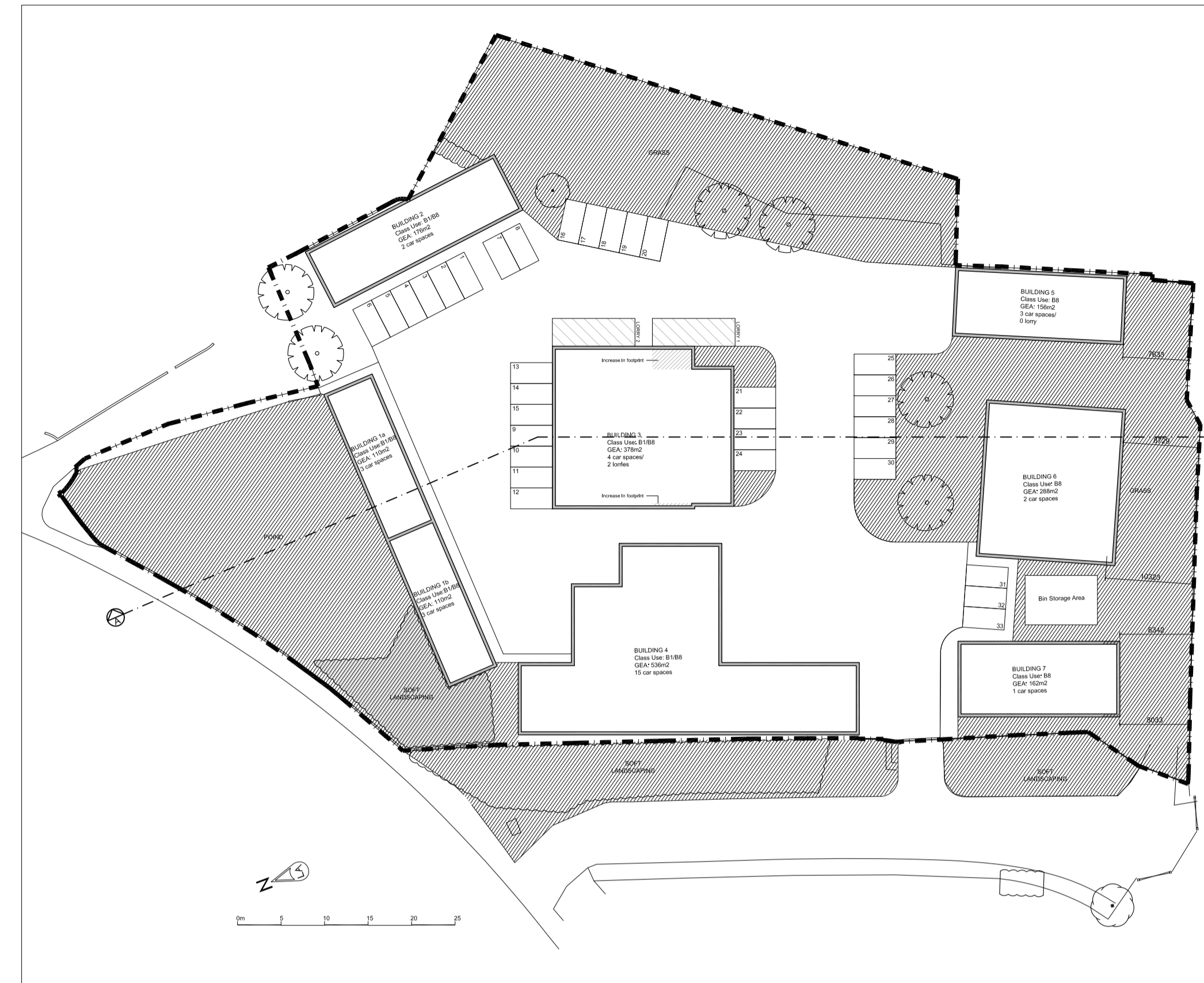
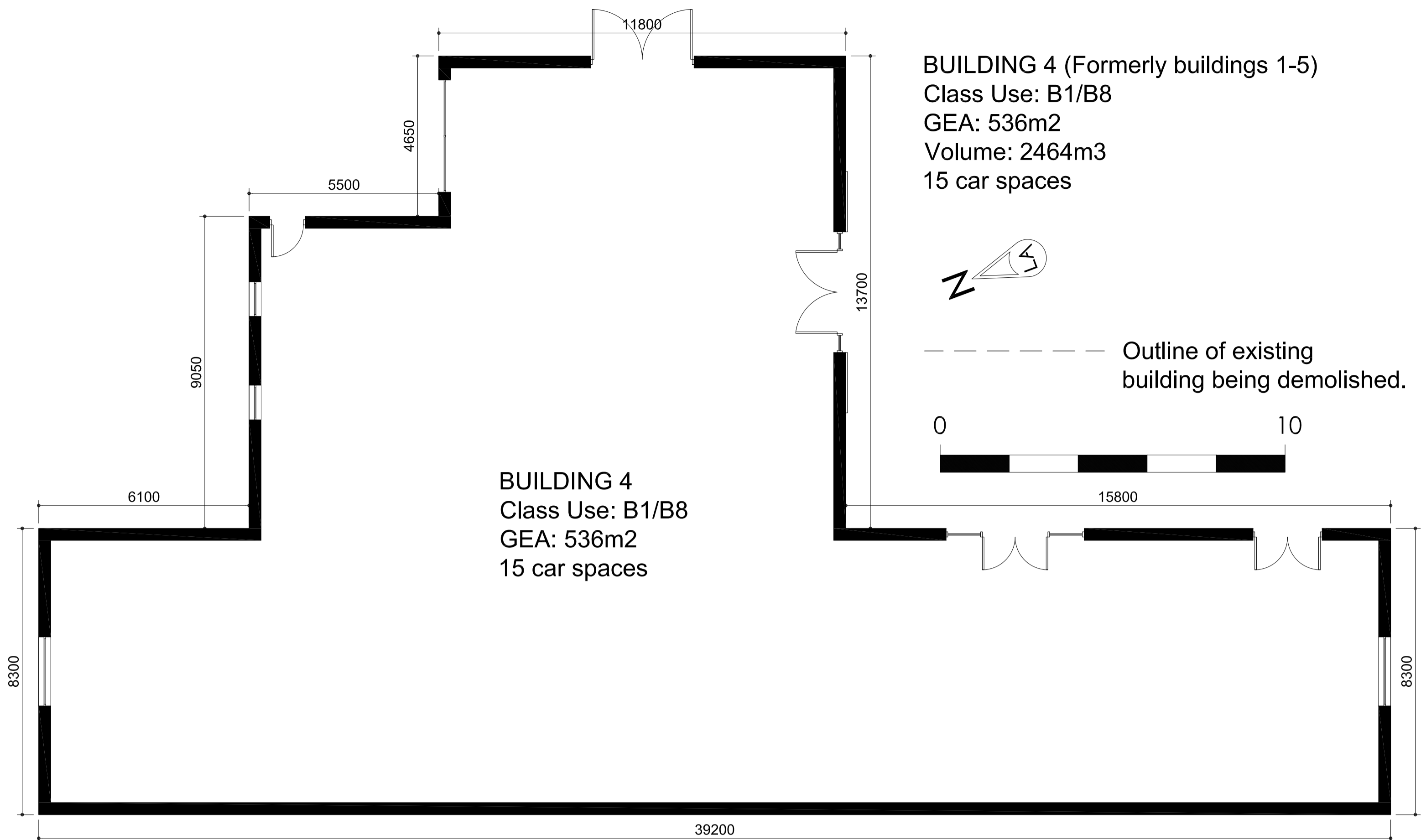
REV	DATE	DESCRIPTION	DRAWN
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CLIENT
MR W MICHAELS
PROJECT
MANOR FARM
CHARLTON ROAD, TW17 0RJ
DRAWING TITLE
BUILDING 3 PROPOSED DRWGS

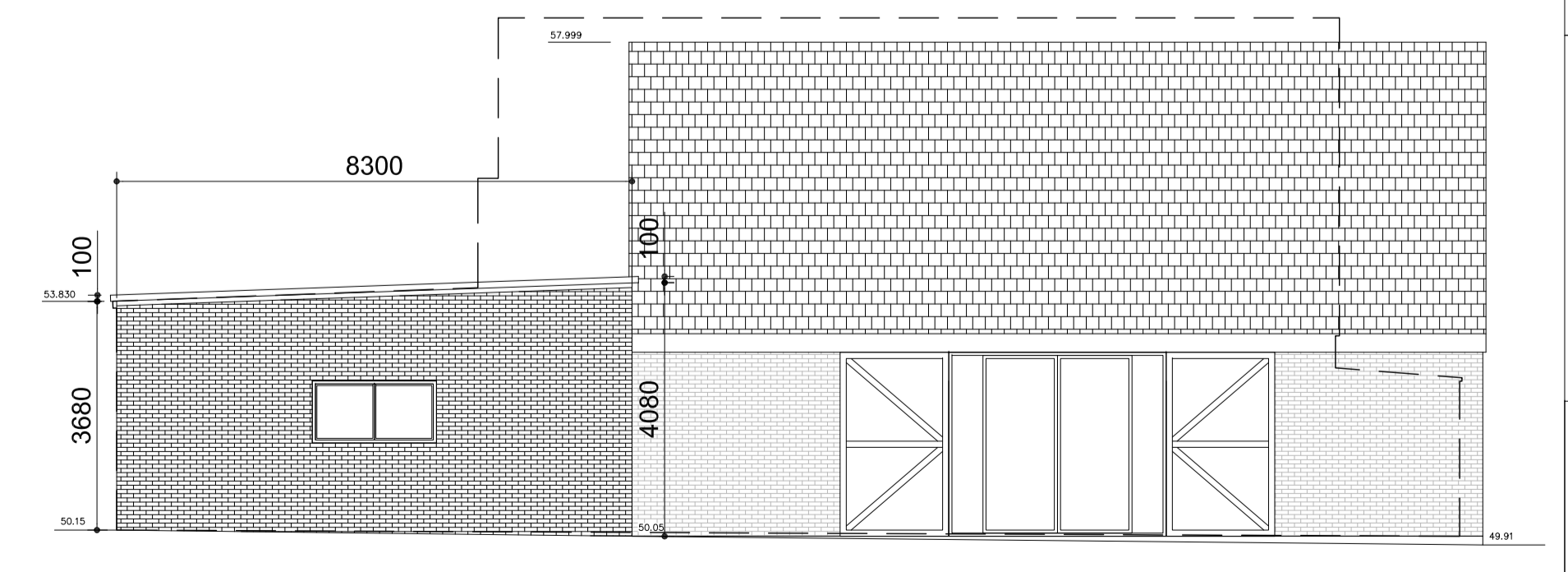
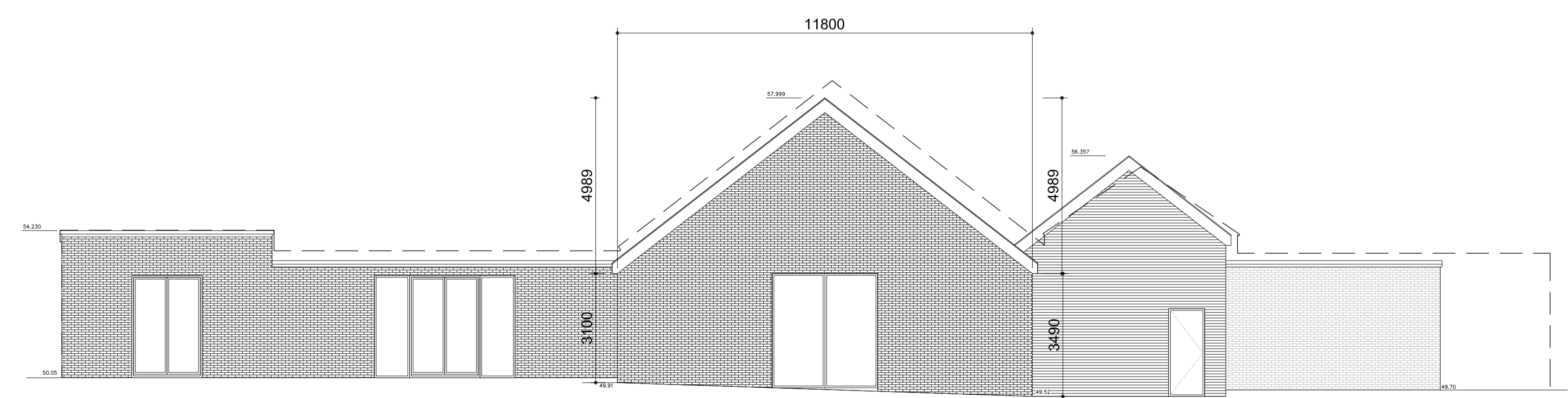
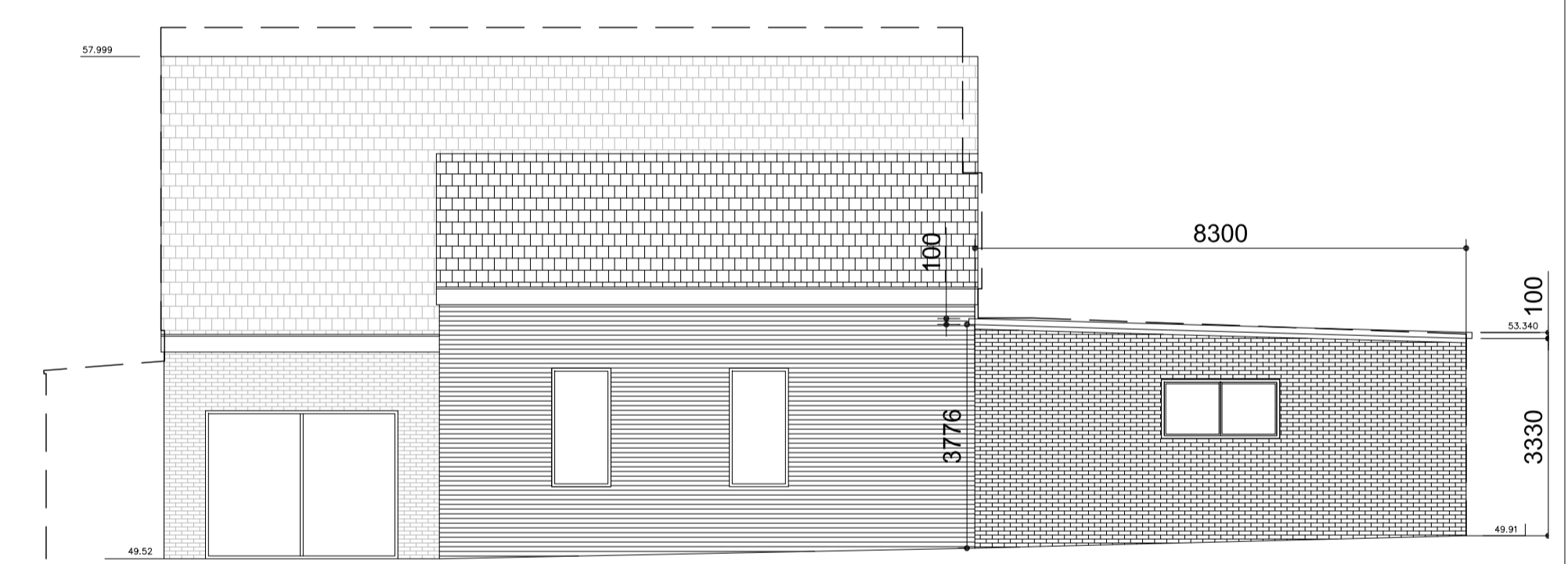
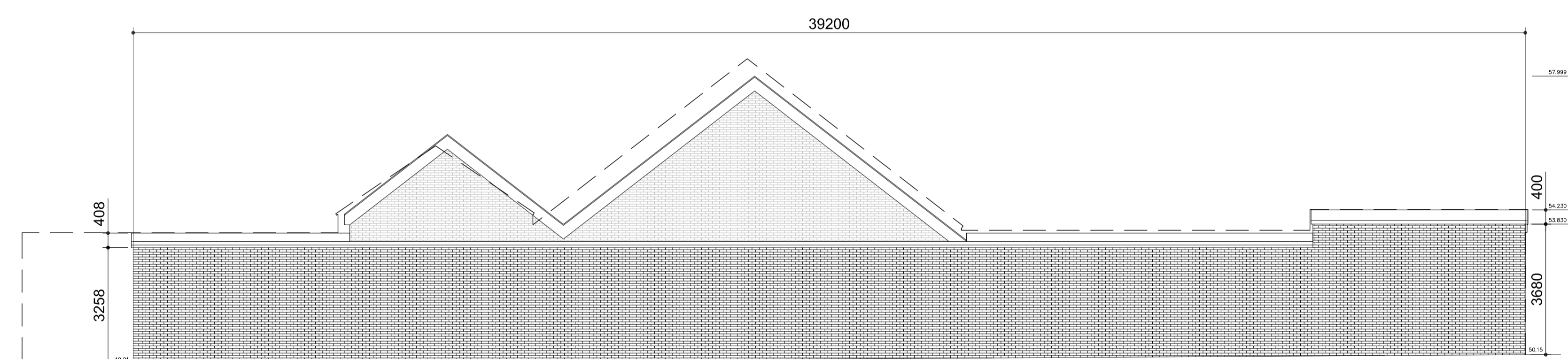
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PROJECT No 2268	DWG TYPE PL	DWG No 202	REV 02
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NOTES



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02	JUN 16	DIMENSIONS ADDED	JAS
01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL

REV	DATE	DESCRIPTION	DRAWN
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CLIENT
 MR W MICHAELS

PROJECT
 MANOR FARM
 CHARLTON ROAD, TW17 0RJ

DRAWING TITLE
 BUILDING 4 PROPOSED DRAWINGS

STATUS
 FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2268	PL	203	02

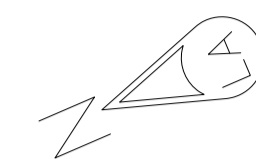
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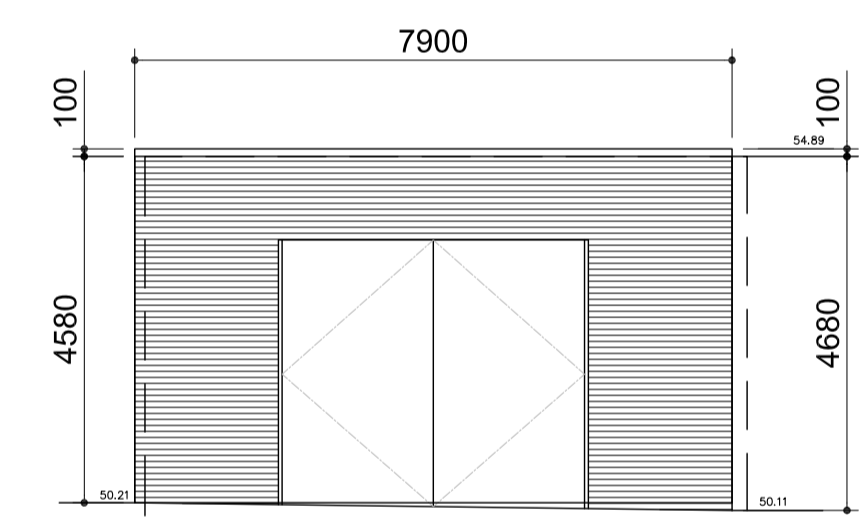
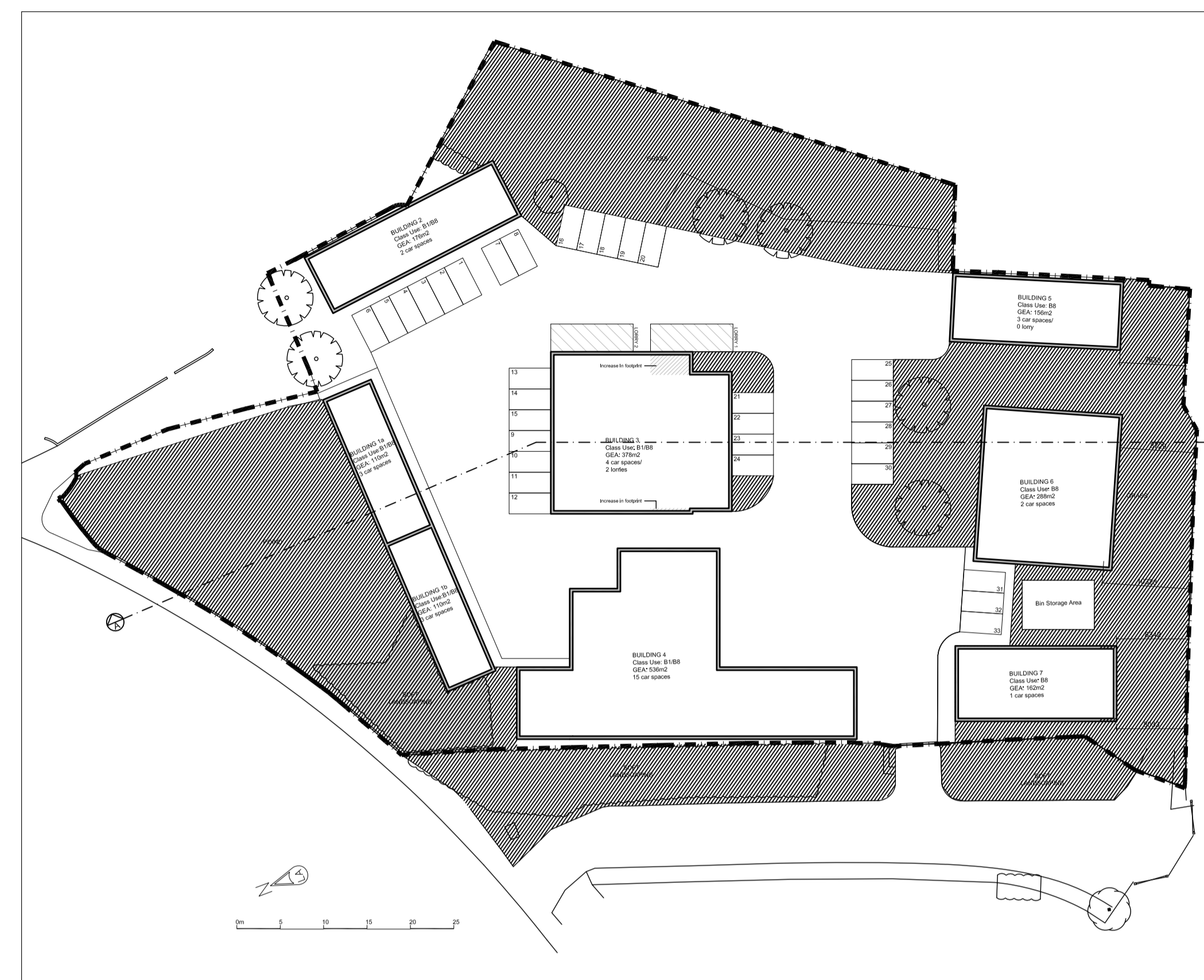
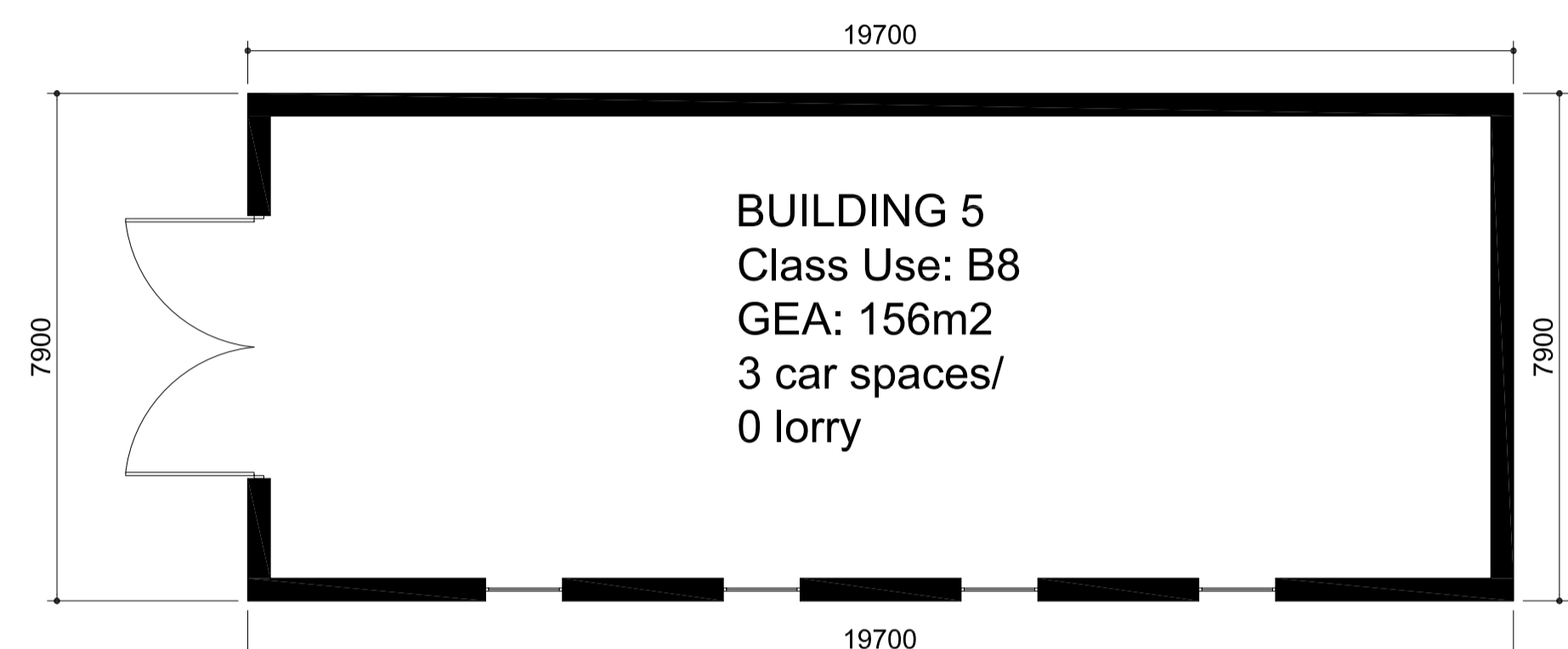
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BUILDING 5 (Formerly buildings 15&16)
 Class Use: B8
 GEA: 156m²
 Volume: 735m³
 3 car spaces/
 0 lorry

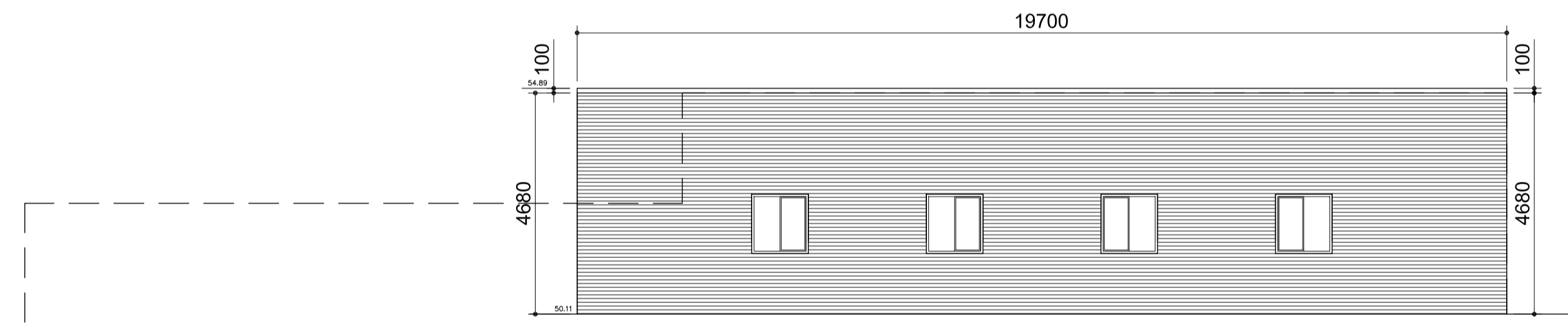
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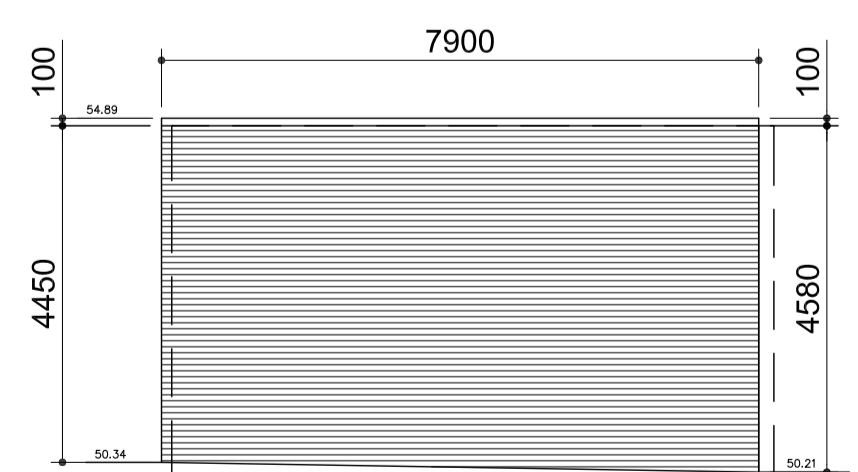
Outline of existing building being demolished.



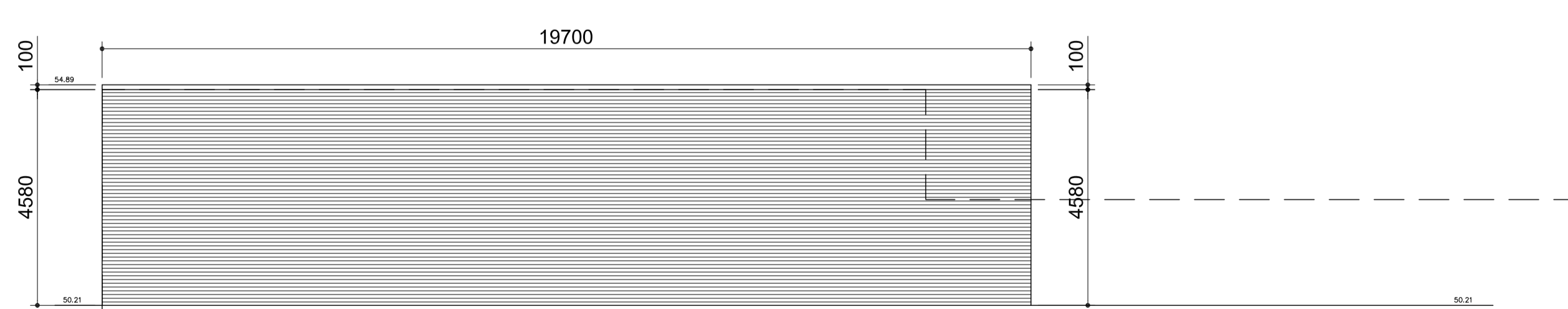
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

02	JUN 16	DIMENSIONS ADDED	JAS
01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL

REV	DATE	DESCRIPTION	DRAWN
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CLIENT
 MR W MICHAELS
PROJECT
 MANOR FARM
 CHARLTON ROAD, TW17 0RJ
DRAWING TITLE
 BUILDING 5 PROPOSED DRAWINGS

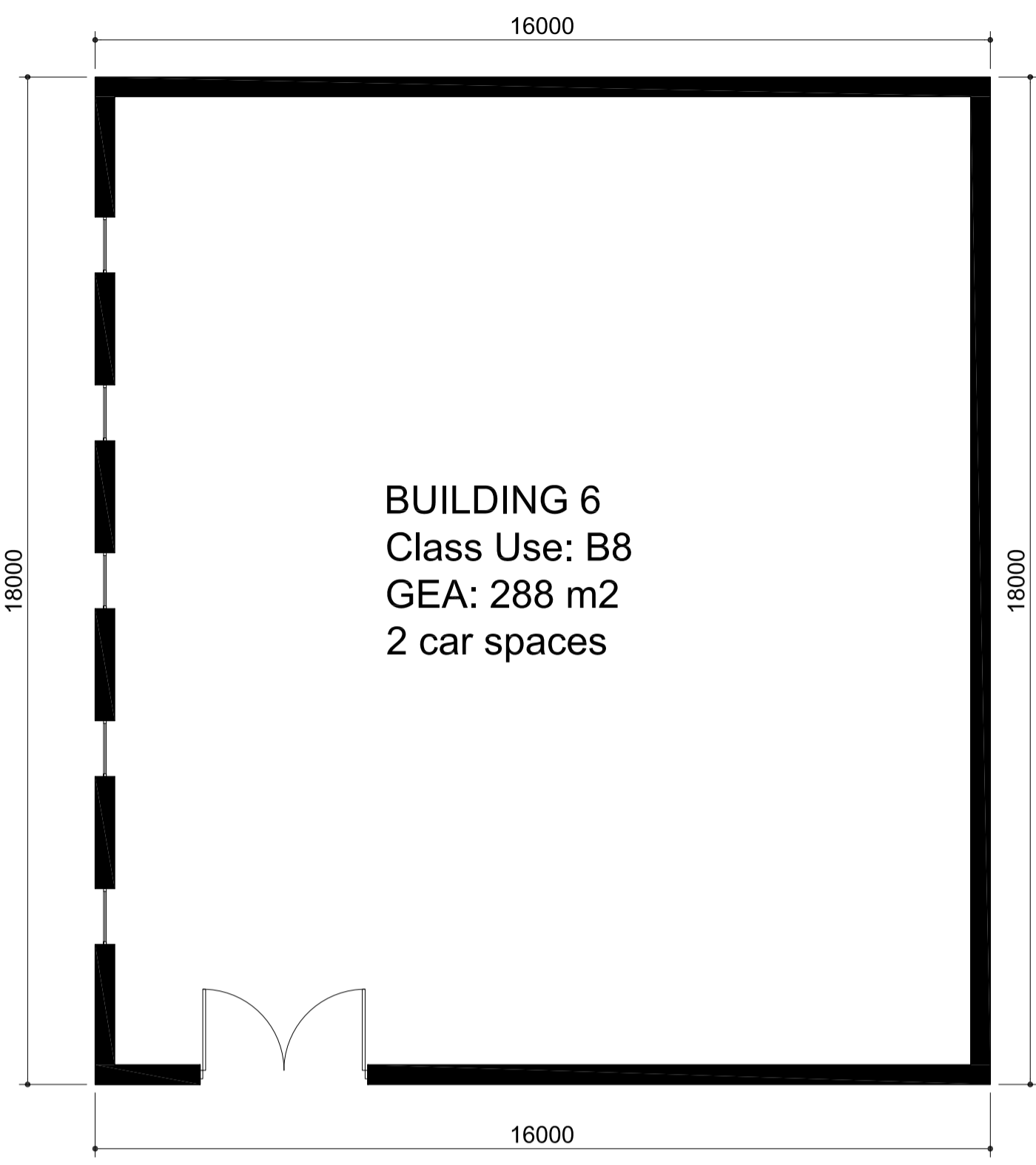
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PROJECT No	DWG TYPE	DWG No	REV
2268	PL	204	02

SCALE	DATE	DRAWN	CHECKED
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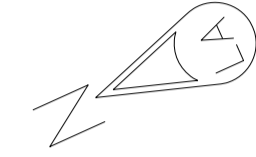
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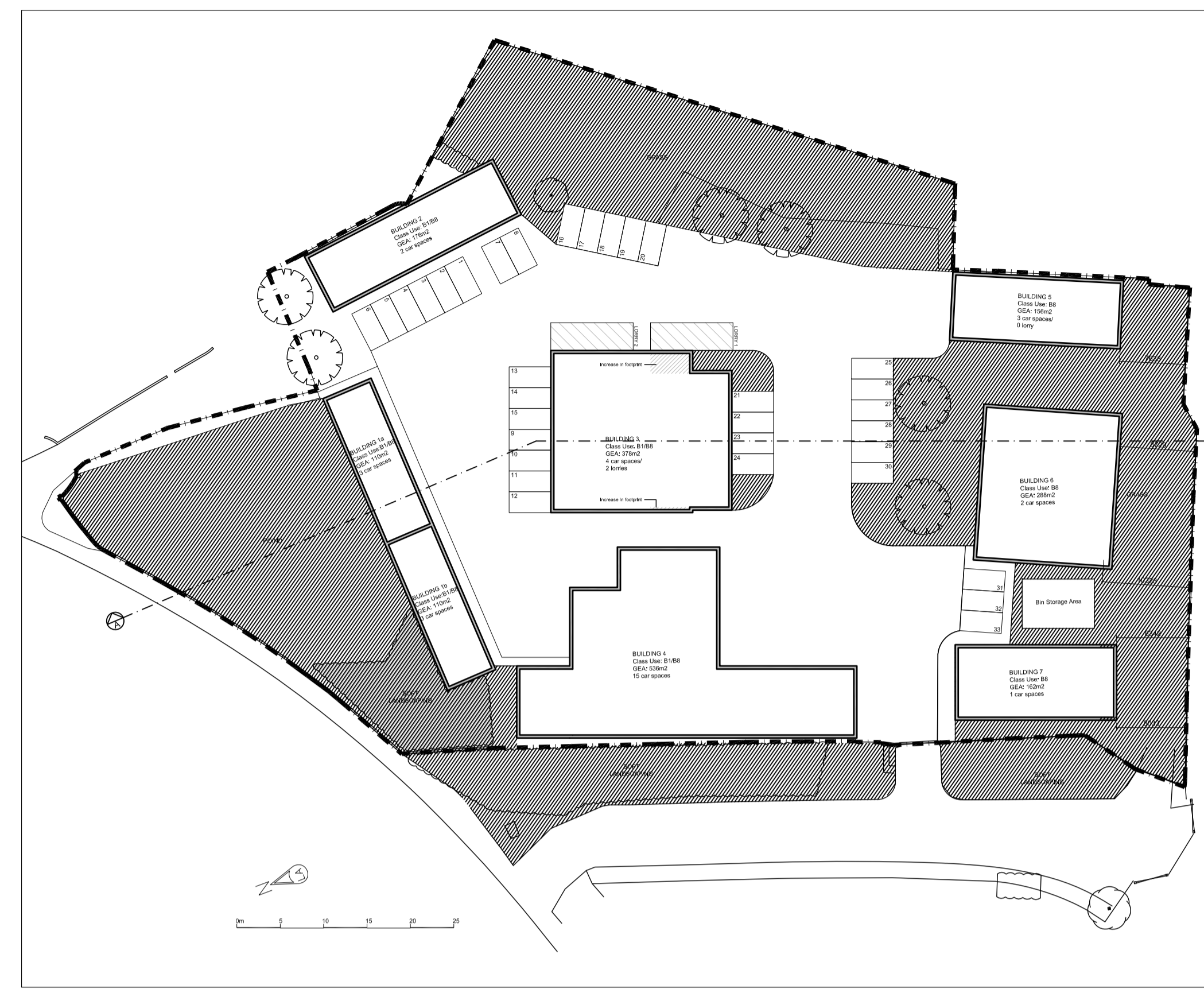


BUILDING 6
Class Use: B8
GEA: 288 m2
2 car spaces

BUILDING 6 (Formerly building 12-13)
Class Use: B8
GEA: 288m2
Volume: 1069m3
2 car spaces

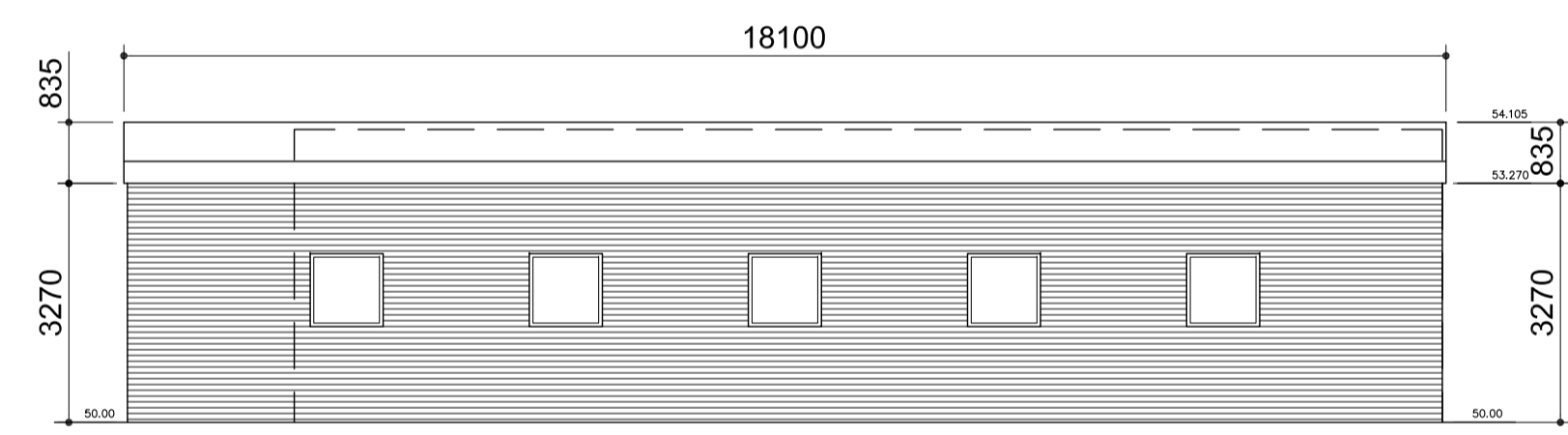


--- Outline of existing building being demolished.

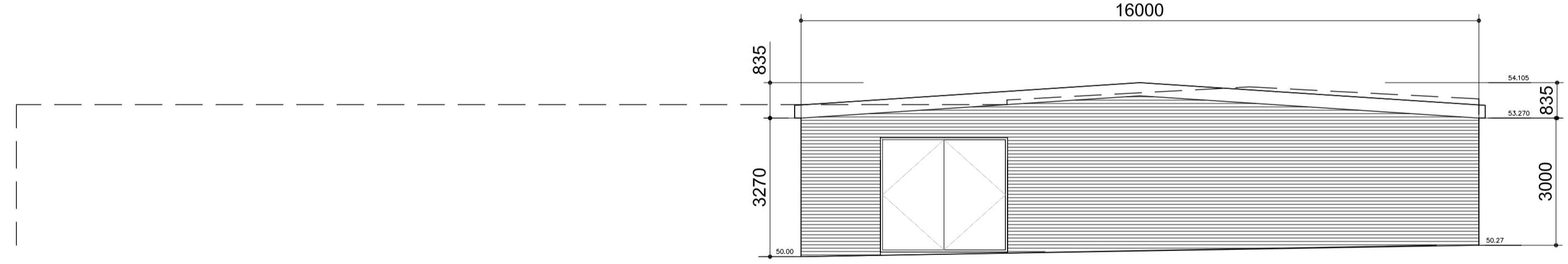


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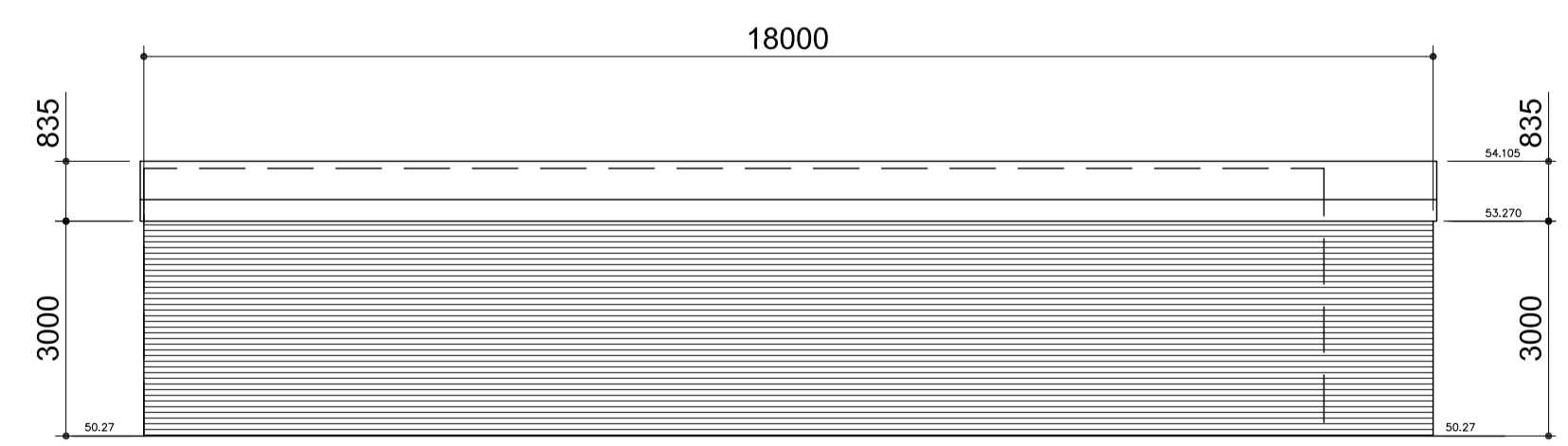
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01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL



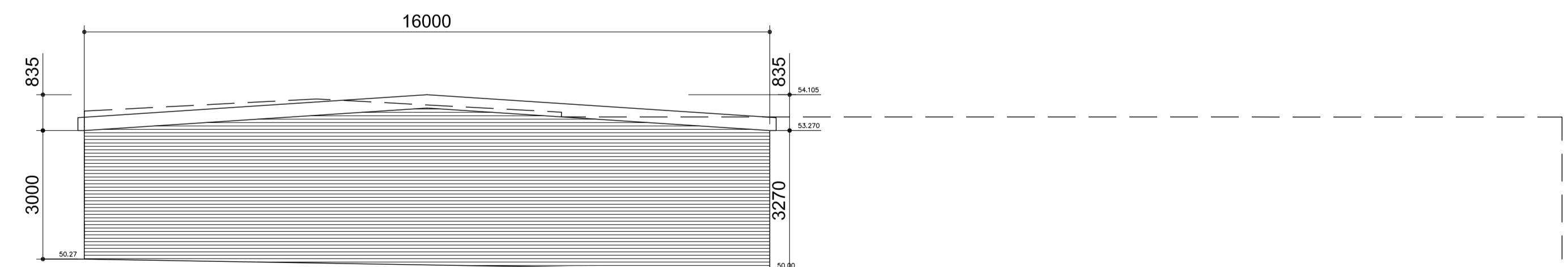
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

REV	DATE	DESCRIPTION	DRAWN
02	JUN 16	DIMENSIONS ADDED	JAS
01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL

CLIENT
MR W MICHAELS

PROJECT
MANOR FARM
CHARLTON ROAD, TW17 0RJ

DRAWING TITLE
BUILDING 6 PROPOSED DRAWINGS

STATUS
FOR PLANNING

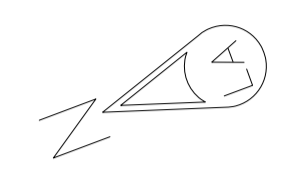
PROJECT No	DWG TYPE	DWG No	REV
2268	PL	205	02

SCALE	DATE	DRAWN	CHECKED
1:100@A1	DEC'15	AC	DL

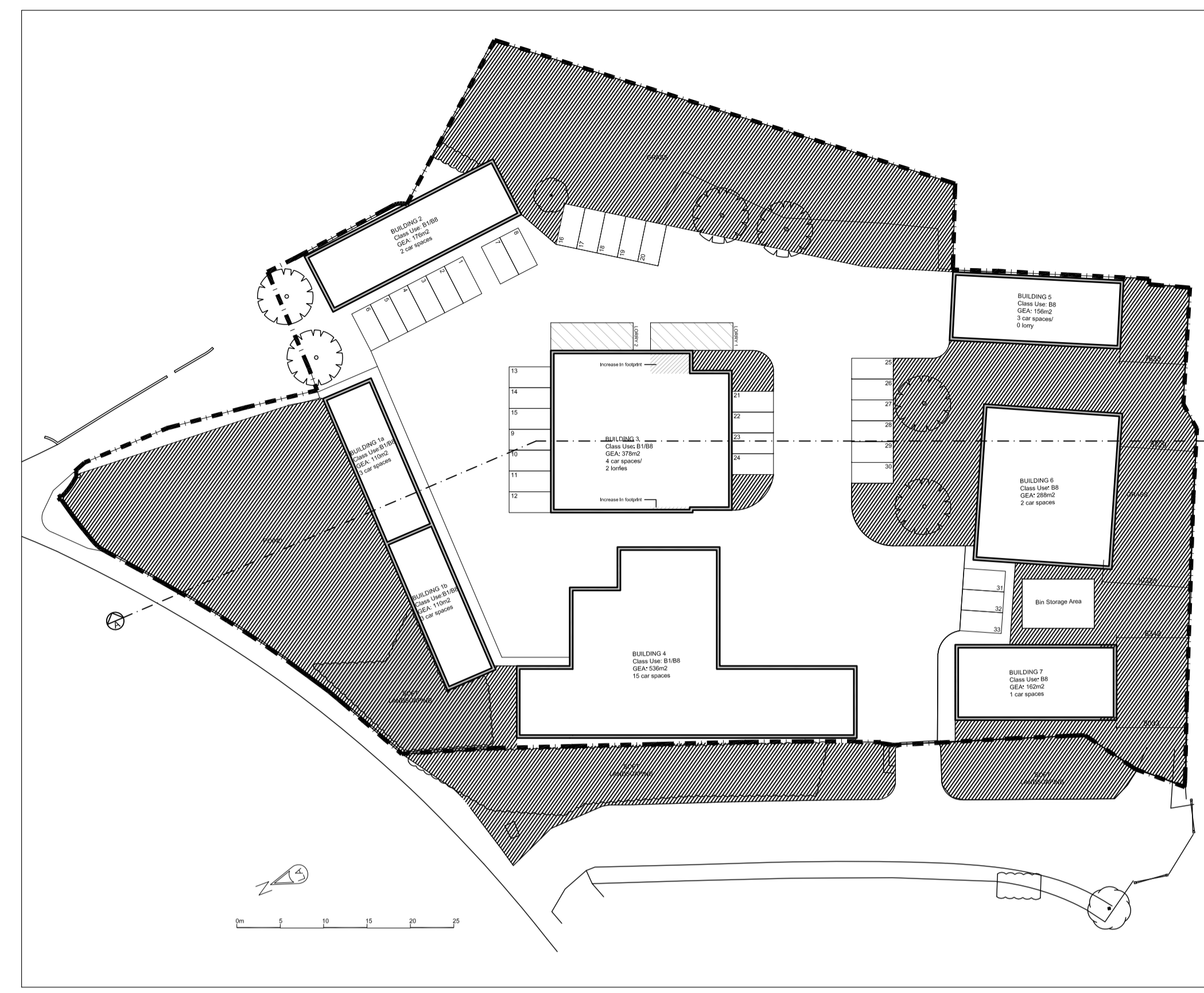
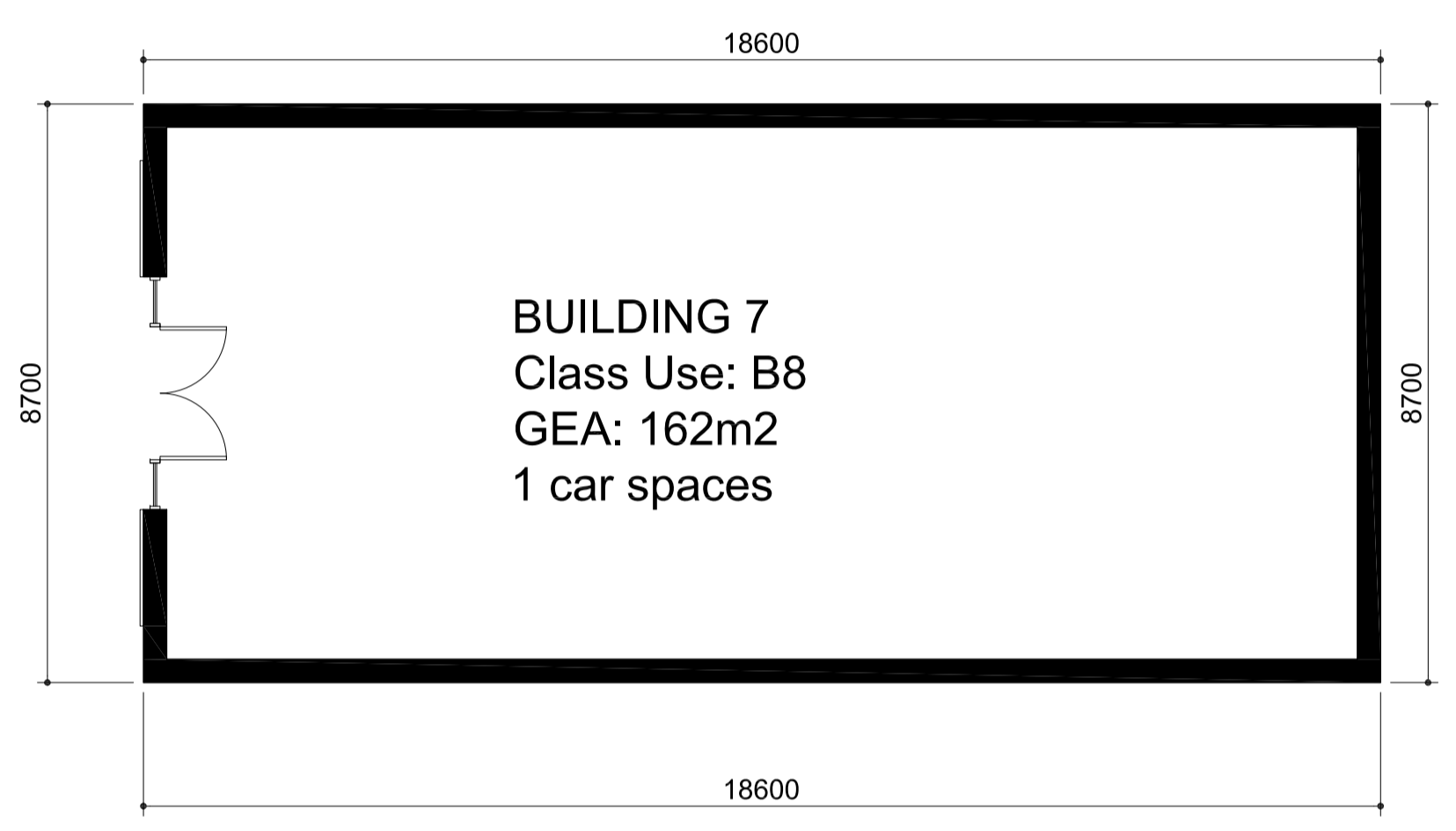
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1st FLOOR, RAFTS COURT, BROCAS ST, ETON, SL4 6RF.
T. 01753 620700 F. 01753 620621
www.lewandowskiarchitects.com

BUILDING 7 (Formerly building 14)
 Class Use: B8
 GEA: 162m²
 Volume: 562m³
 1 car spaces

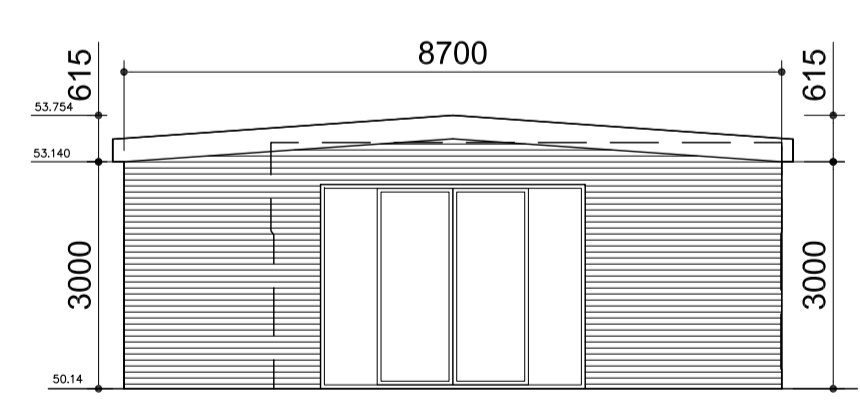


--- Outline of existing building being demolished.

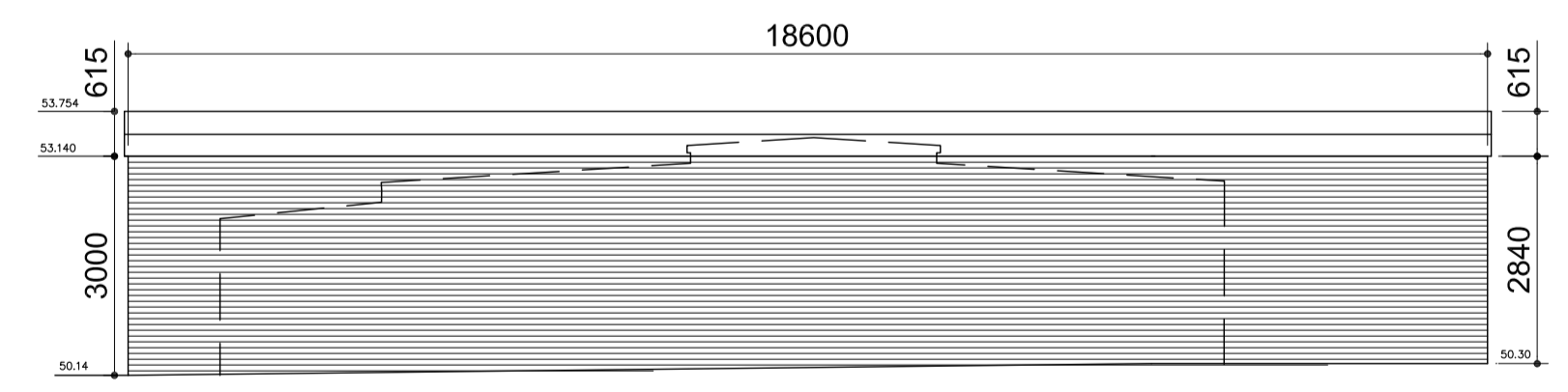


NOTES

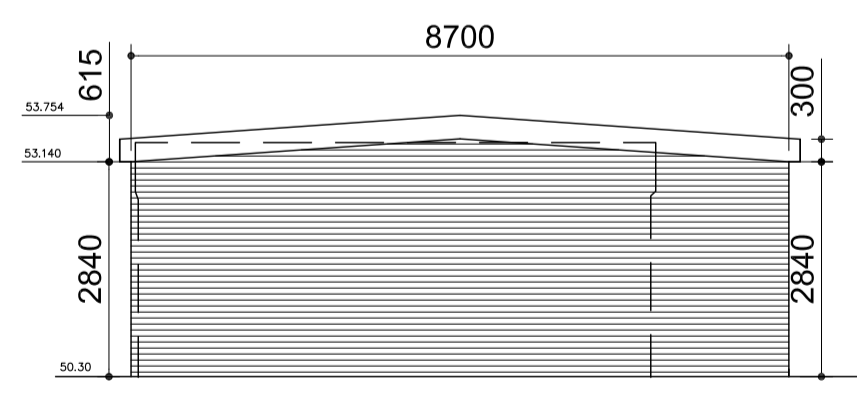
REV	DATE	DESCRIPTION	DRAWN
02	JUN 16	DIMENSIONS ADDED	JAS
01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL



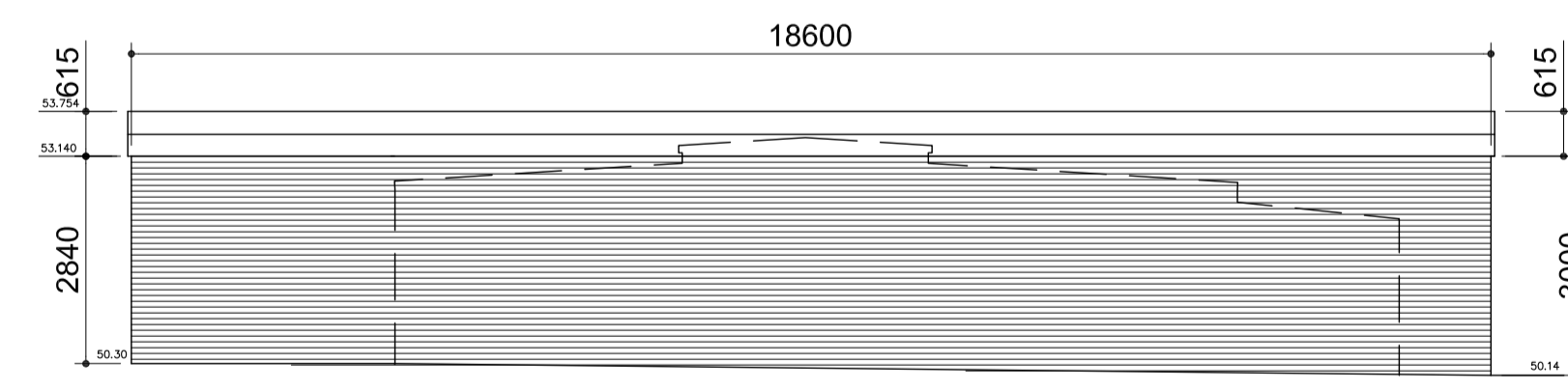
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

REV	DATE	DESCRIPTION	DRAWN
02	JUN 16	DIMENSIONS ADDED	JAS
01	APR 16	ISSUED FOR PLANNING	DL
00	MAR 16	ISSUED FOR PLANNING	DL

CLIENT
 MR W MICHAELS

PROJECT
 MANOR FARM
 CHARLTON ROAD, TW17 0RJ

DRAWING TITLE
 BUILDING 7 PROPOSED DRAWINGS

STATUS
 FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2268	PL	206	02

SCALE	DATE	DRAWN	CHECKED
1:100@A1	DEC'15	AC	DL

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17/0099/FUL

Headline House, Stanwell Road, Ashford



1:1,250

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Planning Committee

8 March 2017



Application No.	17/00099/FUL
Site Address	Headline House, Stanwell Road, Ashford
Applicant	Mr Mike Daly
Proposal	Erection of a two storey building with second floor accommodation to provide 2 no. one bedroom flats and 7 no. two bedroom flats with associated parking and amenity space following demolition of the existing commercial building on site
Ward	Ashford Town
Called-in	None

Application Dates	Valid: 20.01.2017	Expiry: 20.03.2017	Target: Under 8 weeks
Executive Summary	<p>The application site comprises a broadly rectangular plot of land located on the eastern side of Stanwell Road, on the junction with Chaucer Road. The site is currently occupied by a single storey commercial building with a mezzanine floor. The current structure covers the majority of the site with a small grass area on the Stanwell Road frontage and some off street parking/access on the Chaucer Road frontage. The wider area is characterised by two storey residential dwellings, with a mix of both detached and semi-detached. On the opposite site of the street to the west is St Hildas Church, a Grade II listed building.</p> <p>The proposal involves the demolition of the existing building on site and the construction of a single building which would be two storey in appearance with second floor accommodation within the roofspace. The building would have staggered frontage onto Stanwell Road and would 'turn the corner' into Chaucer Road. The flats would be served by a car parking area to the rear accessed from Chaucer Road, and a communal area.</p> <p>The proposal is similar to the previously approved scheme for 8 no. flats granted last year (15/01513/FUL) and the principle of demolishing the existing commercial building and creating a new residential development continues to be acceptable. It is considered that the design and appearance would have an acceptable impact on the character of the area and that it would not harm the setting of the adjacent Grade II listed building. The proposal would continue to have an acceptable relationship with neighbouring properties and would have an appropriate</p>		

	impact on their amenities. The proposal would provide 13 off-street car parking spaces which meets the Council's minimum car parking standards and is considered acceptable.
Recommended Decision	Approve the application subject to conditions as set out at Paragraph 8 of the Report.

MAIN REPORT

1. Development Plan

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

- EN1 – Design of New Development
- EN5 – Buildings of Architectural and Historic Interest
- HO4 – Housing Size and Type
- HO5 – Density of Housing Development
- CC3 – Parking Provision
- CC1 – Renewable Energy

2. Relevant Planning History

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

15/01513/FUL	Erection of two storey building to provide 1 no. one bed flat, 6 no. two bed flats and 1 no. three bed flat with associated parking and amenity space following demolition of the existing commercial building on site.	Grant Conditional 18.01.2016
14/01836/FUL	Erection of 2 no. two storey blocks containing a total of 4 no. one bed flats and 4 no. two bed flats (2 no. one bed and 2 no. two bed in each block) with associated parking and amenity space following demolition of existing industrial unit on site.	Refused 20.05.2015
SPW/FUL/87/5	Conversion of existing garage building to provide 422.4 sq m (4,547 sq ft) of office accommodation (involving the provision of a mezzanine floor in part), elevation alterations, alterations to Chaucer Road vehicular access and provision of 16 car parking spaces.	Grant Conditional 11.03.1987

3. Description of Current Proposal

- 3.1 The application site comprises a broadly rectangular plot of land located on the eastern side of Stanwell Road, on the junction with Chaucer Road. The site is currently occupied by a single storey commercial building with a mezzanine floor. The current structure covers the majority of the site with a small grass area on the Stanwell Road frontage and some off street parking-access on the Chaucer Road frontage. The wider area is characterised by two storey residential dwellings, with a mix of both detached and semi-detached. On the opposite side of the street to the west is St Hildas Church, a Grade II listed building.
- 3.2 The proposal would involve the demolition of the existing building (which has a footprint of 585m²) on site and the erection of a two storey building which would include habitable accommodation within the roofspace. The building has been designed to address both the Stanwell Road and Chaucer Road frontages. The Stanwell Road frontage would include staggered gable ends with glass balconies at first floor level. The gables would be staggered in such a way that on the corner of Stanwell Road and Chaucer Road the gable would be set back from the junction and would allow the building to 'turn the corner' into Chaucer Road. The Chaucer Road frontage would again feature a gable end to help link the whole building together. The overall design, form and choice of materials would give the building a contemporary feel, albeit with a pitched roof and strong gable features. The building would have an area of flat roof, but this would be mostly obscured by the pitched roofs and it is not considered it would be viewed from within any street aspect as a flat roof structure.
- 3.3 The building would be served by a parking area to the rear (east) of the building with a total of 13 spaces, including one disabled bay. A communal amenity area would also be located to the rear of the building and the front and sides of the site would be landscaped. An existing tree on the side of the Stanwell Road frontage would be retained. The building would incorporate a bin store, and an integral cycle store with space for nine bicycles.
- 3.4 Directly opposite the site to the west lies St Hildas Church which is a Grade II listed building. This church was completed in 1928 and is a prominent landmark within the area. Its design use of red brick is distinctive and the proposal has reflected elements of the design and incorporated red brick.

4. Consultations

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

Consultee	Comment
County Highway Authority	Any comments will be reported orally at the meeting. Did not object to the previous scheme (15/01513/FUL), subject to conditions.
The Council's Tree Officer	Any comments will be reported orally at the meeting. Did not object to the previous scheme (15/01513/FUL).
The Council's Heritage Officer	No objections

The Council's Head of Streetscene	No objections. A dropped kerb should be installed and the scheme should provide waste and recycling bins
Environmental Health – Pollution Control Officer (Contaminated Land)	No objection subject to imposition of conditions

5. Public Consultation

5.1 10 neighbour notification letters were sent and three responses have been received to date. Issues raised include:

- Lack of parking
- Overlooking
- Overdevelopment
- Health concerns regarding removal of asbestos roofing

6. Planning Issues

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

7. Planning Considerations

Comments on the Previous Application

7.1 The previous application (reference 15/01513/FUL) was granted planning permission on 18 January 2016. The scheme was very similar to the current proposal in terms of design but comprised 1 no. one bed flat, 6 no. 2 bed flats and 1 no. three bed flat with associated parking and amenity space to the rear. When viewed from the surrounding area the, main difference between the two schemes in terms of appearance is that in the current proposal, the frontage along Chaucer Road has been extended by 2.4m further east and the overhang above some of the parking spaces has been partially enclosed. The layout of the site is very similar to the approved scheme and the building height and main design characteristics, such as the overall building height and gables features facing Stanwell Road and Chaucer Road, the fenestration and use of private balconies, remain the same.

7.2 Another difference between the two schemes relates to the internal layout and mixture of flat sizes.

The approved scheme was for:

- 1 no. one bed, 6 no. two bed and 1 no. three bed flats with 13 off-street parking spaces.

The proposed scheme is for:

- 2 no. 1 bed and 7 no. two bed flats with 13 parking spaces.

The approved scheme contains 3 no. single level flats and 4 no. maisonettes whereas the current proposal is comprised solely of single level flats. The changes to the composition of flats, the internal layout and an increase in floorspace of approx. 15 m² has enabled the applicant to create one

additional unit compared to the previous scheme, creating a total of 9 units. The number of parking spaces, 13, remains the same. The proposal also includes a minor repositioning of the building within the site.

- 7.3 Like the previous proposal, the scheme under consideration has been designed to pick up on features of the adjacent listed building whilst maintaining its own distinct identity. It is considered that the staggered gables, balconies and choice of materials would not cause harm to the setting of the listed building and that it would represent an improvement over the existing industrial looking building on site.

Design, Appearance and Visual Impact

- 7.4 The proposed building would have a smaller footprint than the existing building. The existing building has a shallow pitch over with a maximum height of 7.31m. The proposed building would have a maximum height of 8.9m. Whilst this is clearly higher than the existing, due to the significantly reduced footprint it is considered the increase in height would not have an unacceptable impact on the streetscene. The height of the building would not appear out of context within both the Stanwell Road and Chaucer Road frontages and would not 'compete' with the adjacent church in terms of scale. It is considered the scale of the building when viewed in relation to the whole site and its parking, amenity and landscaped areas would be acceptable.
- 7.5 The proposal would respect the building line within both Stanwell Road and Chaucer Road. The element closest to no. 104 Stanwell Road (the adjoining detached dwelling to the north) would be in line with the frontage of that property before stepping out slightly to the first of three staggered gable frontages. The northernmost gable would be set forward of the prevailing building line and the other two gables would be set in line with no. 104 Stanwell Road and then further back, respectively. The corner closest to no. 106 Stanwell Road (the dwelling to the south on the other side of Chaucer Road) would be set behind the front elevation of this building. The gable feature on Chaucer Road would be slightly forward of the prevailing building line but the majority of this frontage would be broadly in line with the properties on the northern side of the street.
- 7.6 It is therefore considered that the proposal would be of a layout and form that would respect the character of the area and that it would successfully address the prominent corner plot. The building would be of a comparable height to the adjoining dwellings and its contemporary design and choice of materials including red brick would help to reflect the red brick of the adjacent church, whilst the more modern materials such as the glass balustrades would help the building maintain its own identity.
- 7.7 Like the previously approved scheme the proposal would include habitable accommodation within the roof. In order to provide sufficient light to these rooms a number of rooflights have been included. The rooflights have been positioned symmetrically and it is considered that the design of the roof would not appear out of scale with the host building. The proposal would include an area of flat roof and it is considered that this would not be so visually prominent as to cause harm to the wider area. It should be noted that the existing building has two parapet roof edges on both flanks which give the impression of a flat roof and that the adjoining church hall building has a flat

roof section. It is therefore considered that the flat roof element would be an acceptable design form in this location.

- 7.8 The proposed shared amenity area would be located in the north east corner of the site and would be relatively well screened from the surrounding area so as not to feel unacceptably overlooked. The proposal would include a landscaped frontage along both Stanwell Road and Chaucer Road and would retain an existing tree located at the front of the site.
- 7.9 The proposed parking area would be located to the rear (east) of the proposed building. It would include a total of 13 spaces, one of which would be a disabled parking space. It is considered its position to the rear of the building would be acceptable and that it would not lead to the parking area having a dominant appearance on the site. the car park would be partially screened by the building and landscaped planting, which can be controlled by a condition.
- 7.10 With regards to the amenity of the future occupiers of the proposed nine flats, it is considered that the proposal would provide an acceptable level of residential amenity. The Department for Communities and Local Government's Technical housing standards (March 2015) sets out minimum floor areas for new units which each unit would comply with or exceed. The flats would be well provisioned with windows to allow natural light and rooms within the roofspace would be served by rooflights.
- 7.11 The scheme would require a minimum of 215m² of amenity area to fulfil the minimum amenity standards set out in the SPD (35m² for each of the first five units and 10m² for each additional unit: $35 \times 5 + 10 \times 4 = 215\text{m}^2$). The proposal would exceed this by providing a shared amenity space measuring 192.7m², 5 no. balconies providing 27m² and 4 no. patios providing 25.1m² for a total of 244.8m².

Residential Amenity

- 7.12 The proposed building would have an acceptable impact upon the amenities of the adjoining neighbouring properties. The scheme would not have an overbearing impact and would not result in an unacceptable loss of light to the adjoining properties. The nearest existing residential property to the proposed building is no. 104 Stanwell Road which is a detached property to the north of the site. Whilst the existing building, Headline House, is lower, it is located directly on the boundary of the site, whereas the proposed building would be set in from the boundary by 1.3m. There is also an access road which runs between the application site and no. 104 which serves a trio of garages. The 45 and 25 degree lines are used as a guide to ensure that new development does not block light reaching the windows serving habitable rooms and the proposal would not infringe either a vertical or horizontal 45 degree line when measured from the closest windows serving habitable rooms of the adjoining dwellings. The 25 degree line would not be infringed from any fronts or rears of adjoining dwellings.
- 7.13 Along Stanwell Road the ground and first floor would have full height windows with private patios at ground floor and balconies at first floor. These windows would allow the maximum amount of natural light into habitable rooms and provide an outlook to the adjacent church. There would also be full height windows at ground and first floor level along Chaucer Road. To ensure no loss of privacy to no. 106 Stanwell Road, situated on the south side of

Chaucer Road, the two clear glazed first floor windows in this elevation have been positioned to avoid views into the rear garden of the neighbouring property. One second floor window is proposed in the gable, however this will be obscure glazed. There would be no clear glazed window openings on the northern flank elevation closest to no. 104 Stanwell Road that could give rise to unacceptable overlooking. The rear elevation would feature ground and first floor full height windows and the first floor units would also be served by balconies which would overlook the shared amenity area. It is considered that these rear facing windows and balconies would not lead to an unacceptable loss of privacy to the adjoining dwellings due to their separation. The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (2011) sets out minimum separation distances. The proposal would have a separation distance of over 17m which exceeds the minimum of 13.5m set out in the SPD.

- 7.14 An objection has been raised by a local resident to the positioning of balconies and their impact on the privacy of the neighbouring properties. The proposed balconies would be situated a minimum of 16.5m from the nearest property in the direction they face and privacy screens would be required to prevent overlooking sideways which is considered acceptable. Furthermore, balconies were approved in these locations in the previous scheme and were considered acceptable and the current balconies will have a very similar impact. It is therefore considered that the impact is acceptable and that refusal can be justified on these grounds.
- 7.15 It is considered that due to their angle, the proposed rooflights would not constitute a third story in terms of assessing overlooking impact, and that they would not lead to unacceptable overlooking due to their skyward orientation.

Housing Size, Type and Density

- 7.16 All the nine proposed units would be 1 or 2 bed units and so would comply with Policy HO4 which requires new development of over four units to provide at least 80% of new units as one or two bedroom units.
- 7.17 The proposed site has an area of 0.094ha and would have a density of 96 dwellings per hectare. The high density is a result of the proposed units being 1 and 2 bed flats with shared amenity space (compared for example to larger dwellings with private gardens). Whilst this is above the recommended range of 35 to 55 dwellings per hectare Policy HO5 states that higher density development may be acceptable where it is demonstrated that the development complies with Policy EN1 on design, particularly in terms of its compatibility with the character of the area and is in a location that is accessible by non car-based modes of travel. The development complies with Policy EN1 (as explained in section 7.4-7.9) and is also in a location accessible by non-car based travel, for example Ashford railway station is situated only 400m from the development (approx. 5 minutes away on foot) and the nearest bus stops are approx. 110m (approx. 2 minutes on foot) on Woodthorpe Road.

Parking

- 7.18 The proposal would provide a total of 13 off street parking spaces which would be located to the rear of the building. This would comply with the minimum parking requirements for a development of this size as required by the Council's Parking Standards Supplementary Planning Guidance (1.25

spaces per one bed unit and 1.5 spaces per two bed unit: 1.25 x 2 + 1.5 x 7 + 13). The proposal would provide a total of 9 secure cycle parking spaces within the main building which complies with the required one cycle space per flat.

Impact on the Adjacent Listed Building

- 7.19 Section 66 of the Listed Building Act 1990 requires a planning authority to have 'special regard' to the desirability of preserving a listed building and its setting. The application site is opposite the Grade II listed building St Hilda's Church which is a red brick building that was completed in 1928 featuring high gable ends. Any proposal for new development should demonstrate that it would not harm the building or its setting. The proposed building has been designed with staggered gable frontages to add both visual interest to the building and to reflect the large gable end of this part of the listed church facing the application site and in ancillary elements of that building. The use of strong gable features and of red brick within parts of the proposed frontage would pay regard to those design features and materials within the church, and the modern materials such as the glass balustrades would contrast and allow the new building to maintain its own identity. The National Planning Policy Framework (the NPPF) states that any harm caused to a Grade II listed building should only occur in exceptional circumstances. It is not considered that the proposal would cause harm to the listed building but rather that the proposal would serve to significantly improve the setting of the listed building by the removal of the 1980s factory building with no comparable design merit and replacement with a sympathetic design which would enhance the setting of St Hildas Church.
- 7.20 The Council's Heritage and Conservation Area Officer has raised no objections to the proposal and stated that: "*This revised application is substantially the same as the scheme approved about a year ago. The same design concept is used, the only significant changes being internal re-arrangements which allows the creation of one extra one bed roomed flat. The new submission will have no detrimental effects on the setting of the nearby Grade II listed church.*"

Impact on Existing Trees

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

Conclusion

- 7.22 The proposal is not substantially different to the previously approved scheme for this site (reference 15/01513/FUL). It is considered that it would have an acceptable impact on the character of the area and the adjacent Grade II listed building. The proposal would provide sufficient on-site car parking to meet the Council's standards and the site's location close to Ashford town centre would be considered sustainable and encourage non-car based travel.

8. Recommendation

- 8.1 The application is recommended for approval subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason:- This condition is required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
 2. Before any work on the development hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the building(s) and surface material for parking areas be submitted to and approved by the Local Planning Authority.
Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.
 3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details and maintained as approved.
Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.
 4. No development shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The trees and shrubs shall be planted on the site within a period of 12 months from the date on which development hereby permitted is first commenced, or such longer period as may be approved by the Local Planning Authority, and that the planting so provided shall be maintained as approved for a period of 5 years, such maintenance to include the replacement in the current or next planting season whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.
Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development. In accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.
 5. The development hereby permitted shall be carried out in accordance with the following approved plans: Site survey; L2436/LP Revision A; L2436/02; L2436/03; L2436/04; L2436/05 Revision B; L2436/06 Revision C; L2436/07 Revision C received 20 January 2017.
Reason:- For the avoidance of doubt and in the interest of proper planning.

6. Prior to the occupation of the development hereby permitted the ground and first floor kitchen/dining windows in the most northern side elevation and the second floor bathroom window in the most southern Chaucer Road elevations shall be obscure glazed and be non-opening to a minimum height of 1.7m above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. These windows shall thereafter be permanently retained as installed.
Reason:- To safeguard the privacy of the adjoining properties in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.
7. Notwithstanding the details shown on the submitted drawings, prior to the occupation of the dwellings privacy screens shall be installed on the northern side of the east-facing and west-facing balconies of the most northern first floor unit, and the eastern side of the north-facing balcony of the most eastern first floor unit in accordance with details to be submitted and approved in writing by the Local Planning Authority. These details shall provide privacy screens measuring at least 1.8m in height which shall be installed prior to the first use of the balconies and thereafter retained.
Reason:- To safeguard the amenity of neighbouring residential properties.
8. Prior to the occupation of the building the enclosed cycle storage facility shall be provided on the site in accordance with the approved plans and thereafter shall be maintained as approved.
Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2012 and policy CC3 (Parking) of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.
9. The measures set out in the Arboricultural report (ref: APA/AP/2017/016) be adhered to at all times, and any variation be submitted to and agreed in writing by the Local Planning Authority
Reason:- To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.
10. The proposed hardstanding area shown on the submitted plan shall be constructed to be permeable, or be designed to run off to a permeable surface within the site, in accordance with details to be submitted to, and approved in writing by the Local Planning Authority before the commencement of the development. The hardstanding area shall be completed and maintained in accordance with the approved details.
Reason:- To minimise the risk of flooding from surface water runoff.
11. That within 3 months of the commencement of any part of the development period, or any such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the details hereby approved, and thereafter shall be maintained as approved.
Reason:- To ensure that the proposed development does not prejudice the

enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

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

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

13. No development shall take place until:

- (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site has been submitted to and approved in writing by the Local Planning Authority.
- (ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.
- (iii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

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

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

NOTE

The requirements of the above condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet

entitled “Land Affected by Contamination: Guidance to Help Developers Meet Planning Requirements” proving guidance can also be downloaded from Spelthorne’s website at www.spelthorne.gov.uk.

14. 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.

15. No demolition, site clearance or building operations shall commence until a Demolition and Construction Method Statement, demonstrating that the works will not adversely affect the occupiers of neighbouring residential properties, has been submitted to, and approved in writing by, the local planning authority. The statement shall include measures to mitigate the impact of dust, noise and vibration. The statement shall include (unless otherwise agreed in writing by the Local Planning Authority):
- Provision of a 1.8m continuous close boarded fence around the site to be developed prior to works commencing
 - Noise mitigation
 - Demolition details
 - Working hours to be:
08:00-18:00 Monday to Friday
08:00-13:00 on Saturdays
No working on Sundays, Bank and Public Holidays.

Work shall proceed strictly in accordance with the approved Statement throughout the period of demolition, site clearance and construction.

Reason:- In the interest of residential amenity.

16. (a) No demolition, site clearance or building operations shall commence until protective fencing consisting of weld mesh panels on a scaffold framework as shown in Figure 2 of BS5837 2012 has been erected around each tree or tree group to be retained on the site in accordance with details to be submitted to and approved by the Local Planning Authority before any work on the development hereby permitted is first commenced, such details to include trenches, pipe runs for services and drains. Such fencing shall be maintained during the course of the development and no storage of materials or erection of buildings shall take place within the fenced area.
- (b) The destruction by burning of materials shall not take place within 6 m

(19 ft 8 ins) of the canopy of any tree or tree group to be retained on the site or on land adjoining.

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

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

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

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

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

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

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

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

INFORMATIVES TO APPLICANT

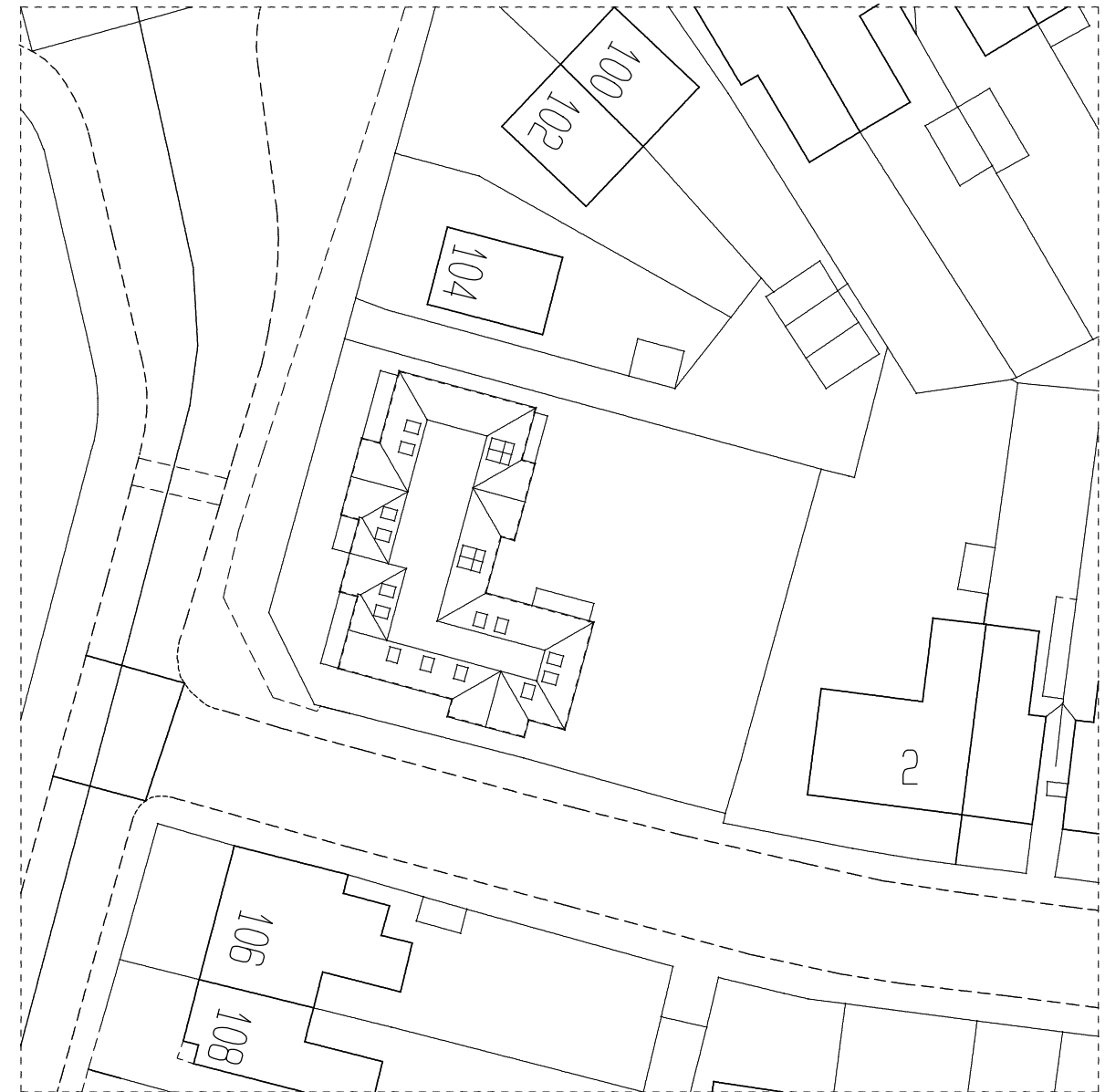
1. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service

before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see <http://www.surreycc.gov.uk/people-and-community/emergency-planning-andcommunity-safety/flooding-advice/ordinary-watercourse-consents>.

2. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damages the highway from unclean wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
4. The applicant is advised that the site to which this planning permission relates is located on or near land that may contain harmful substances. Under Part C of the Building Regulations you will be required to consider this when designing the foundations of the development. The applicant is advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.



EXISTING BLOCK PLAN



PROPOSED BLOCK PLAN

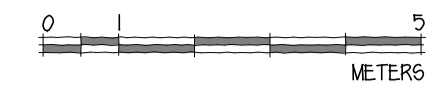

ROBERT DAVIES JOHN WEST LIMITED
 RIBA Chartered Practice
 The Courtyard 59 Church Street
 Staines upon Thames Middx TW18 4XS
 Tel: 01784 459211 E-mail: info@rdjwlimited.com

DATE
 13/12/16
 SCALE
 1:500 @ A3
 DRAWN / CHKD
 ZH/ KMD

PROPOSED DEVELOPMENT,
 HEADLINE HOUSE
 ASHFORD
 EXTG & PROP BLOCK PLAN



DRWG No **L2436/02** REV -



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



NORTHERN & EASTERN BOUNDARIES TO BE FORMED FROM EXISTING BRICK WALL REDUCED TO 1800mm WITH BRICK COPING

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

DOTTED LINE INDICATES OUTLINE OF APPROVED SCHEME

SHARED AMENITY SPACE 192.7m² PLUS 3% BALCONIES @ 27m² AND 4% PATIOS @ 25.1m² GIVES TOTAL = 244.8m² (REQUIRED 215m²)

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

TOTAL 13% CAR PARKING INCLUDING DESIGNATED DISABLED SPACE SURFACE FINISH BLOCK PAVER (PERMEABLE TYPE)

CONNECTION TO EX FOUL DRAINAGE RUN HERE. MH TO BE REPOSITIONED

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

ALTERED VEHICULAR ACCESS FROM CHAUCER ROAD HERE

GENERAL NOTES:

- PROPOSED 2 STOREY BUILDING TO PROVIDE 9% FLATS 2No x 1 BED AND 7No x 2 BED
- 13% CAR PARKING SPACES PROVIDED (REQUIRED 13%)
- AMENITY SPACE PROVIDED 244.8m² (REQUIRED 215m²)
- CYCLE SPACES PROVIDED 9% (REQUIRED 9%)
- BIN ENCLOSURE PROVIDED TO LA REQUIREMENTS
- COMPOST BINS, WASHING LINES & WATER BUTTS TO BE PROVIDED
- GENERAL PURPOSE (MT) BOXES TO BE PROVIDED
- ACCESS PATHS TO BE PAVED WITH FALLS TO MEET BUILDING REGULATION AD PART M

B FOOTPRINT CORRECTED, NOTES & LANDSCAPING ADDED KMD 16/01/17
A GENERAL AMENDMENTS KMD 23/12/16

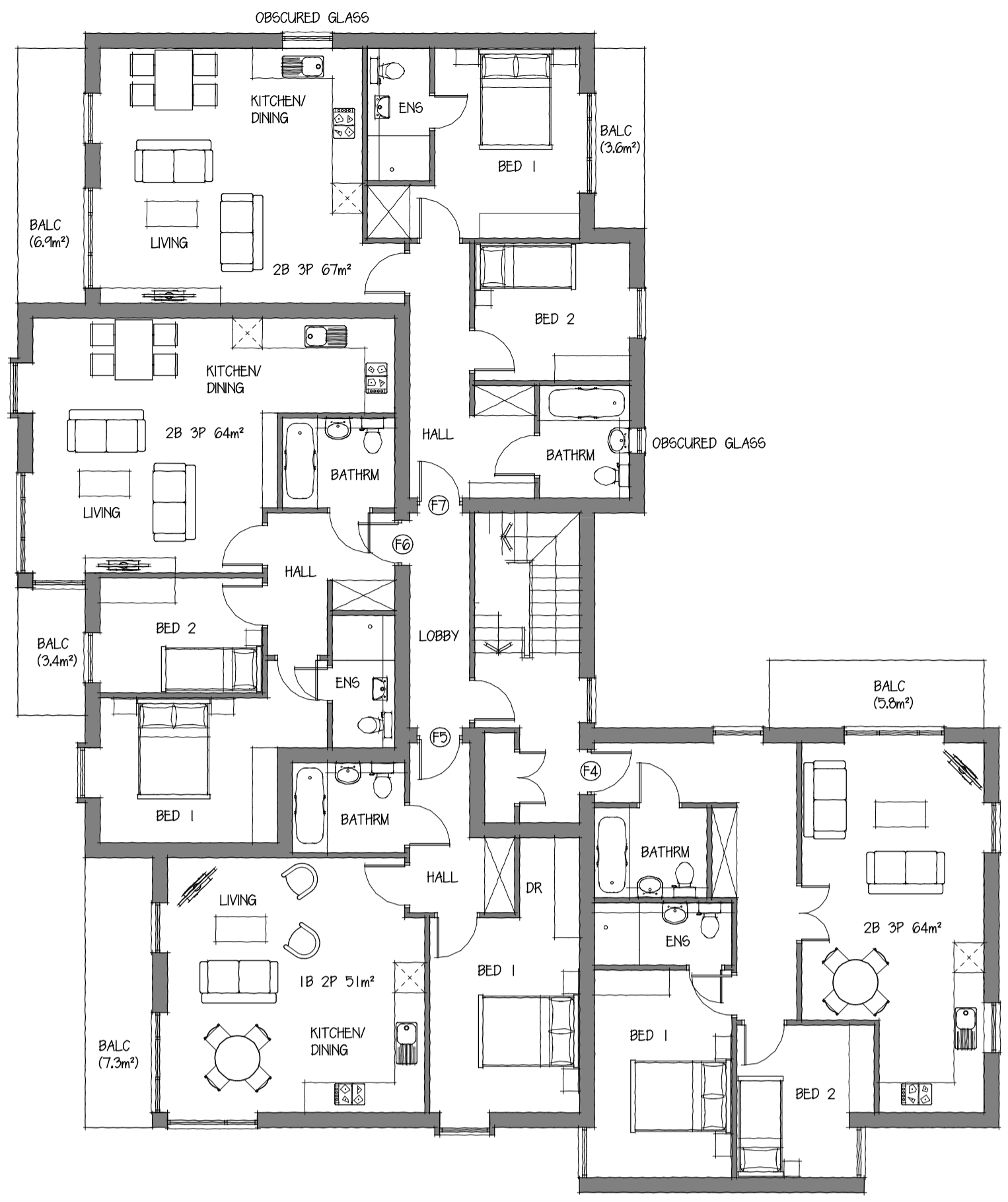
REVISION	CHECKED	DATE

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

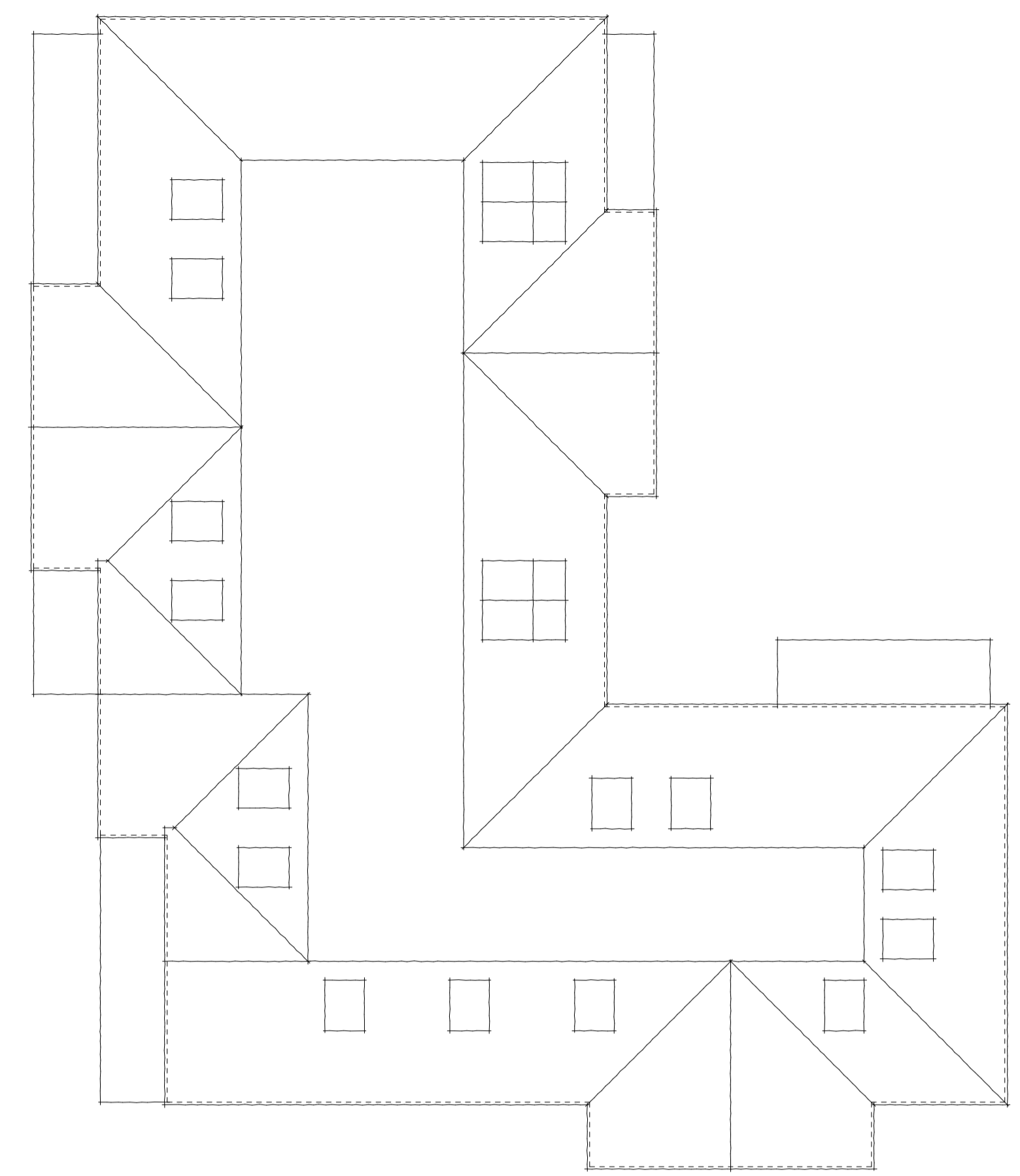
DATE: 28/11/16
SCALE: 1:100 @ A1
DRAWN: JY
CHECKED: KMD
PROPOSED DEVELOPMENT, HEADLINE HOUSE ASHFORD
PROPOSED SITE LAYOUT

DWG NO: **L2436/05** REV B

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



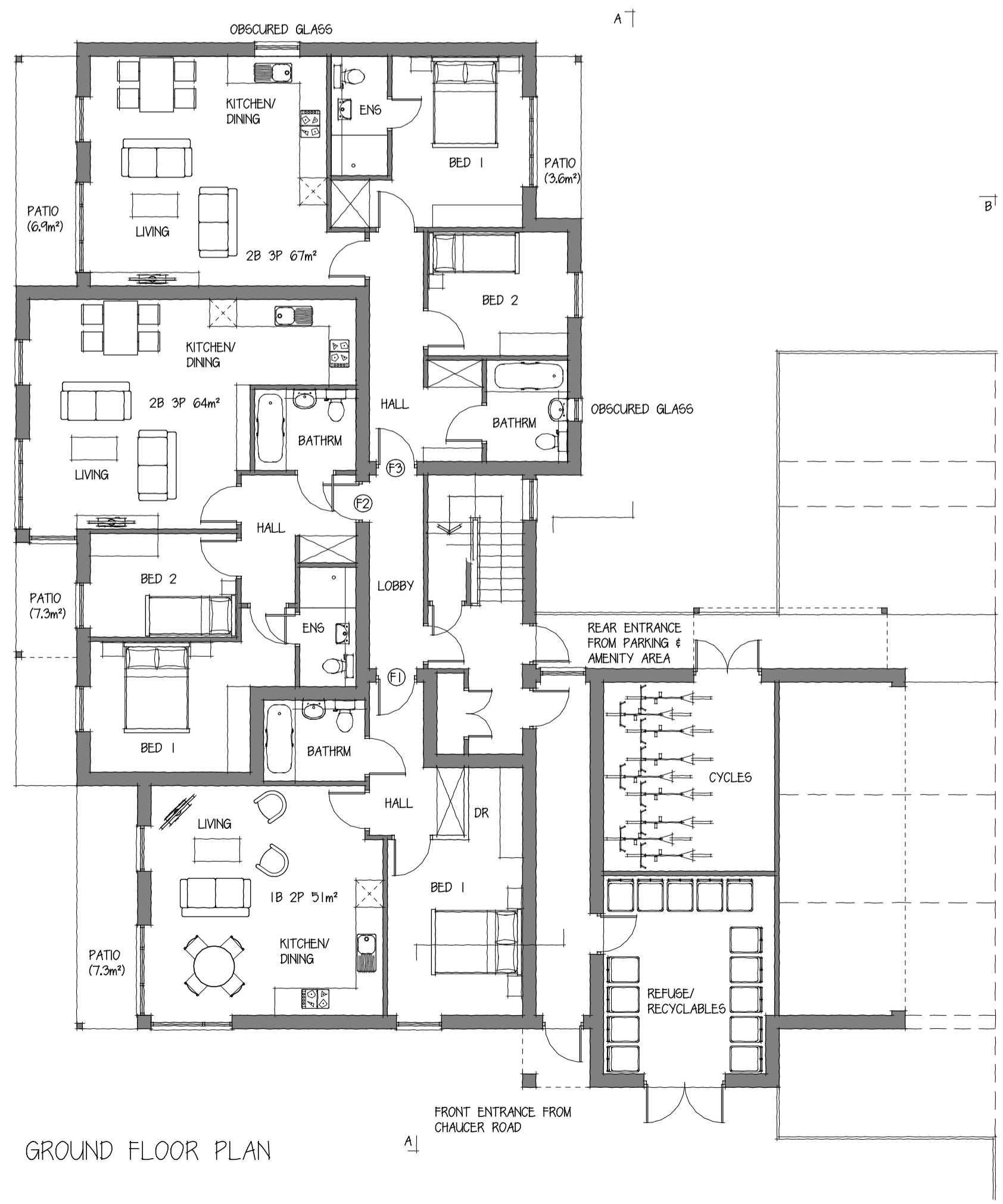
FIRST FLOOR PLAN



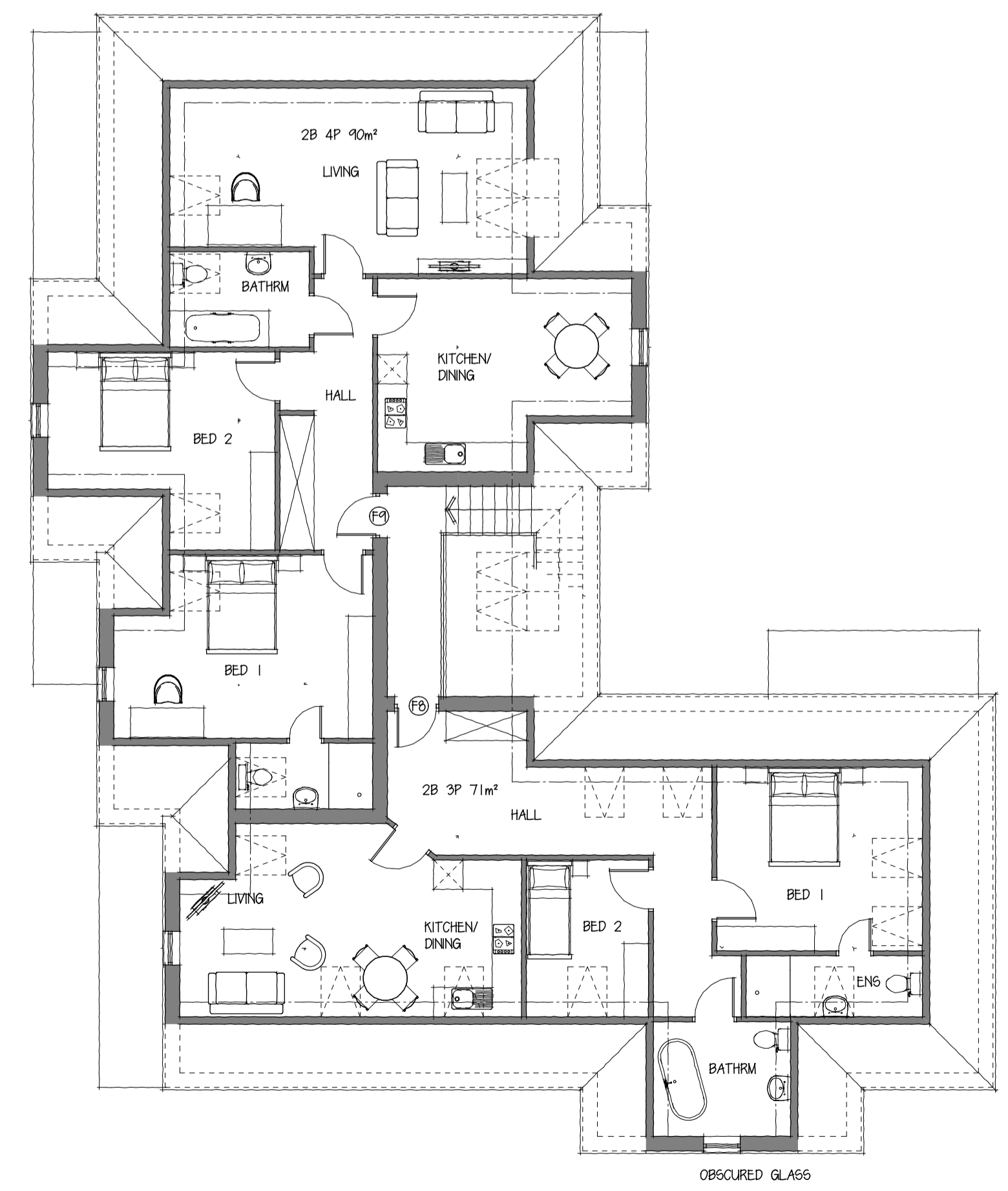
ROOF FLOOR PLAN



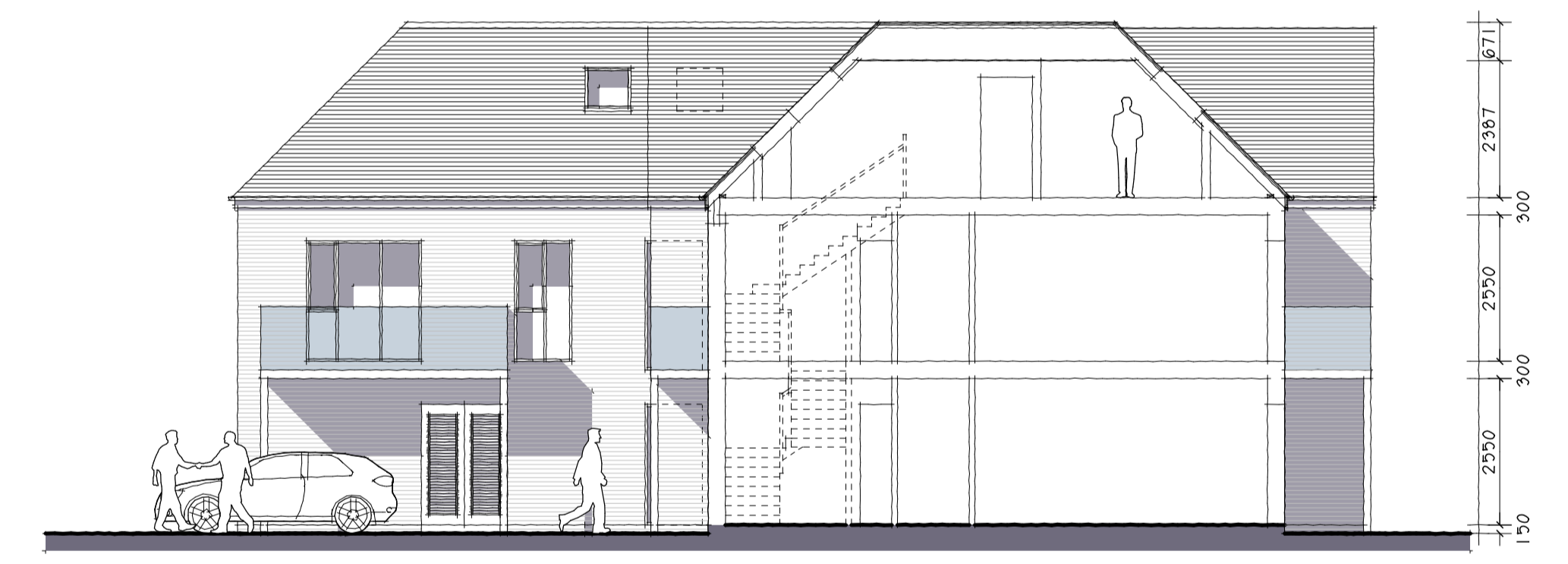
SECTIONAL ELEVATION AA



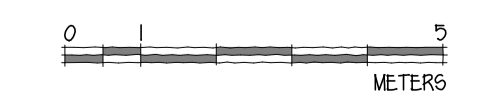
GROUND FLOOR PLAN



SECOND FLOOR PLAN



SECTIONAL ELEVATION BB



C	NOTES ADDED	RMD	18/01/17
B	INFO ADDED & MINOR AMENDMENTS TO PLANS	RMD	08/01/16
A	GENERAL AMENDMENTS	RMD	23/12/16
	REVISION		CHECKED DATE

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

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

DRWG NO: **L2436/06** REV: C

NOTES

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

0 1 2
METERS



WEST ELEVATION (STANWELL ROAD)

EXTERNAL MATERIALS:

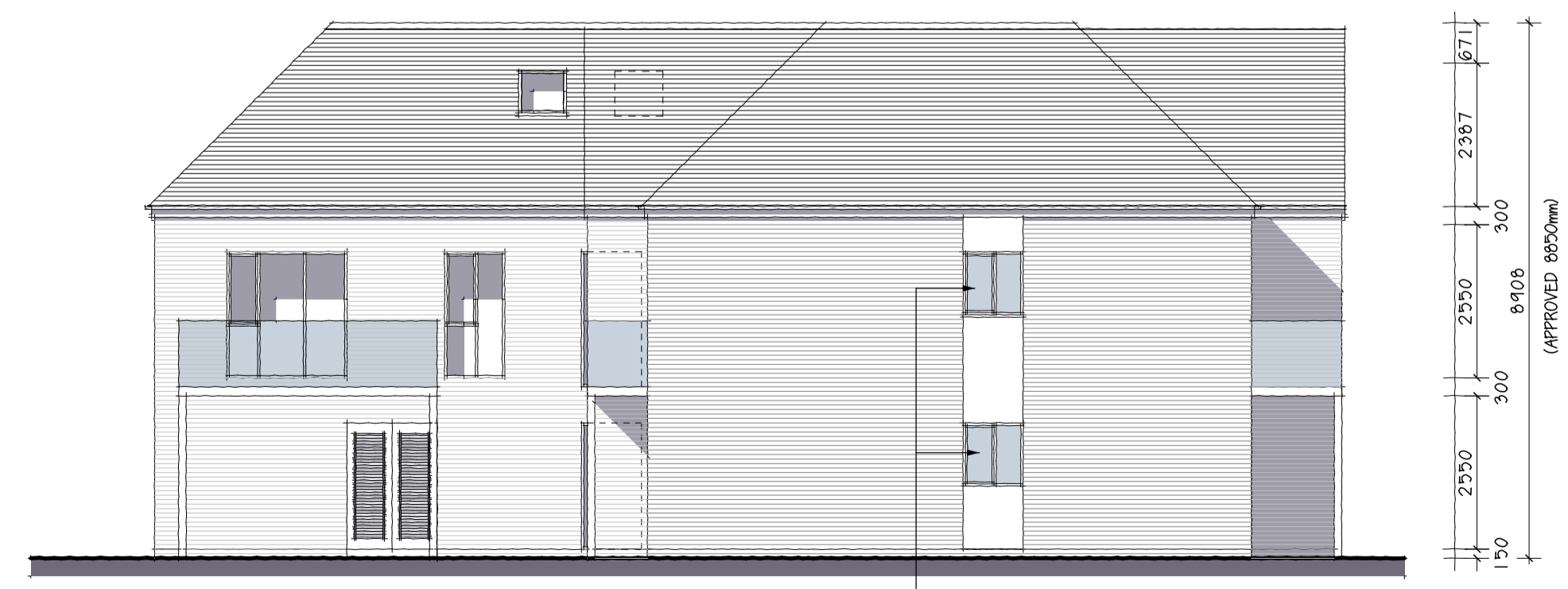
- ROOF - PITCHED 45° FINISH PLAN TILES
- PRE-FINISHED FASCIAS, SOFFITS & BARGE BOARDS, COLOUR LIGHT GREY
- DOWNPIPES & GUTTERS - GALVANISED LINDBLAD
- WALLS - BUFF & RED BRICK AS INDICATED
- WINDOWS AND DOORS - GREY POWDER COATED ALUMINIUM
- BATHROOMS & ENLITES TO BE OBSCURED GLAZING AS INDICATED
- GREY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



SOUTH ELEVATION (CHAUCER ROAD)



EAST ELEVATION



NORTH ELEVATION

C NOTES & PLANTING ADDED KMD 16/01/17
 B REDRAWN TO SUIT AMENDED PLANS KMD 06/01/17
 A MINOR AMENDMENTS & ADDITION OF WINDOWS ZH 08/12/16
 REVISION CHECKED DATE

ROBERT DAVIES JOHN WEST LIMITED
 RIBA Chartered Practice
 The Courtyard 59 Church Street
 SEAFORD BN1 1JG
 Tel: 01784 459211 E-mail: info@rdjwtd.com

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

DWG NO **L2436/07** REV C

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1:1,250

17/00130/HOU
104 Avondale Avenue, Staines-upon-Thames, TW18 2NF

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Planning Committee

8 March 2017



Application No.	17/00130/HOU
Site Address	104 Avondale Avenue, Staines-upon-Thames, TW18 2NF
Applicant	Mr Patel
Proposal	Erection of an outbuilding (retrospective application) As shown on drawing no. 7050/1 received 25 January 2017
Ward	Riverside and Laleham
Called-in	The application has been called in by Cllr Saliagopoulos due to concerns over the impact on the character of the area in terms of its size and type of development

Application Dates	Valid: 25.01.2017	Expiry: 22.03.2017	Target: Under 8 weeks
Executive Summary	<p>This application seeks retrospective planning permission for the erection of an outbuilding which is situated near the western boundary of the rear garden of 104 Avondale Avenue. The outbuilding has a square footprint measuring 5.45m in width and depth. It has a hipped roof with a ridge height of 3.675m and a height of 2.9m to the eaves. The outbuilding is situated approximately 20m from the rear elevation of the dwellinghouse, and 1.85m from the northern, western and southern site boundaries. 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 design is not unusual for an outbuilding, and as it is situated a minimum of 17m from the nearest dwellinghouse, it 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 Council Core Strategy and Policies DPD (2009).</p>		
Recommended Decision	Approve the application subject to conditions set out at Paragraph 8 of the Report.		

MAIN REPORT

1. Development Plan

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

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

2. Relevant Planning History

PLAN N/FUL/80/86 Erection of a two-storey flank extension to provide garage, W.C. and breakfast/utility room on the ground floor with additional bedroom accommodation over. Grant Conditional 02.04.1980
10/00522/HOU Erection of a single-storey rear extension. Grant Conditional 27.09.2010
10/00985/HOU Conversion of existing garage to form habitable room. Grant Conditional 01.03.2014

3. Description of Current Proposal

3.1 The application site is located on the western side of Avondale Avenue and is currently occupied by a two-storey semi-detached dwellinghouse. The area is characterised by a mixture of residential development. There are two storey flatted development parking to the rear to the north and south of the site beyond 106 Avondale Avenue whereas the eastern side of Avondale Avenue predominantly consists of detached houses. The rear of the site adjoins the rear gardens of Penton Avenue which is characterised by a mixture of bungalows and two storey houses.

3.2 This application seeks retrospective planning permission for an outbuilding that has been constructed in the rear garden of the property. The outbuilding has a square footprint measuring 5.45m in width and depth. It has a hipped roof with a ridge height of 3.675m and a height of 2.9m to the eaves. The outbuilding is situated approx. 20m from the rear elevation of the dwellinghouse at no. 104 Avondale Avenue, and 1.85m from boundaries to 102a-d Avondale Avenue to the north, 106 Avondale Avenue to the south and 47 and 49 Penton Avenue to the west. The outbuilding will have two windows and French doors in the east (front) elevation and an obscure glazed window in the north (side) elevation. The outbuilding is partitioned to provide one main room with separate storage and a WC. A letter was submitted with the application which states that while the outbuilding will be used by the whole

family, the main use of the outbuilding would be to provide a space for the applicants' daughter, who has learning disabilities, to practice dance and movement skills in a safe environment.

- 3.3 The Council was notified that building work was taking place in December 2016 and after inspecting the site and partially complete building the applicant was informed that planning permission was required. The reason that planning permission is required is that the outbuilding exceeds 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.

4. Consultations

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

Consultee	Comment
Environmental Health	No objection but requests that an informative is attached to the decision notice

5. Public Consultation

- 5.1 Five letters of notification were sent out to neighbouring properties. At the time of writing two letters of representation have been received. The following concerns have been raised:

- Work started in November 2016 and stopped in December 2016
- Size and height of the outbuilding
- Overbearing impact
- Overlooking
- Questions regarding the future use of the outbuilding

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 and Policies Development Plan Document 2009 ('the Core Strategy') 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 When a site visit was conducted for the outbuilding, the external walls and roof had been built, but the building was not yet substantially complete. The walls are faced in red brick with a similar appearance to the brick of the main building and many other houses in the area and the roof is hipped and tiled to match the main building. The internal partitions, WC, doors and windows had

not yet been installed but the submitted drawings show a two windows and French doors in the front elevation facing no. 104 Avondale Avenue.

- 7.3 The outbuilding is situated in the western corner of the site, approx. 21.5m to the rear of the main house and approx. 40m from Avondale Avenue and approx. 39m from Penton Avenue to the rear. Whilst the roof extends above the boundary fences and the outbuilding is visible from the neighbouring gardens it will not be readily visible from the street and is therefore not considered to have an impact on the streetscene.
- 7.4 It is considered that the outbuilding complies with the requirements of Policy EN1(a) and that it is in keeping with the character of the area. Whilst a letter of representation has informed that the new structure is taller than the previous outbuilding on the site it is not significantly taller than the neighbouring garages serving nos. 102a-d Avondale Avenue situated immediately north of the proposal. The internal floorspace, measuring 4.9m by 4.9m is not an unusual size for an outbuilding. The outbuilding will be subdivided to provide a main space with separate storage and a WC, however this is not unusual for an outbuilding. The outbuilding is faced in brick with a hipped tiled roof to match the materials of the main dwellinghouse. It is therefore considered that it is in proportion and in keeping with the main dwellinghouse and the character of the area.

Impact on Adjoining Properties

- 7.5 Policy EN1(b) of the Core Strategy 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.
- 7.6 The outbuilding is situated 1.85m from the boundaries to 47 and 49 Penton Avenue to the west and 106 Avondale Avenue to the south. It is also situated 1.85m from the boundary to the communal parking area and garages serving 102a-d to the north. The nearest dwellinghouse is no. 47 Penton Avenue, situated approx. 17m to the rear of the outbuilding.
- 7.7 Third party representatives have raised concern that the height and size of the outbuilding will have an overbearing impact and overlook neighbouring properties. With a height of 2.9m to the eaves and a ridge height of 3.9m the outbuilding will be visible from neighbouring gardens, however, the roof is hipped and slopes away from the boundaries to reduce its impact and is not considered to be overbearing. In addition, it is located between 17m and 27m from the surrounding residential properties which is a significant distance and sufficient to avoid an overbearing impact or loss of light to those neighbouring dwellings. 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. An objection has also been raised on privacy grounds, however, the proposed windows will be at ground floor and views across neighbouring properties will be screened by the boundary fences. Furthermore, the outbuilding is situated at the far end of the rear garden and is located a substantial distance away from the neighbouring dwellinghouses. It is therefore considered that the proposal complies with the requirements of Policy EN1(b) of the Core Strategy.

- 7.8 It is also worth noting that if the outbuilding was reduced slightly in size to be set in an additional 15cm from the north, south and west boundaries an outbuilding with an eaves height of 2.5m and dual pitched roof with a ridge height of up to 4m could have been constructed without planning permission. If the roof height was reduced to 2.5m an outbuilding with a larger footprint but flush against the boundary could also be constructed as permitted development. It is therefore not considered that refusal can be justified on amenity grounds.
- 7.9 Whilst the impact on the amenity of neighbouring properties is acceptable, it is recognised that concern has been raised about the future use of the building. As indicated earlier, the main use of the outbuilding will be to provide a space for the applicants' daughter, who has learning disabilities, to practice dance and movement skills in a safe environment which is considered ancillary to the main dwellinghouse. Furthermore, outbuildings may not be used as a separate dwelling without express permission by the Local Planning Authority, however, in order to safeguard the amenity of the neighbouring properties it is considered appropriate to impose a condition to restrict its use.

Conclusion

- 7.10 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 constructed and maintained in accordance with the following approved drawings: 7050/1 received 25 January 2017.

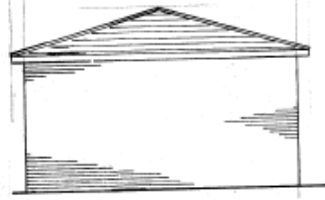
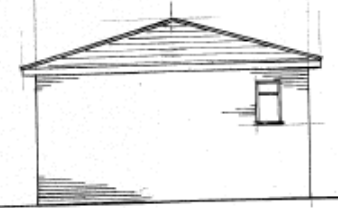
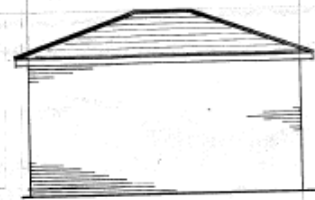
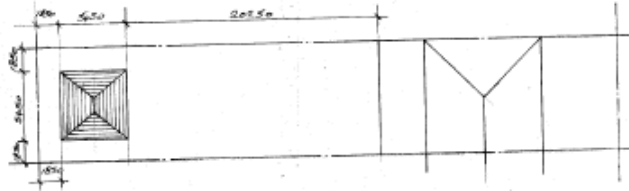
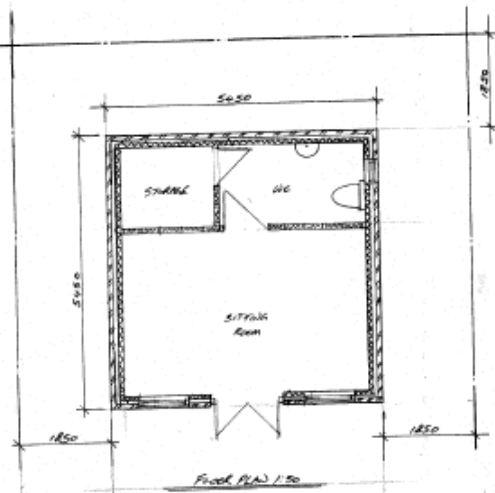
Reason: For the avoidance of doubt and in the interest of proper planning.

8.2 Informatives

1. This property lies in an area where radon may affect between 1 to 3% of homes at or above the Action Level. The Radon Action Level is the recommended limit for the activity concentration of radon in UK homes. Its value, expressed as the annual average radon gas concentration in the home is 200 Bq m⁻³. This information is taken from the Indicative Atlas of Radon in England and Wales published in November 2007 by the Health Protection Agency and the British Geological Survey. The information available to Spelthorne Borough Council is indicative and not definitive. The estimated radon potential for an individual home can be obtained via an online search on the new UK Radon website, www.ukradon.org. A valid postal address and postcode is required and there is a charge of £3.90 (incl VAT) for each property search. If the property is confirmed by the search to have a 1% probability or more of being above the Action Level,

existing homes should have radon measurements carried out. Radon concentrations at or above the Action Level of 200 Bq m⁻³ should be reduced to as low as reasonably practicable. New homes built within affected areas should be constructed with precautions against radon.

2. 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 National Planning Policy Framework. 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.



OFFICE COPY
ISSUED BY THE HUNGARIAN WELLBEGY LAND REGISTRY ON 17 OCT 1985

PLAN 17/00130/100
MUNICIPAL CASE
Date: 1985



ANS COMBINED - 17/00130/100
17/00130



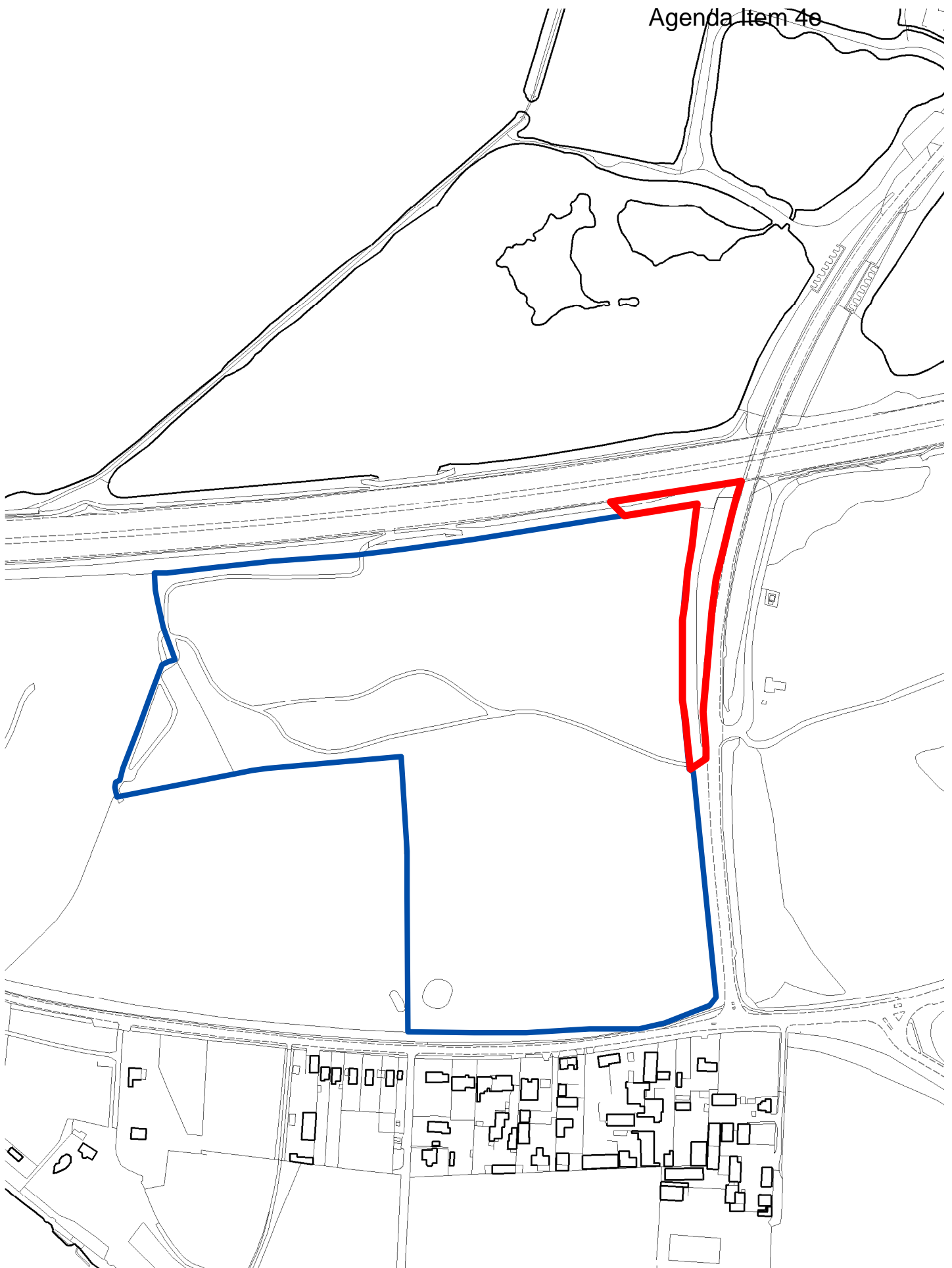
Archplan Projects Ltd
Tel 0775 701236
E-mail Andy@archplanprojects.co.uk

Client: **MR PATEL**
Job Title: **106 AVONDALE AVENUE STAINES TW18 2NP**

Drawing Title: **OUTBUILDING PLANS AND ELEVATIONS 17/00130**

Scale: **AS SHOWN**
Date: **JANUARY 2017** County: **A.P.**
Dwg. No.: **7050/1**

ALL THE REGISTERED LAND CONTAINING TO THE LEFT OF THE ROAD, TOGETHER WITH A 100' LINE BOUNDARY TO THE RIGHT OF THE ROAD, SHALL BE SOLD SEPARATELY & ASSUMED TO BE THE PROPERTY OF THE REGISTERED LAND.



17/00006/UNDEV
Land to the west of Sheep Walk, Shepperton

N
1:4,000

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Planning Committee

8 March 2017



Enforcement Ref:	17/00006/UNDEV
Site Address	Land to the west of Sheep Walk, Shepperton,
Breach	Unauthorised siting and residential use of caravans and storing trailers, vehicles and other possessions
Ward	Shepperton Town
Recommended Decision	Authority for the Council to apply for an injunction under Section 187 of the Town and Country Planning Act 1990, to ensure cessation of the use of the land for:- a) Any residential purpose; b) Parking or storage of any caravan, mobile home or any other residential structure or residential facility; c) Parking or storage of any trailer, container, lorry body; or d) Storage of miscellaneous items not connected with the lawful agricultural use of the above Site;

MAIN REPORT

1. Background

- 1.1 The application site is west of Sheep Walk and south of the M3, Shepperton. It is a strip of land left over from highway construction but is open land in the Green Belt. Development, including any change of use, is strictly controlled and should not take place unless it is appropriate within the Green Belt or there are very special circumstances which outweigh any other harm. The land is owned by the Highways England Company. It is within an area likely to flood. It is also clearly visible in public views from the adjacent public highway "Sheep Walk".
- 1.2 The Council has been dealing with breaches of planning control by this family since 2010. They have a recent history of similar lengthy breaches of planning control on adjacent land. (Marked blue on the plan)
- 1.3 On 14 September 2012 in the Guildford District Registry an injunction was granted to prevent breaches of planning control on the adjacent land.

2. Development Plan

- Within the Metropolitan Green Belt
- Within the Flood Zone

3. Relevant Planning History

Date	Activity	Action
14/09/12	Injunction granted to prevent breaches of planning control, including residential use on adjacent land.	Not complied with
20/12/13	Above injunction extended for removal of caravans by 16/01/14	Not complied with
June 2015	Committal proceeding brought to compel compliance with injunction	14/12/15 defendants found guilty of Contempt of Court

4. Details of complaint and unauthorised development:

- 4.1 The Council has been dealing with breaches of planning control by this family since 2010. They have a recent history of similar lengthy breaches of planning control on adjacent land.
- 4.2 On 14 September 2012 in the Guildford District Registry an injunction was granted to prevent breaches of planning control on the adjacent land. A further injunction was granted in 2013.
- 4.3 Since November 2015 the family have been moving from the adjacent land. However, they moved with their vehicles caravans and paraphernalia onto the Highways England land, which is a fresh breach of planning control, but not precluded by the 2012 and 2013 injunctions.
- 4.2 On Monday 19 December 2016 the Council received information that a large mobile home had been delivered to the land; a Planning Enforcement Officer attended the site, where he met one of the occupiers. There was a large mobile home sited on the land, together with other items including vehicles and trailers.

The Planning Enforcement Officer was informed that another occupier had bought the home and had it delivered. The Planning Enforcement Officer informed the occupier that along with all the other vehicles and trailers and equipment this mobile home had no permission to be sited on this land.

- 4.4 On Tuesday 10 January 2017 a Planning Enforcement Officer visited the site, where he met the occupier again. It was noted one large grey “Olympian” residential trailer, three white ridged HGV lorries, one blue and white “Hobby” residential touring caravan, one yellow ERF articulated lorry tractor unit, three food retail trailers, one blue articulated trailer unit, one “Swift Buccaneer” residential touring caravan, one large prefabricated residential mobile home and various mixed residential and business paraphernalia on the land. All of these were sited on hardstanding. The occupier was informed that the land they are residing on and storing equipment on is owned by Highways England. 13 photos were taken.
- 4.5 On 16 February 2017 a letter was delivered to the occupiers requiring them to leave the land by the end of the month.

5. Planning considerations

- 5.1 The site is situated within the Green Belt and this use of the site is clearly “inappropriate development “as defined in the National Planning Policy Framework (NPPF). The use is also contrary to saved policy GB1 of the Spelthorne Borough Local Plan. No very special circumstances are considered to exist. The use is considered to be unacceptable on Green Belt grounds.
- 5.2 The site is located within the flood plain. Caravans and mobile homes represent “highly vulnerable” uses as defined in the Planning Practice Guidance. Local Plan Policy LO1 of the Core Strategy and Policies DPD seeks to reduce flood risk and its adverse effect on people and property. The policy states that residential development of highly vulnerable uses will not be permitted within such areas. The SPD on flooding requires a safe means of escape to be provided for such uses, which is not available in this particular case. The use of this land for a caravan or mobile home is, therefore contrary to policy LO1 of the Local Plan.
- 5.3 Policy EN1 requires a high standard in the design and layout of new development. The mobile home, vehicles, trailers and other possessions have a detrimental aspect on the street scene and character of the surrounding area. The policy also requires a safe environment to be provided for the occupants. The siting of caravans on this land in close proximity to Sheep Walk does not provide a safe environment.
- 5.4 Policy HO7 is concerned with sites for travelling showpeople. These will be permitted where a need has been identified; and
- The development is not within the Green Belt

- The site has a safe and convenient access to the highway network
- The development would not be visually intrusive or detrimental to the appearance or character of the area

It is considered that the use does not comply with any of the criteria in Policy HO7. The site is located within the Green Belt. It is adjacent to Sheep Walk and does not provide a safe environment and the development is visually intrusive and detrimental to the appearance and character of the area.

- 5.5 The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol, Article 8 and Article 14 are relevant when considering action which involves the loss of residential accommodation. There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control. Having considered the proportionality of seeking an injunction requiring the removal of the unauthorised occupants from the land, it is concluded that in all the circumstances the public interest in maintaining effective planning control and protecting the Green Belt outweighs the unauthorised occupants' rights to a private and family life and the interests of the children. In view of the need to enforce planning law for the public good, it is considered that to pursue cessation of the residential use of the land would not contravene the Human Rights Act.

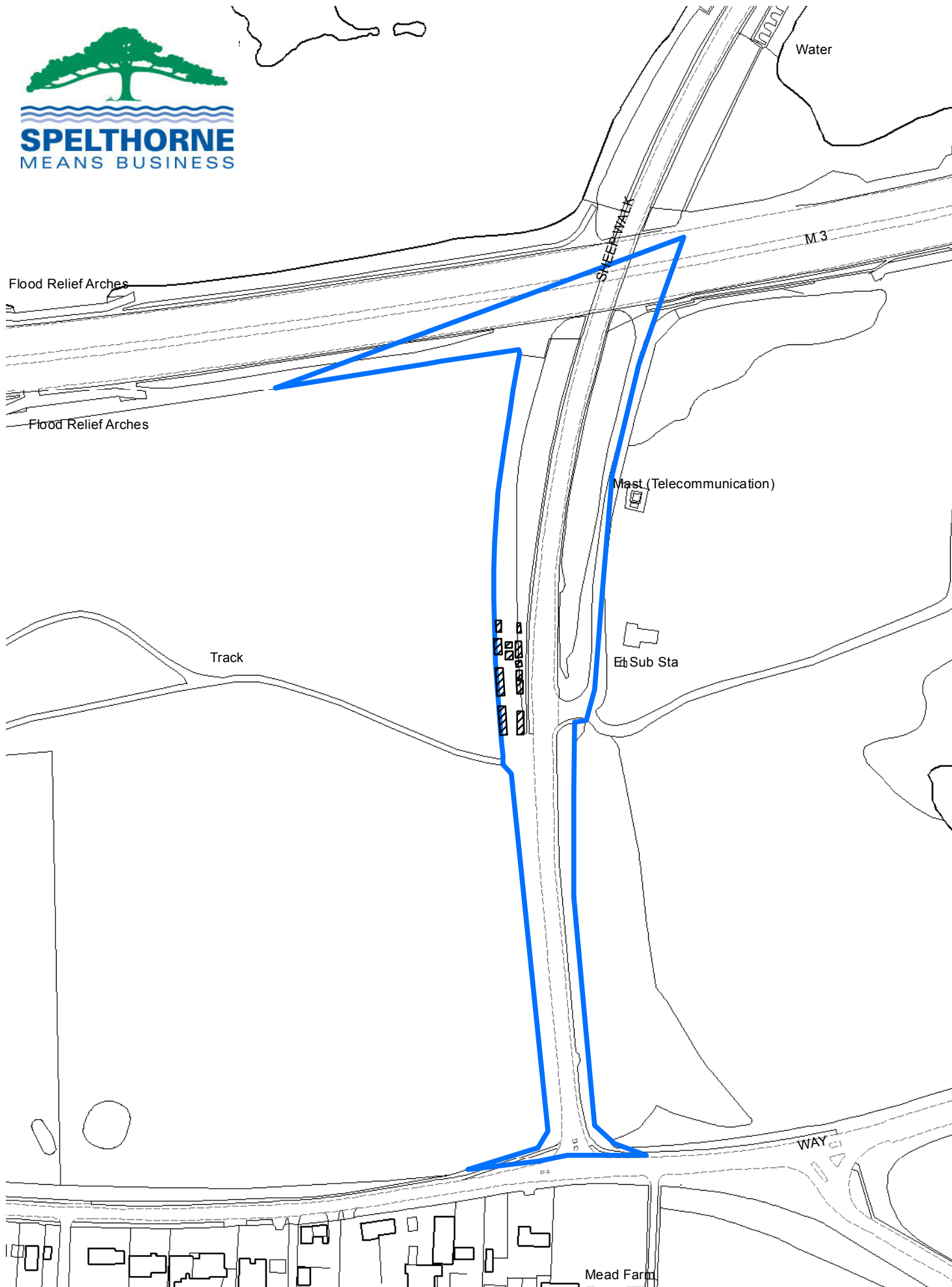
6. **Recommendation**

- i) That an Injunction be applied for under Section 187B of the Town and Country Planning Act 1990 to ensure cessation of the use of the land for:-
- a) Any residential purpose;
 - b) Parking or storage of any caravan, mobile home or any other residential structure or residential facility;
 - c) Parking or storage of any trailer, container, lorry body; or
 - d) Storage of miscellaneous items not connected with the lawful agricultural use of the above Site.
- ii) That authority be delegated to the Assistant Head of Planning (Development Management) in consultation with the Planning Committee Chairman to amend the reasons for serving the Injunction, if required, during the course of legal action.

Reasons for Serving of Notice

- 1) The siting of residential caravans, storage of vehicles and trailers and other items represents inappropriate development within the Green Belt for which there are no very special circumstances. The uses of the site also causes harm by reason of the detrimental impact on the character of the locality. The uses are, therefore contrary to the National Planning Policy Framework 2012 and saved policy GB1 of the Core Strategy and Policies DPD 2009.
- 2) The siting of residential caravans and storage of vehicles trailers and other items represents unacceptable development of the site which is out of character with the surrounding land, and which has a poor standard of amenity for the occupants. The use is therefore contrary to Policy EN1 of the Core Strategy and Policies DPD 2009.
- 3) The siting of residential caravans for travelling show people is unacceptable in this location in that it results in inappropriate development within the Green Belt, does not have a safe relationship with the highway and represents visually intrusive development, detrimental to the character and appearance of the surrounding area; contrary to Policy HO7 of the Core Strategy and Policies DPD 2009.
4. The site is located within the flood plain. Caravans and mobile homes represent “highly vulnerable” uses as defined in the Planning Practice Guidance. The use represents an unacceptable flood risk and would have an adverse impact on people and property. In addition, a safe means of escape cannot be provided. The use is, therefore, contrary to policy LO1 of the Local Plan and the Council’s SPD on Flooding.





Land Registry - Highways England Land on Sheep Walk, Shepperton.

Scale 1:2,500

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PLANNING APPEALS**LIST OF APPEALS SUBMITTED BETWEEN 27 JANUARY AND 23 FEBRUARY
2017**

<u>Planning Application Number</u>	<u>Inspectorate Ref.</u>	<u>Address</u>	<u>Description</u>	<u>Appeal Start Date</u>
16/01641/LBC	APP/Z3635/Z/1 6/3162332	Fresh Image Training 13 - 15 High Street Staines-upon-Thames	Display of advertisement for gym (retrospective) on side wall.	08/02/2017
16/01790/HOU	APP/Z3635/D/1 7/3168028	84 Groveley Road Sunbury On Thames	Erection of a first floor extension to provide habitable accommodation, associated roof alterations including raising of the ridge height, re-cladding of existing outer brickwork with red brick, and alterations to ground floor window.	08/02/2017
16/01741/CPD	APP/Z3635/X/1 7/3168974	10 Gloucester Crescent Laleham	Certificate of Lawfulness for proposed hip to gable roof alteration, rear facing dormer and 4 no. roof lights in front elevation.	22/02/2017

**APPEAL DECISIONS RECEIVED BETWEEN 27 JANUARY AND 23 FEBRUARY
2017**

Site	81 Garrick Close, Staines-upon-Thames
Planning Application no.	16/00460/FUL

Proposed Development:	Insertion of kitchen extraction system and change of use from Use Class A1 (Retail) to Use Class A5 (hot food takeaway)
Reasons for Refusal:	<ol style="list-style-type: none"> 1. The proposed change of use to a takeaway in this location, is considered to have a harmful impact on neighbouring properties in terms of noise, disturbance and odours, and insufficient information has been submitted in order to overcome the Council's concerns. The proposal therefore would have an unacceptable impact on the amenity of neighbouring properties contrary to Policy EN11 of the Core Strategy and Policies DPD 2009. 2. The proposed ducting as a result of its scale and location would appear visually obtrusive and out of character in the street scene contrary to Policy EN1 of the Core Strategy and Policies DPD 2009.
Appeal Reference	APP/Z3635/W/16/3158714
Appeal Decision Date:	03/02/2016
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Council raised concerns in relation to the noise, odours and disturbance likely to be associated with the processes involved as well as the comings and goings of customers. The Inspector noted that Wheatsheaf Lane has a quieter more residential character than Staines town centre and that parking appeared to be at a premium during the day and is likely to be in even more short supply at evenings and weekends. He considered that it was likely that customers of the takeaway would use Garrick Close for parking and turning and was also concerned that the development would generate a noticeable increase in traffic and associated noise, as the viability of the development would depend upon a consistent volume of business. The Inspector shared the Council's concern that the comings and goings of people whether on foot or in vehicles, until 11pm at night would generate a consistent and increased level of noise in what is predominantly a residential environment. He therefore agreed that the development would generate noise and disturbance for occupiers of neighbouring dwellings which would be detrimental to their living conditions.</p> <p>The Council argued that the extraction equipment proposed would be insufficient to deal with the odours and air flow associated with the cooking equipment and would need to be larger. The Inspector saw no reason to disagree with this view. He concluded that the development would be visually incongruous and obtrusive in appearance as the ducting would be prominent on a wall otherwise almost devoid of other equipment.</p>

	<p>He also commented that the flank wall of the precinct also faced residential development which would be contrary to LP Policy EN1.</p> <p>With regards to the impact of the proposal on the character of the area the Inspector agreed that the proposed ducting would be visually incongruous and obtrusive and prominent on a wall almost devoid of other equipment.</p>
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Site	19 Clifford Grove, Ashford
Planning Application no.	16/01593/HOU
Proposed Development:	Erection of an outbuilding (retrospective)
Reason for Refusal:	The outbuilding, by reason of its height, scale, bulk and proximity to the boundary, would have an overbearing impact on the adjacent property, number 21 Clifford Grove and would be out of character with the surrounding area, contrary to policy EN1 of the Spelthorne Core Strategy and Policies DPD, 2009.
Appeal Reference	APP/Z3635/D/16/3164300
Appeal Decision Date:	13/02/2017
Inspector's Decision	<p>The appeal is allowed.</p> <p>The award of costs against the Council is dismissed.</p>
Inspector's Comments:	<p>The Inspector considered that the main issues were the effect of the development on the character and appearance of the area and the effect of the development on the living conditions of occupiers of surrounding property, with particular reference to outlook.</p> <p>It was considered that the outbuilding is recognisable as a garden outbuilding and that its location and siting within the large, open rear garden means that it does not dominate the property or detract from the main dwelling. The Inspector also considered that the outbuilding is not so large as to dominate the property or detract from the main dwelling or character of the area.</p> <p>With regards to amenity, the Inspector stated that there is a significant amount of separation between the outbuilding and the houses on neighbouring properties. Although the outbuilding is visible from adjoining properties it is partially screened by boundary vegetation and is</p>

	<p>identifiable as a domestic outbuilding as commonly found in rear gardens. The Inspector therefore considered that the outbuilding did not create a large degree of enclosure of the neighbouring properties or appear overbearing. With regards to neighbours' concerns about potential noise and disturbance issues it was considered that any impacts arising from the use of the building are unlikely to exceed those which would normally emanate from a rear garden and that no significant overlooking of neighbouring gardens is possible from within the outbuilding. It was therefore considered that the development does not harm the living conditions of occupiers of surrounding properties.</p> <p>The Inspector concluded that the development does not conflict with Policy EN1 of the Core Strategy and Policies Development Plan Document 2009 and the appeal was allowed.</p> <p>An application for an award of costs was also submitted. The Inspector considered that although the application was refused despite an officer recommendation for approval, the process appeared to have been carried out within the Council's adopted framework for decision-making. The Inspector stated that "the costs of preparing and lodging the application would have been incurred regardless of whether an appeal had been made" and that he saw "no evidence of unreasonable behaviour having been displayed by the Council or any other party" and therefore refused the application for an award of costs.</p>
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Site	5 Cavendish Court, Sunbury On Thames
Planning Application no.	16/01162/HOU
Proposed Development:	Erection of two storey side extension.
Reason for Refusal	The proposed extension by reason of its location, design and scale would not respect the strong building lines of Cavendish Court, and it would create an incongruous feature which would have an unacceptably harmful impact upon the visual amenity of the character of the area. The proposal is therefore considered contrary to Policy EN1 of the Spelthorne Development Plan Core Strategy and Policies Development Plan Document and the Councils Supplementary Planning Document 2009 for the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference	APP/Z3635/D/16/3162757

Appeal Decision Date:	14/02/2017
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The appeal dwelling is unique in that it comprises one of a semi-detached pair, of which there are five arranged along the length of Cavendish Court, some of which have had minor alterations and extensions. The Inspector acknowledged that the appeal proposal was the first of this scale and that none of the other properties have a side elevation that currently abuts the highway in the manner proposed within the appeal scheme.</p> <p>The Inspector commented that the increased width of the dwelling as proposed extension would disrupt the regular pattern of development along the street and would also fill the space next to the road. As a result, the Inspector considered that this would affect the openness of the property and views along the road, cause it to appear wider and positioned differently with the otherwise harmonious arrangement of dwellings along the street. For these reasons, the Inspector concluded that the development would appear incongruous and out of place in the context of other dwellings in the locality, despite the case put forward by the appellant.</p>

Site	77 Thames Side, Staines-upon-Thames
Planning Application no.	16/01529/HOU
Proposed Development:	Erection of 2-storey side and rear extensions, formation of new roof to create a 2-storey dwellinghouse, single storey riverside extension, creation of balconies, and erection of detached garage.
Reason for Refusal:	The proposed development in terms of design, scale and location does not respect the prevailing pattern of development and would cause a terracing effect by virtue of it not being set in from the boundary to 76 Thames Side. The proposal is therefore contrary to Policy EN1 Core Strategy and Policies Development Plan Document 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference	APP/Z3635/D/16/3162952
Appeal Decision Date:	21/02/2017

Inspector's Decision	The appeal is allowed
Inspector's Comments:	<p>The Inspector considered that the main issues were the effect of the proposed development on the character of the appearance of the area and the living conditions of the occupiers of neighbouring properties, with particular regard to properties on Riverside Close.</p> <p>The Inspector noted that a similar scheme had been granted planning permission and that the difference between the two schemes was that in the approved scheme the north flank elevation at first floor level was set in from the line of the ground floor wall by 0.5m to provide a separation distance at first floor level of approximately 1m. The approved scheme was considered a realistic fall-back position and the Inspector gave it significant weight in determining the appeal and therefore considered the key matter to be determined was the impact of the additional 0.5m width at first floor level for the appeal proposal.</p> <p>The Inspector made reference to the Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 ('the SPD') which requires development to be set in a minimum of 1m from the side boundary to avoid a terracing effect. The Inspector considered the distance to the adjacent house (no. 76 Thames Side) would be sufficient to prevent a terracing effect and stated that he was satisfied that should there be an intention to extend no. 76 a proposal could be designed to prevent any terracing effect from resulting in the future.</p> <p>Taking into account the scheme recently permitted scheme at the appeal property the Inspector did not consider that an "additional 0.5m to the overall width of the scheme would make any significant difference to the effect of the scheme upon the character and rhythm of the street scene" and whilst it did not accord with the SPD, he did not consider that it would result in a harmful terracing effect.</p> <p>The Inspector also considered that the scheme would not result in any unacceptable impacts upon the living conditions of neighbouring properties and that it would not result in any significant flooding impact, subject to conditions.</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

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