

Planning Committee

15 October 2025



Application No.	25/00866/FUL
Site Address	29-35 High Street, Shepperton, TW17 9AB
Applicant	Oz Capital and Property Limited
Proposal	The erection of an additional storey and rear extension to create 14 total residential units (including the re-configuration of 6 existing units) and internal alterations to Unit C on the ground floor.
Case Officer	Matthew Churchill
Ward	Shepperton Town
Called-in	The application has been called in by Councillor Attewell as a result of overdevelopment, scale and design, separation distances, privacy, daylight and sunlight, parking provision, access, waste management, and the impact upon the surrounding local character.

Application Dates	Valid:11.07.2025	Expiry:10.10.2025	Target: Extension of time Agreed.
Executive Summary	<p>The application site is occupied by a three-storey building that contains commercial space on the ground floor and 6 residential units on the floors above. The site is situated on a prominent corner plot location at the junction of Shepperton High Street and Manor Farm Avenue.</p> <p>The property contains a car park at the rear, which serves the existing flats and commercial units that is accessed from Manor Farm Avenue to the north.</p> <p>The application proposes the erection of an additional storey and a rear extension on top of the existing ground floor that would create 14 total residential units and would include the re-configuration of the six existing units (resulting in an eight-unit increase). In the context of the scale and height of surrounding buildings in Shepperton High Street, which range from one to four storeys, the proposal is considered to have an acceptable impact upon the character of the area.</p> <p>There would be a shortfall in the separation distance between the extended building and No.13 Manor Farm Avenue. This would be 17.7 metres and would fall some 3.3 metres short of the Council's 21 metre 'back-to-side' guidance stipulated in the Council's SPD on Design of Residential Extensions and New Residential Development (April 2011). Whilst this shortfall is acknowledged, it is not considered that this would</p>		

	<p>amount to harm that would justify refusal and the benefits of eight additional units to the Council's 5-year housing land supply are considered to outweigh the harm.</p> <p>The application also proposes internal alterations to Unit C on the ground floor. There would be a total of 14 car parking spaces provided, 11 for the residential units and 1 parking space allocated to each of the commercial uses on the ground floor situated at the rear of the site. This is considered to be acceptable in a town centre location that is some 230 metres from Shepperton Railway Station.</p> <p>The proposal is considered to provide a good standard of amenity for future occupants and will have an acceptable impact on the amenity of neighbouring residential properties.</p> <p>It is therefore considered that the proposals would accord with national and local planning policies and the application is recommended for approval.</p>
Recommended Decision	Grant planning permission 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:
- Policy SP1 (Location of New Development)
 - Policy HO1 (Providing for New Housing Development)
 - Policy HO4 (Housing Size and Type)
 - Policy HO5 (Density of Housing Development)
 - Policy EN1 (Design of New Development)
 - Policy EM1 (Employment Development)
 - Policy TC3 (Development in Ashford, Shepperton and Sunbury Cross Centres)
 - Policy CC1 (Renewable Energy)
 - Policy CC2 (Sustainable Travel)
 - Policy CC3 (Parking Provision)
- 1.2 The policies contained within the National Planning Policy Framework (NPPF) (December 2024) are also relevant.
- 1.3 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.4 An Examination into the emerging Local Plan commenced on 23 May 2023. However, it was paused to allow time for the new council to understand and review the policies and implications of the emerging Local Plan and to address the issues that were identified in the first week of the Examination, in particular flood risk and its potential implications in relation to the site allocation and delivery strategy of the plan.
- 1.5 On 12 December 2024, the Planning Inspectorate confirmed that the Local Plan examination would resume on the 27 January 2025. This has now taken place and the Examination closed on 18 February 2025. Adoption of the Local Plan by Council could be by September 2025 subject to the plan being found sound by the Inspector and public consultation undertaken on the Main Modifications (<https://spelthornelocalplan.info/evidence-base/>).
- 1.6 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
- ST1: Presumption in Favour of Sustainable Development
 - ST2: Planning for the Borough
 - PS2: Designing places and spaces
 - SP2: Ashford, Shepperton and Sunbury Cross

- H1 Homes for All
 - EC1: Meeting Employment Needs
 - EC3: Local Centres, Shopping Parades and Isolated Retail Units
- The [National Planning Policy Framework](#) (NPPF) policy states at para 49 that: Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 1.1 Section 38(6) the Planning and Compulsory Purchase Act 2004 (https://www.legislation.gov.uk/ukpga/2004/5/pdfs/ukpga_20040005_en.pdf) requires applications to be determined in accordance with the development plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.
- 1.2 At this stage, the policies in the Pre-Submission Spelthorne Local Plan carry limited weight in the decision-making process. The adopted policies in the 2009 Core Strategy and Policies DPD carry substantial weight in the determination of this planning application.

2 Relevant Planning History

- 2.1 The site has the following planning history:

SUN/FUL/6181D	Erection of 4 shops, 6 maisonettes and 6 lock-up garages.	Granted 10.05.1963
SUN/FUL/6181/G1	Installation of shopfront.	Granted 10.07.1964

3 Description of Current Proposal

- 3.1 The application site is occupied by a three-storey building that contains commercial units on the ground floor and six flatted units above. The flats are each set over two storeys and are accessed via an external staircase situated at the rear of the building. A terraced area is also located on the first floor and a car parking area is situated to the rear of the site, which contains 10 off-street parking spaces that are accessed from Manor Farm Avenue.

- 3.2 The site is located on a prominent corner plot that is situated at the junction of Manor Farm Avenue and Shepperton High Street. The street scene of the High Street contains a mixture of building types that range between one to four storeys in height, which typically contain commercial uses on the ground floor. Manor Farm Avenue predominantly contains more traditional family scale dwellings, which at the east of the road are typically detached.
- 3.3 The application site is located within the Shepperton Designated Employment Area and the Shepperton Shopping Area.
- 3.4 The application proposes the erection of an additional storey and rear extension on top of the existing ground floor, to create 14 total units, which would include the reconfiguration of the six existing residential units, as well as internal alterations to 'Unit C' on the ground floor.
- 3.5 The proposed residential units would comprise 7 x 1-bedroom units and 7 x 2-bedroom units. Some of the units would be served by a balcony, and the fourth storey would be set in from the floor below on the front and side elevations and recessed at the rear to incorporate amenity space.
- 3.6 The application proposes the retention of the retail units on the ground floor, although the floorspace of 'Unit C' would be reduced to accommodate a lift, stairs, a lobby and plant that would serve the residential units above.
- 3.7 The plans also propose the modification of the existing vehicular access onto Manor Farm Avenue. The layout of the rear car park would be revised to provide 15 car parking spaces, 4 serving the ground floor retail uses and 11 serving the 14 x residential units. A bin store with separate areas for the commercial and residential uses would also be located at the north-west of the site.
- 3.8 The applicant's submission documents state that the scheme would incorporate brick and render, although in the event that planning permission was granted details of the materials would be secured by condition.
- 3.9 It is relevant to note that the plans initially showed that there would be an overhanging terrace/balcony at the rear (west) of the building at first and second floor levels. However, the LPA had concerns that this would have had a detrimental and incongruous impact upon the street scene. Such concerns were drawn to the applicant's attention who removed this element of the scheme from the plans.

4 Consultations

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

Statutory Consultees

Consultee	Comment
County Highway Authority	Recommends Conditions and Informatives.

Lead Local Flood Authority (SUDS)	No Comments.
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Non-Statutory Consultees

Consultee	Comment
Environmental Health (Contamination)	Recommends conditions and informatives.
Environmental Health (Noise)	To report in committee updates
Council's Sustainability Officer	Confirms the Council's renewable energy requirements will be met.
Spelthorne Neighbourhood Services	To report in committee updates
Surrey Wildlife Trust	Requests Conditions.

5 Public Consultation

5.1 The Council sent out 39 neighbour notification letters and has received 163 letters of representation, which object to the proposals on the following grounds:

- Concerns over pressure on local resources such as schools & GP Surgeries.
- The building would be intrusive/oppressive.
- Concerns relating to overdevelopment & density.
- The proposal is out of proportion for the High Street and the height would be out of keeping with the village character.
- The proposal is not comparable to a nearby development in Thurlestone Parade
- The scheme is an inappropriate size and is too close to a neighbouring property.
- The proposal would have an overbearing appearance
- The proposal breaches daylight/sunlight standards and would cause overshadowing.
- The existing flats have been designed to have set back windows to avoid overlooking.
- There would be a loss of privacy and shortfalls in separation distances and concerns with the proposed balconies and overlooking.
- The proposal breaches 25° guidance (*Officer Note: This guide is applicable to windows in the front and rear elevations, where there is not a breach*).
- The raised amenity spaces would be intrusive (*Officer Note: The overhanging rear amenity spaces have been removed from the plans*).
- The bins are too close to a neighbouring property (*Officer Note: Bins were observed in a similar position to the proposed bin store during the officer site visit, albeit that there were less bins currently than proposed in the application owing to the increase in units and the commercial bins currently being situated in a different location*).

- Parking provision is insufficient and on-road parking is also insufficient.
- Concerns over highway safety, the existing car parking situation and the siting of the nearby school (*Officer Note: the County Highway Authority has raised no highways concerns*).
- Entrances at the rear of the building will cause a safety concern and concerns for delivery vehicles (*Officer Note: The County Highway Authority has been consulted and raised no concerns in this regard*).
- There would be an inadequate level of cycle storage.
- Manor Farm Avenue is already a busy road.
- There would be an adverse impact upon existing businesses.
- There is no boundary vegetation as stated in the submission documents.
- Noise concerns.
- A Community Impact Assessment and Environmental Impact Assessment should be undertaken (*Officer Note: The proposal does not meet the threshold for an Environmental Impact Assessment*).
- Shepperton has already seen significant development and other sites should be considered (*Officer Note: The LPA must consider the proposals in front of it and not other sites*).
- There will be disruption during the construction period.
- The scheme would increase traffic and congestion.
- There has been a lack of engagement with neighbouring properties.
- The construction of flats does not satisfy the need for family housing.
- Concerns over the proposed materials.
- A condition should be attached to the decision notice requiring the scheme to accord with Part M4(2) of Building Regulations (*Officer Note: This could not be imposed when assessed against the Council's current planning policies and guidelines*).

5.2 The Council has also received two letters of representation in support of the proposals on the following grounds:

- The scheme is a sensible and much needed proposal.
- Concerns that letters of objection are not on valid planning concerns.
- The proposal is not a high-rise scheme.
- Shepperton is a commuter town that needs to accommodate a growing population.
- The UK is in the midst of a housing crisis.
- There is a similar development opposite the site.
- The current building is old.

6 Planning Issues

- Character and appearance
- Density and Making Effective Use of Land
- Future occupiers
- Housing Mix
- Amenity
- Noise
- Parking & Highways
- Ecology
- Flooding & SUDS
- Employment
- Climate Change and Renewable Energy
- Contamination
- Air Quality

7 Planning Considerations

Housing Land Supply

- 7.1 When considering planning applications for housing, local planning authorities should have regard to the government's requirement that they significantly boost the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF) 2024.
- 7.2 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five year housing land supply should be measured against the area's local housing need calculated using the Government's standard method¹. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 618 dwellings per annum in Spelthorne and this figure forms the basis for calculating the five-year supply of deliverable sites although A 20% buffer is required to be added for Spelthorne in accordance with Government requirements due to a historic under delivery.
- 7.3 The Council has considered its supply of deliverable sites, in line with the NPPF definition, as set out in Annex 2. The five year time period runs from 1 April 2023 to 31 March 2028. Government guidance (NPPF para 74) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years" which applies to Spelthorne. A 20% buffer applied to 618 results in a figure of 742 dwellings per annum, or 3,708 over five years.

¹ Planning Practice Guidance Reference ID: 68-005-20190722

- 7.4 In using the objectively assessed need figure of 742 as the starting point for the calculation of a four year supply it must be borne in mind that this does not represent a target as it is based on unconstrained need. Through the Local Plan review, the Borough's housing supply will be assessed in light of the Borough's constraints, which will be used to consider options for meeting need. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period.
- 7.5 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 3-year supply and accordingly the Council cannot at present demonstrate a four year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.
- 7.6 In terms of the five-year housing land supply figures, the need is 3,708 dwellings (including a 20% buffer) and the projected supply is 2780 dwellings which provides a five-year housing land supply of 3.8 years.
- 7.7 The information above is the Council's stated position as of 31/03/24. However, at the recent appeal on the Hazelwood housing scheme for 67 dwellings (23/00070/FUL – appeal hearing held on 22/10/24), it was acknowledged by the LPA that the housing supply position was continuing to deteriorate and the five-year supply currently stood at 2.35 to 2.4 years supply of deliverable housing.
- 7.8 In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority's five year land supply and a presumption in favour of sustainable development if the figure is below 75%. The Housing Delivery Test result (2023) for Spelthorne Borough Council was published by the Secretary of State in December 2024, with a score of 61%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of sustainable development because the test score of 61% is less than the 75% specified in the regulations. The figure compares with 68% last year, 69% in 2021 and 50% in 2020. The Council's Housing Delivery Test Action Plan will be updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.
- 7.9 As a result, current decisions on planning applications for housing development need to be based on the 'tilted balance' approach set out in paragraph 11 of the NPPF (2024). This requires that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination 9.'

Character and Appearance

- 7.10 At paragraph 131, the [NPPF](#) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. At paragraph 135, the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.11 Policy EN1 of the Core Strategy and Policies Development Plan Document 2009 ([CS&P DPD](#)) states that the Council will require a high standard in the design and layout of proposals for new development. The policy further states that proposals for new development should demonstrate that they will make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout and characteristics of adjoining buildings and land.
- 7.12 The [National Design Guide](#) indicates that well-designed places should enhance the surroundings, should be attractive and distinctive, achieve a coherent pattern of development, should be accessible and easy to move around, should enhance and optimise nature, should be safe, social and inclusive, should contain mixed and integrated uses, should be functional, sustainable, efficient and resilient and should be made to last.
- 7.13 The application site is situated on a prominent corner plot location at the junction of Shepperton High Street and Manor Farm Avenue. The street scene of the High Street is occupied by a mixture of buildings, that typically contain commercial uses on the ground floor, and which range from one to four storeys in height, with a recessed fourth storey present in Thurlestone Parade, situated on the eastern side of the High Street.
- 7.14 The application proposes the erection of an additional storey and a rear extension to create 14 total residential units, together with internal alterations to 'Unit C' on the ground floor. The fourth storey would be recessed, which would contribute towards a subordinate appearance, and would contain a balcony surrounding the residential units. It is not considered that a recessed fourth storey would be unduly out of character, particularly in the context of the recessed fourth storey on the southern side of the High Street in Thurlestone Parade.
- 7.15 Given that there is a further four-storey building in the surrounding street scene, as well as a range of building heights in the surrounding locality including the three storey building with a pitched roof at No.27 the High Street on the opposite side of Manor Farm Avenue, which the plans show is similar in height to the flat roof proposed over the application building, it is not considered that a recessed fourth storey would be unduly out of character in the context of the High Street.

- 7.16 The application also proposes to retain commercial units on the ground floor, albeit with alterations to 'Unit C', which is considered to be further in keeping with the surrounding locality.
- 7.17 The site is also located within the street scene of Manor Farm Avenue, which at the east of the road is typically occupied by two storey traditional family scale detached dwellings. However, given that the application building fronts the High Street and primarily impacts the street scene of the High Street, and as there are flatted units in the High Street situated to the north of Manor Farm Avenue, it is not considered that the proposals would be unduly out of character.
- 7.18 The applicant states that the proposal would incorporate brick and render, aluminium and timber windows, which are considered to be acceptable in the context of the surroundings. However, it is recommended that details of the materials are secured by condition. The proposed fenestration is also considered to have an acceptable visual impact upon the surrounding locality.
- 7.19 It is relevant to note that the plans initially showed an overhanging amenity space that would have been situated at the rear (western) elevation of the building at first and second floor levels. The Local Planning Authority (LPA) had concerns that this would have had an adverse and incongruous impact upon the street scene. This was drawn to the applicant's attention, who removed this element from the plans.
- 7.20 The proposals are therefore considered to be in accordance with the objectives of Policy EN1 and the NPPF in design terms.

Density & Making Effective Use of Land

- 7.21 Policy HO5 of the CS&P DPD states that within Ashford, Shepperton and Sunbury Cross centres, new development should generally be in the range of 40 to 75 dwellings per hectare. However, the policy also 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 where the site is in a location that is accessible for non car-based modes of travel.
- 7.22 When measured from the plans the proposal would have a density of approximately 136 dwellings per hectare and would therefore exceed the guidance in Policy HO5. However, in this instance, for the reasons highlighted above, the proposal is considered to be in adherence to the objectives of Policy EN1 in design terms. The site is also located approximately 230 metres from Shepperton Railway Station and there are bus stops on the High Street and Green Lane, which are a short distance from the site. It is therefore considered that the site is accessible by non-car modes of travel, and a higher density is considered to be in accordance with the objectives of Policy HO5 in this instance.

- 7.23 At paragraph 129, the NPPF states in relation to 'Achieving appropriate densities' planning decisions should support development that makes efficient use of land taking into account amongst other things, the identified need for different housing and other forms of development, the availability and capacity of infrastructure and services, the desirability of maintaining an areas prevailing character and setting, or of promoting regeneration and change, and the importance of securing well-designed, attractive and healthy places.
- 7.24 At paragraph 124, the NPPF states that planning decisions should promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment to ensure safe and healthy living conditions. At paragraph 125 d) the NPPF further states that planning decisions should promote and support development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. Additionally, at paragraph 125 e) the NPPF states that planning decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular they should allow upward extensions, where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, and the development is well designed and can maintain safe access and egress for occupiers.
- 7.25 Whilst the proposed density would exceed guidance within Policy HO5, the policy allows for higher density where a proposal has an acceptable impact upon the character of the area and is situated in a site that is accessible by non-car based modes of travel. In this instance, for the reasons highlighted above the proposal is considered to have an acceptable impact upon the character of the area and is situated in a location that is accessible by public transport nodes. The proposal is also considered to make an effective use of land and would contribute towards the Council's housing land supply in accordance with Section 11 of the NPPF. The proposed density is therefore considered to be acceptable.

Future Occupiers

- 7.26 The nationally described Technical Housing Standards (March 2015) stipulates minimum internal floor area requirements for variously sized units. The following minimum requirements are relevant to the current application:
- 1x bedroom, single storey, 1x person = 39m² (37m² where a shower is incorporated rather than a bath).
 - 1x bedroom, single storey, 2x person = 50m²
 - 2x bedroom, single storey, 3x person = 62m²
 - 1x bedroom, two storey, 2x person = 58m²
 - 2x bedroom, two storey, 3x person = 70m²
 - 2x bedroom, two storey, 4x person = 79m²
- 7.27 The units would each comply with the minimum internal floor areas outlined above.

- 7.28 The Council's SPD on the [Design of Residential Extensions and New Residential Development](#) (April 2011) states that in flatted developments, the first 5 units should be provided with a minimum of 35m² of amenity (garden) space per dwelling. The SPD further states that the next five units should be provided with a minimum of 10m² and each unit thereafter should be provided with 5m² of amenity space per unit. On this basis the LPA would normally expect to see a minimum of 245m² of amenity space for a development of this size. The plans also show that each of the habitable rooms would be served by window openings that would provide a degree of natural light.
- 7.29 The application proposes approximately 158m² of amenity space situated on the proposed balconies and roof space. Whilst this would fall short of the Council's guidance, the site is located within Shepperton High Street, where there are various amenities supporting residential development within a short distance. Moreover, the site is located some 460 metres from amenity space in Manor Park. On balance, the benefits of 8 additional dwellings to the Council's 5-year housing land supply are considered to outweigh this shortfall.

Housing Mix

- 7.30 Policy HO4 of the CS&P DPD states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments, including conversions, that propose four or more dwellings to include at least 80% of their total as one or two bedroom units. The application proposes 14 x one or two bedroom dwellings and would therefore be in accordance with the objectives of policy HO4.

Amenity

- 7.31 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or overbearing impact due to bulk, proximity or outlook.
- 7.32 At paragraph 135, the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.33 The property adjoining the site to the west, No.13 Manor Farm Avenue, contains two ground floor windows in the flank elevation. It is evident from the planning history of this property (14/00538/HOU), that one of the windows serves a kitchen and is the only window serving this room, and the further window serves the garage.

- 7.34 The Council's SPD on design contains a 45° vertical guide, which is designed to ensure that the height of extensions or new dwellings to either side of a property do not lead to an unacceptable loss of light to habitable rooms. At paragraph 3.22, the SPD states that in a few cases the main windows to a habitable room may be located on the side of a property. An unacceptable loss of light might therefore arise. As such, the 45° guide is also applicable to side windows. In this instance, the proposed dwellings would not breach the 45° vertical guide when measured from this window. The proposal is therefore considered to have an acceptable impact upon light.
- 7.35 It is noted that the LPA has received letters of representation referring to the Council's 25° guidance in relation to this window. At paragraph 3.21, the Council's SPD clarifies that the purpose of this guide is to ensure that in the area to the front or rear of a property, no new dwelling is so close that a significant view of the sky is lost. As the application building is not situated to the front or rear of No.13 Manor Farm Avenue, this guidance is not considered to be applicable when taken from this property.
- 7.36 The Council's SPD also contains a 'back-to-side' guide, which states that there should be a minimum separation distance of 21 metres between the side and rear elevations of three storey properties (a distance is not specified for four-storey buildings).
- 7.37 In this instance, the rear elevation of the extended building would be located approximately 17.7 metres from the flank elevation of no.13 Manor Farm Avenue, therefore falling 3.3 metres short of the Council's guidance. It should be noted however, that the SPD provides guidance, and in a recent appeal decision ([APP/Z3635/D/25/3366506](#)), the Inspector commented that "*it is important not to apply SPD over-rigidly*".
- 7.38 The flank elevation of No.13 measures approximately 17.8 metres in depth and contains two ground floor windows and a door, with one window appearing to serve a garage which is not a habitable room that contained obscure glazing, the door also appearing to contain obscure glazing, and one window serving the kitchen incorporating clear glazing, which is listed as a habitable room in the Council's SPD on design.
- 7.39 The garden area of No.13 is largely screened by a single storey rear extension at this property, and a fence was observed during the officer site visit that also partially screen the window. Whilst there would be a shortfall when measured against the Council's 'back-side-guidance' it is not considered that overlooking would be significant and to an extent that a recommendation for refusal could be reasonably justified. It should also be noted that the window is also currently visible at first floor level from the external staircase and rear terraced area, currently serving the dwellings within the application building.
- 7.40 It is noted that the applicants Planning Statement suggests that foliage alongside the boundary with no.13 Manor Farm Avenue, would mitigate any adverse impacts from overlooking. Whilst some foliage was observed during the first Officer site visit, this had been removed at the time of a second Officer site visit.

- 7.41 A number of window openings are contained within the southern elevation of no.27 The High Street, situated on the opposite side of the junction with Manor Farm Avenue. As a result of distance and given that the application building currently contains first and second floor windows in the northern flank elevation, it is not considered that the proposal would have an adverse impact upon light, privacy or an overbearing impact upon the occupiers of these dwellings.
- 7.42 The proposal is also considered to have an acceptable impact upon all further properties in the surrounding locality, including the commercial units at no.47 High Street to the south. The proposals are therefore considered to be in accordance with the objectives of policy EN1 and the NPPF in this regard.

Noise

- 7.43 Policy EN11 of the CS&P DPD states that the Council will seek to minimise the impact of noise by requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential noise sensitive development proposed in areas with high noise levels.
- 7.44 At paragraph 187, the NPPF states that planning decisions should contribute to and enhance to natural and local environment by preventing new and existing development from contributing to, being put at unacceptable levels of noise pollution.
- 7.45 The Council's Environmental Health Department has been consulted in relation to noise, which will be reported in the committee.

Parking & Highways

- 7.46 Policy CC2 of the CS&P DPD states that the Council will seek to secure more sustainable travel patterns by only permitting development traffic generating development where it is or can be made compatible with transport infrastructure in the area, taking into account access and egress to the public highway and highway safety. Policy CC3 states that the Council will require appropriate provision for off-street parking provision in accordance with its maximum parking standards.
- 7.47 At paragraph 116, the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 7.48 The [Councils Parking Standards SPG](#) states that a 1-bedroom unit should be provided with a minimum of 1.25 off street parking spaces per dwelling, and a 2-bedroom unit should be provided with a minimum of 1.5 spaces. On this basis, the LPA would normally expect a minimum of 20 spaces to be provided for the proposed residential units.

- 7.49 The applicant's Transport Statement indicates that 15 parking spaces would be provided in the development, with 11 being allocated to the to the proposed residential use. This would equate to a ratio of approximately 0.78 spaces per dwelling, and would fall 9 spaces short of the Council's SPG guidelines.
- 7.50 However, the Parking Standards SPG further states that a reduction in requirements will normally be allowed within the Borough's 4 Town Centres (including Shepperton), where any reduction will be assessed against the distance from public transport nodes, the frequency and quality of bus and train services, the availability and quality of pedestrian and cycle routes, and the range and quality of facilities supportive of residential development within reasonable walking distance such as retail, leisure, education and employment.
- 7.51 The application site is located approximately 230 metres from Shepperton Railway Station. There are also bus stops within the High Street and there are numerous amenities supportive of residential development. Given the Town Centre location of the site, it is considered that the proposed reduction against the Council's Parking Standards would be acceptable.
- 7.52 The applicant further states that 4 off-street parking spaces would be provided for the retail units on the ground floor. The Council's Parking Standards state that food retail should be provided with a maximum of 1 parking space per 14m² of internal floor space. The Standards further state that non-food retail should normally be provided with a maximum of 1 space per 20m². Unit C and D are both in use as food shops, and contain some 170m² of internal floor space in the proposed plans. Units A & B are non-food retail and contain some 210m² of floorspace in the proposed plans. On this basis the LPA would normally expect a maximum of 22.6 (rounded up to 23) spaces for a development of this size. As 4 spaces would be provided and this is applied as a maximum requirement, the proposal would be in accordance with the Council's Guidelines.
- 7.53 The Council has also consulted the County Highway Authority (CHA) which has noted that letters of representation have raised concerns around parking capacity and safety. However, the CHA is satisfied that the site is in a location with good accessibility to public transport modes to key everyday destinations and as such the proposed residents are less likely to be reliant on travel by private vehicles. As such the CHA has raised no objections on parking capacity or safety grounds. The CHA has recommended that conditions and informatives are attached to the decision notice.
- 7.54 The proposal is therefore considered to be in accordance with the objectives of policy CC2, CC3 and the NPPF in highway terms.

Biodiversity

- 7.55 The application is exempt from Biodiversity Net Gain (BNG) requirements as the proposals would not impact a priority habitat and would impact less than 25m² of on-site habitat, or 5 metres of line habitats such as hedgerows.
- 7.56 The applicant has also submitted a preliminary ecological assessment, which has been reviewed by the Surrey Wildlife Trust (SWT). The SWT recommended whilst the development would be exempt from BNG requirements, an Ecological Enhancement Plan should be secured by condition.

Flooding & SUDS

- 7.57 Policy LO1 of the CS&P DPD and states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne.
- 7.58 The application site is located within the Flood Zone 1 (where there is less than a 1 in 1000 year chance of flooding) and it is considered that a dry means of escape would be possible away from the site.
- 7.59 The LPA has also consulted the County SUDS department, which has indicated that it has no comments to make on the application.

Employment

- 7.61 Policy EM1 of the [Core Strategy and Policies Development Plan Document \(CS&P DPD\)](#) states that the Council will maintain employment development in designated Employment Areas including Shepperton Centre by encouraging proposals for redevelopment and extensions that enable business needs to be met, and which make the most effective use of available employment land. The policy further states that employment will be maintained by:
- 7.62 *“refusing proposals that involve a net loss of employment land or floorspace in Employment Areas, unless the loss of floorspace forms part of a redevelopment that more effectively meets needs for an existing business operating from the site or the loss of employment land is part of a mixed use development on the site which results in no net loss of employment floorspace, or it can be clearly demonstrated that the maintenance of existing levels of employment floorspace on the site is unsustainable and unviable in the long term”.*
- 7.63 At paragraph 85, the [NPPF](#) states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 7.64 There would be an approximate 35m² loss in floorspace at the rear of Unit C and as such the proposal would not meet the requirements of EM1. The proposal would nevertheless retain four retail units, and some 64m² of floorspace would be retained within Unit C. It is also relevant to note that the Use Classes Order was amended in 2020 with retail and other uses now absorbed into Class E meaning it is possible to convert the unit into certain other uses within Class E. It is also possible to convert retail space under permitted development through the prior approval process. Therefore, whilst it is acknowledged the proposal would not comply with policy EM1, it is not considered that a recommendation for refusal could be reasonably justified on this basis.

Climate Change SPD & Renewable Energy

- 7.65 The Climate Change Supplementary Planning Document (SPD) was adopted by the Council in April 2024. It provides more detailed guidance to applicants on how to implement adopted Policy SP7 from the Core Strategy 2009. Policy SP7 seeks to reduce climate change effects by:

- a) *promoting inclusion for renewable energy, energy conservation and waste management in new and existing developments*
- b) *development reduces the need to travel and encourages alternatives to car use*
- c) *encourage non car-based travel,*
- d) *promoting the efficient use and conservation of water resources,*
- e) *promoting measures to reduce flooding and the risks from flooding,*
- f) *supporting measures to enhance and manage Staines' role as a public transport interchange.*

- 7.66 There are also three implementation policies; Policy CC1: Renewable Energy Conservation and sustainable Construction, Policy CC2: Sustainable Travel and Policy CC3: Parking provision.

- 7.67 There are also other key documents supporting action on climate change; the NPPF 2023 chapter 14 "*Meeting the challenge of climate change*", the *National Model Design Code* and *Spelthorne Borough Council's Climate Change Strategy 2022 – 2030*.

- 7.68 A climate change checklist has been submitted with this application, in accordance with the new SPD requirements. This checklist shows that the applicant has considered the following factors: The use of windows to provide natural light to avoid the need for lighting, the use of solar panels and air source heat pumps, the encouragement of sustainable transport options.

- 7.69 Overall, the scheme performs well against the Council's SPD and climate change policies.

- 7.70 Policy CC1 of the CS&P DPD states that the Council will support the provision of renewable energy, energy efficiency, and proposed sustainable development generally by requiring extensions exceeding 100m² to include measures to provide at least 10% of the developments energy through renewable sources.

- 7.71 The applicant has submitted a renewable energy statement that has been reviewed by the Council's Sustainability Officer. It has been confirmed that the Council's renewable energy requirement would be met. The proposal is therefore considered to be in accordance with the objectives of policy CC1.

Contamination

- 7.72 Policy EN15 of the CS&P DPD states that the Council will ensure that development is proposed on land that may be affected by contamination, action will be taken to ensure the site is safe or will be made safe for its intended use.
- 7.73 At paragraph 196, the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking into account of ground conditions and any risks arising from land instability and contamination.
- 7.74 The applicant has submitted a contamination report, which has been reviewed by the Council's Environmental Health Officer, who has raised no objections subject to conditions and informatives.

Air Quality

- 7.75 Policy EN3 of the CS&P DPD states that the Council will seek to improve the air quality of the borough and minimise poor air quality.
- 7.76 The application has been reviewed by the Council's Environmental Health Officer, which has recommended conditions and informatives.

Affordable Housing

- 7.77 The application proposes 14 dwellings, which would include the re-configuration of six existing units at the site. This would not exceed the 15-unit threshold as set out in Policy HO3, and as such the application is not required to provide affordable housing when assessed against the Council's policies.

Trees

- 7.78 It was noted during the officer site visit that trees are located at the front of the site and a further tree is also situated in Manor Farm Avenue. This was drawn to the attention of the Council's Tree Officer who commented that they have no objection to this proposal, the trees to the front will not be impacted and the tree to the side is of no long-term value.

Equalities Act 2010

- 7.79 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

- 7.80 The elimination of discrimination, harassment and victimisation; the advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it; the fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from protected equality groups.

Human Rights Act

- 7.81 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.82 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.83 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.84 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

Financial Considerations

- 7.85 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal would generate New Home Bonus which is an economic benefit. It is a CIL chargeable development and will generate a CIL Payment of approximately £ 149,703. This is a mitigation against the development. The proposal will also generate Council Tax payments which is not a material consideration in the determination of this proposal.

Planning Balance

7.86 Policy HO1 of the CS&P DPD states that the Council will ensure provision is made for housing by encouraging housing development including redevelopment, infill, conversion of existing buildings to housing, on all sites suitable for that purpose taking into account other policy objectives.

7.87 The Council cannot demonstrate a 5-year housing land supply and can only demonstrate a supply of 2.35 to 2.4 years and as the 'tilted balance' applies. At paragraph 11, the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, including where a Local Planning Authority cannot demonstrate a 5-year housing land supply, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard for key policies directing development to sustainable locations, making effective use of land, securing well-designed places and providing adorable homes, individually or in combination.

7.88 In this instance, the application would make a contribution of eight additional dwellings to the Council's 5-year housing land supply. The proposals would fall some 3.3 metres short of the Council's 21 metre 'back-to-side' guidance as set out within the Council's SPD on design, when measured from the clear ground floor window serving a kitchen at no.13 Manor Farm Avenue, however this is not considered to result in significant harm in regard to overlooking or overbearing impact and would not justify a reason for refusal. Moreover, the shortfalls in amenity space are considered to be mitigated by facilities supportive of residential amenity in the surrounding locality including Manor Park, which is some 460 metres from the site.

7.89 The proposals would also fall short of the Council's Parking Standards, although as the site is located within a town centre location and is situated some 230 metres from Shepperton Railway Station, a reduction is allowed within the Parking Standards SPG and this aspect of the scheme is considered to comply with the Council's Planning Policies. The loss of employment space is also not considered to be to an extent that would reasonably justify a recommendation for refusal.

7.90 On planning balance and applying the tilted balance, the benefits of 8 additional units to the Council's Housing Land Supply, in a sustainable town centre location a short distance from public transport nodes, amenities and local facilities, which makes an effective use of the land is considered to outweigh the 3.3 metre shortfall against the Council's 'back-to-side' guide, which is guidance and not a mandatory minimum as well as shortfalls in amenity space.

8 Recommendation

8.1 The options available to Planning Committee for decision making are:

- To approve the application as set out in this report. This option is recommended. The report analyses the reasons why the application is considered acceptable in planning terms.
- To approve the application subject to additional/amended conditions and informatives. This option is not recommended, the conditions and

informatives are set out below. The Planning Committee should be minded of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects* ([National Planning Policy Framework](#)).

- To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable and there are no material planning reasons to refuse the proposal.

8.2 The application is recommended for approval subject to the conditions and informatives below:

8.3 **GRANT PLANNING PERMISSION** 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: 23141. 65 C, 23141.55 D, 23141. 61 D, 23141.60 D, 23141.50 E, 23141.56 D, 23141.58 C, 23141.59 D, 23141.57 D, 23141.52 E, 23141.51 D, 23141.53 E, 23141.54 D (Received 25.09.2025), 23141. 31 C, 23141.32 B 23141.33B (Received 07.07.2023)

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

3. No development above damp-proof course level shall take place until details of the materials to be used for the external surfaces of the buildings and other external surfaces of the development are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

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. The development hereby approved shall not be first occupied unless and until the proposed modified vehicle access has been constructed in general accordance with the approved plans.

Reason:-. In accordance with the sustainable objectives of Chapter 9 “Promoting sustainable transport” of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document February 2009

5. 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 and turning areas shall be retained and maintained for their designated purposes.

Reason:-. In accordance with the sustainable objectives of Chapter 9 “Promoting sustainable transport” of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document February 2009.

6. The development hereby approved shall not be occupied unless and until eight of the proposed parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority

Reason:-. In accordance with the sustainable objectives of Chapter 9 “Promoting sustainable transport” of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document February 2009.

7. The development hereby approved shall not be first occupied unless and until each of the proposed dwellings have been provided with cycle parking for a minimum of one cycle per dwelling in a high quality, secure, lit and covered storage in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason:-. In accordance with the sustainable objectives of Chapter 9 “Promoting sustainable transport” of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document February 2009.

8. During the development of the site, no HGV movements to or from the site shall take place between the hours of 8:00 and 9:20 am and 2:30 and 3:45 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in the High Street and Manor Farm Avenue during these times.

Reason:-. In accordance with the sustainable objectives of Chapter 9 “Promoting sustainable transport” of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document February 2009.

9. The works shall be carried out in accordance with the renewable energy details contained within the document entitled "*Energy Statement Proposed development at: 29-35 High Street, Shepperton, TW17 9AB*" unless otherwise agreed in writing by the Local Planning Authority. The agreed measures shall be implemented with the construction of each building and thereafter retained.

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

10. A watching brief is to be implemented during all ground works. Should any Made Ground or signs of contamination (such as ashy material, odour, staining of soil, sheen on groundwater or surface water) be discovered at any time during the development, sampling will be required. This 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.

A written method statement for the remediation of land 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 a remediation verification methodology.

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

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

NOTE

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

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

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

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

Reason:- In the interests of biodiversity at the site.

INFORMATIVES

1. The applicant should be mindful not to create excessive dust emissions during demolition works, particularly where any asbestos containing materials may

be present. A Refurbishment and Demolition asbestos survey is required to determine if asbestos containing materials are present. If removal of asbestos containing materials is required appropriate removal (without significant damage), handling and disposal by competent persons is required. The Health & Safety Executive (HSE) have produced a guide to safe removal of asbestos containing materials, which outlines good practice, how to prepare and what equipment is needed, how to remove it and how to deal with the waste once removed. There is also information on the HSE website about how to comply with the regulations, including a more generic guide to working safely with asbestos - <http://www.hse.gov.uk/asbestos/protect.htm>

2. Condition No 6 has been recommended because Surrey County Council's Electric Vehicle charging requirements for the development proposed, exceeds those as defined within Building Regulations. The County Highway consider it is necessary for the condition to be imposed on any consent granted, in accordance with the requirements of the NPPF (2024) at paragraph 117 (e) and Surrey County Council's LTP4 policy on improving emissions intensity and energy efficiency of vehicles and operational efficiency of roads through technology improvements.
3. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2024. Where undercover parking areas (multistorey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
4. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
5. 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.

6. 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).
7. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking.
 - (a) Work which is audible beyond the site boundary shall only be carried out between 8 am to 6 pm Monday to Friday, 8 am to 1 pm Saturday and not at all on Sundays and Bank Holidays.
 - (b) The quietest available items of plant and machinery shall be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.
 - (c) Deliveries shall only be received within the hours detailed above.
 - (d) Adequate steps shall be taken to prevent dust causing nuisance beyond the site boundary. These could include the use of hoses to damp down stockpiles of materials which are likely to generate airborne dust, to damp down during stone/slab cutting, and the use of bowzers and wheel washes.
 - (e) There shall be no burning on site.
 - (f) Only minimal security lighting shall be used outside the hours stated above.
 - (g) Building materials and machinery shall not be stored on the highway and contractors' vehicles shall be parked with care so as not to cause an obstruction or block visibility on the highway.
8. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

For amended permissions, a new CIL Liability Notice will only be issued where there has been a change to the developments Gross Internal Area (GIA). Where there is no change in GIA, the CIL Liability Notice for the original permission applies.

In all cases, if you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development.

*Please note, where planning permission is granted by way of general consent (including prior approval notifications), a Liability Notice will be generated following the submission of a Notice of Chargeable Development.

Before any works in respect of a CIL liable development is commenced, a Commencement Notice, or Notice of Chargeable Development in cases of general consent, must be submitted to the Council.

Non-compliance with the CIL Regulations will trigger enforcement action under the Part 9. Further information on CIL and the stages which need to be followed is available on the Council's website. www.spelthorne.gov.uk/CIL. Further guidance can be found on the Government website on the following link - <https://www.gov.uk/guidance/community-infrastructure-levy>.

9. Soil used in the amenity areas must be certified as suitable for use. Prior to the occupation of the dwellings, and on completion of any agreed contamination remediation works, a report that demonstrates the suitability for use of all soils on site should be submitted to and agreed in writing by the Local Planning Authority.