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Date: 21 December 2018

## Notice of meeting

### Planning Committee

**Date:** Wednesday, 9 January 2019

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

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

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

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

#### To the members of the Planning Committee

Councillors:

R.A. Smith-Ainsley (Chairman)	R. Chandler	A.L. Griffiths
H.A. Thomson (Vice-Chairman)	S.M. Doran	N. Islam
C. Barnard	Q.R. Edgington	S.C. Mooney
I.J. Beardsmore	T.J.M. Evans	R.W. Sider BEM
S.J. Burkmar	M.P.C. Francis	

Following the conclusion of the business of this meeting, Planning Officers will provide a training session for councillors on the Green Belt, focussing particularly on the NPPF 2018, followed by a question and answer session.

**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 - 14**  
To confirm the minutes of the meeting held on 12 December 2018.
- 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) Application 18/01159/FUL - Staines Ex-Servicemen's Club, 6 Laleham Road, Staines-upon-Thames, TW18 2DX **15 - 44**
  - b) Application 18/01000/FUL - Jewson Builders Merchant, Moor Lane, Staines-upon-Thames. **45 - 82**
- 5. Development Management Performance** **83 - 104**  
To advise the Committee Members on the recent Planning Development Management performance.
- 6. Planning Appeals Report** **105 - 112**  
To note details of the Planning appeals submitted and decisions received between 2 November and 18 December 2018.
- 7. Urgent Items**  
To consider any items which the Chairman considers as urgent.

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**Minutes of the Planning Committee  
12 December 2018**

**Present:**

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

**Councillors:**

C. Barnard	S.M. Doran	N. Islam
I.J. Beardsmore	T.J.M. Evans	S.C. Mooney
S.J. Burkmar	M.P.C. Francis	R.W. Sider BEM
R. Chandler	A.L. Griffiths	

**Apologies:** Apologies were received from Councillor Q.R. Edgington

**In Attendance:**

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

Councillor V.J. Leighton - 18/01043/FUL - Maytree Stables, Ferry Lane, Shepperton, TW17 9LQ and 18/01426/RVC - Halliford Studios Limited, Manygate Lane, Shepperton, TW17 9EG

**288/18 Minutes**

The Minutes of the meeting held on 14 November 2018 and the reconvened session of the 19 November 2018 were approved as a correct record.

**289/18 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, C. Barnard, S. Doran, T.J.M. Evans, M.P.C. Francis, N. Islam, S.C. Mooney and R.W. Sider BEM reported that they had received correspondence in relation to application 18/01332/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors R.A. Smith Ainsley, H.A. Thomson, C. Barnard, I.J. Beardsmore, S. Burkmar, R. Chandler, S. Doran, T.J.M. Evans, M.P.C. Francis, A.L. Griffiths, N. Islam, S.C. Mooney and R.W. Sider BEM reported that they had received correspondence in relation to application 18/01043/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors R.A. Smith Ainsley, H.A. Thomson, C. Barnard, I.J. Beardsmore, S. Burkmar, R. Chandler, S. Doran, T.J.M. Evans, M.P.C. Francis, A.L. Griffiths, N. Islam, S.C. Mooney and R.W. Sider BEM reported that they had received correspondence in relation to application 18/01426/RVC but had maintained an impartial role, had not expressed any views and had kept an open mind.

In relation to Application 18/01043/FUL Ward Councillor V. Leighton declared that she is a resident of Hamhaugh Island, Shepperton and has private off road parking.

**290/18 Planning application - 18/01332/FUL - 40 Glenfield Road, Ashford, TW15 1JL**

**Description:**

This application sought the erection of part single storey, part two storey side extension and single storey rear extension following demolition of existing garage, outbuildings and rear extension and conversion of existing dwelling into a House of Multiple Occupation for 7 persons.

This application had been called into Committee for determination by Councillor Thomson on the grounds that the proposal did not comply with Policies EN1, CC3, HO5 and guidance contained in the SPD for the Design on New Residential Development and Householder Extensions.

**Additional Information:**

One additional letter has been received (including photos) making the following points in relation to the Planning Committee report:

- Impact upon the character and appearance of the area
- Un-neighbourly
- Impact on amenity
- Unacceptable on street parking and safety
- Planning permission is required for 7 persons because this may have an impact on character
- Non-compliance with policy EN1 in not making a positive contribution to the street; unsatisfactory relationship with adjoining properties and inappropriate/insufficient off street parking
- Precedent

**Public Speaking:**

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

- Concern about HMO
- Out of character, change to character of property
- Unneighbourly
- Impact on amenity
- EN1 requires a positive contribution to the street scene
- On street parking concerns causing danger
- Precedent

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

- EN1 – the design of this development is similar to that already approved
- CC3 parking has been reviewed by the Highways Authority
- Policy H01 not a new development, but an existing development.
- No complaints from Environmental Health or the Police
- Applicant is a registered landlord, has grade A HMO licence
- Landlord complies with all regulations
- Can operate HMO for 6 people under permitted development, this is 1 more

In accordance with the Council's procedure for speaking at committee meetings, Ward Cllr Thompson spoke and raised the following key points:

- Has received a lot of objections
- Will change the character of the building
- Planning condition could be imposed limiting the use to 7 residents
- Planning permission had already been granted for the extensions

**Debate:**

During the debate the following key issues were raised:

- Large representation against application
- Change to a building that changes the character
- Would be restricted to 7 therefore smaller change
- EN1(a) issue – high standard of design
- Layout – communal space is small but meets HMO standards
- 6 rooms show double beds therefore possibly 13/14 people.
- Parking – 3 cars in minimal space
- Heavily congested road, cars over pavements and across footpath
- Properties never intended as HMOs
- HO1 referred to but was called in on HO5

- Environmental Health made no comment at this stage, but could object to room sizes at the licensing stage – not a planning consideration
- Communal kitchen/diner is similarly small
- Potential problems for locality associated with the use of the property as an HMO
- Is there a difference between the existing approval and the HMO in terms of built form?
- New application with 7 separate dwellings
- What is the car parking for 7 flats?
- Parking difficult after 6pm
- Parking layout doesn't work
- Bulk has been approved, additional development too much
- Pushing boundaries on what's already there with additional pressure on local residents
- Is front door adjacent to parking?
- Parking space appears to be an inadequate size
- Looks unsafe – means of escape inadequate
- Realistically there would be more than 7 people living there - conditions can't be enforced
- This is about the impact of 1 additional occupant
- Is there adequate bin storage?
- It will have an adverse impact on surrounding residents
- Kitchen and communal area inadequate for 7 people

**Decision:**

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

The proposed use of the site as an HMO for 7 residents would result in a development which would have an adverse impact on the character of the surrounding residential area, contrary to policy EN1(a) of the Spelthorne Borough Core Strategy and Policies DPD, 2009.

The proposed on-site parking is inadequate to serve the proposed development which would result in unacceptable on street parking in the locality, contrary to policy CC3 of the Spelthorne Borough Core Strategy and Policies DPD, 2009.



**291/18 Planning application - 18/01043/FUL - Maytree Stables, Ferry Lane, Shepperton, TW17 9LQ**

**Description:**

This application sought the change of use of existing land to a car park with a grill grass reinforcement mesh surface treatment together with installation of new fencing and entrance gate with restricted hours access for a temporary period until 31<sup>st</sup> October 2019.

Councillor Leighton called in this application, and submitted Very Special Circumstances to demonstrate that the benefits of the proposal outweigh any harm to the openness of the Green Belt.

**Additional Information:**

Paragraph 7.5 has been amended to reflect that there are on-street parking restrictions in the vicinity, including both double yellow lines in places and single yellow lines with a restriction of 8am to 8pm Monday to Saturday during the months between May and October.

A slide was presented to show these restrictions to the Planning Committee meeting.

**Public Speaking:**

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

- SBC has assisted in recreational provision on the river
- Lots of facilities in the area need car parking
- Loss of 200 car parking spaces in immediate area has impacted on vitality
- Adverse impact on residential amenity
- Residents associations support the proposal
- Will provide much needed parking
- Location is a hub for river uses
- Pick up/drop off location
- Many clubs in immediate location
- Will free-up existing parking spaces

In accordance with the Council's procedure for speaking at committee meetings, Ward Cllr Mrs V Leighton spoke for the proposed development and raised the following key points:

- Meets very special circumstances for recreational facilities
- Supports relationship with river
- Parking restrictions exist all summer when there are lots of activities
- Will assist with community parking

**Debate:**

During the debate the following key issues were raised:

- Meets very special circumstances test in Green Belt by meeting a demand for specific river uses
- Popular destination, no public transport
- Ferry service requirements
- National events
- Disabled access point to river
- Will provide community parking
- Parking provision may be misused
- Refusal includes flooding but surface is permeable
- Loss of car parks at Lock
- River events throughout summer
- Very special circumstance –allowing parking for canoe training outweighs harm
- Not 24 hour therefore flooding concern addressed
- Public cannot park at carpark adjacent to Thames Court
- Very special circumstances parking to people wanting to use the area, canoe users, Weybridge Mariners Club.
- Permeable site
- Temporary nature of use
- Very special circumstances – promoting health and wellbeing
- Could additional disabled access be provided
- NPPF s145(b) use in connection with sports /rec
- Green Belt – but temporary proposal - therefore not a significant impact
- Loss of an event due to lack of parking
- Community orientated business
- Allowing access through private land
- One car park has already change its tenure (now private)
- GPDO use of land allows 28 days to address event requirements
- Is it a pay carpark?
- Public have requested this

**Recorded Vote:**

Councillor Beardsmore called for a recorded vote on the motion to refuse the application.

The voting was as follows:

<b>For: 9</b>	Councillors: R.A. Smith-Ainsley (Chairman), H.A. Thomson (Vice-Chairman), I.J. Beardsmore, R. Chandler, S. Doran, T. Evans, A.L. Griffiths, N. Islam, S.C. Mooney
<b>Against: 4</b>	Councillors: C. Barnard, S. Burkmar, M. Francis, R.W. Sider (BEM)

The motion was **carried**.

**Decision:**

The recommendation to refuse was agreed.

**Adjournment:**

On the conclusion of Application 18/01043/FUL, at approximately 21:25hrs, the Chairman called for a 10 minute adjournment, during which time the following Councillors left the meeting:-

Councillor S. Burkmar; Councillor R. Chandler; Councillor A.L. Griffiths

**292/18 Planning application - 18/01426/RVC - Halliford Studios Limited, Manygate Lane, Shepperton, TW17 9EG**

**Description:**

This application sought Variation of Condition 2 (Approved Drawings) of planning permission 17/01065/FUL for 24 dwellings, to allow the brick wall along the northern and eastern boundaries to be replaced with 1.8 metre high close boarded fence topped with 300mm trellis, and a 2.1 metre high wall.

Councillor Sider had requested this application to be reported to the Planning Committee for consideration on the grounds that the replacement fence does not achieve a satisfactory relationship to adjoining properties and will be detrimental to the street scene in Gordon Road.

**Additional Information:**

Two late letters of objection have been received. Issues raised include:

- The fence has already started to fall into disrepair.
- Some trellis has fallen off.
- One post is now leaning over.

An e mail was sent to the Members of the Planning Committee from a local resident. The email shows comparison photographs of the former wall and the new fence.

**Public Speaking:**

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

- Character and visual impact – fence not in keeping with area
- Loss of brick wall
- Design and durability – height and durability wooden panels rot and get vandalised
- Loss of privacy - Gordon Rd side higher
- Noise and security – housing development would be noisy. Brick wall more secure

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

- Intended to retain boundary wall but walls structurally and visually unsound
- Danger of collapse due to condition of buildings
- Fencing more appropriate to housing development
- Fence is not out of character, acceptable design

In accordance with the Council's procedure for speaking at committee meetings, Ward Councillor Mrs V Leighton spoke against the proposed development and raised the following key points:

- Don't accept justification to demolish wall
- Doing bare minimum
- Not considerate contractors
- Wooden fence and gravel board not appropriate
- No need to remove the wall
- Fence should be replaced with a wall

**Debate:**

During the debate the following key issues were raised:

- Should put back what has been taken down
- Walls do move
- Substantial wall characteristic of 1950s and does not compare to a trellis fence
- Residents were concerned at the initial state and were given assurances, residents were ignored
- Wall was a feature of Gordon Road cul-de- sac
- Wall should have been inspected by developers
- Enforcement action should be taken to remove unsightly fence which adversely affects the street scene and surrounding area

**Decision:**

The recommendation to approve was OVERTURNED and planning permission was **REFUSED** for the following reason:

The proposed fence would, by reason of its design and location, represent a poor quality development which fails to respect and make a positive contribution to the street scene and would be out of character with the surrounding area, contrary to policy EN1 (a) of the Spelthorne Borough Core Strategy and Policies DPD, 2009.

During consideration of Application - 18/01426/RVC it was moved by Councillor Beardsmore, and seconded by Councillor Thomson, that having sat continuously for nearly three hours, Standing Order 5.1 be suspended to allow the meeting to continue to the conclusion of the current item of business.

**293/18 Committee meeting date change**

The Committee Members agreed the proposed change from the scheduled date of Wednesday 1 May 2019 to Tuesday 23 April 2019 at 6.45pm.

**294/18 Urgent Items**

There were none.

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18/01159/FUL Staines Ex Servicemens Club, 6 Laleham Road, Staines-upon-Thames, N  
Scale: 1:1,250

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# Planning Committee

9 January 2019



<b>Application No.</b>	18/01159/FUL		
<b>Site Address</b>	Staines Ex Servicemen's Club, 6 Laleham Road, Staines-upon-Thames TW18 2DX		
<b>Proposal</b>	Proposed demolition of existing Clubhouse building and outbuildings to allow for construction of a new ex-servicemen's club house and apartment complex comprising 14 no. apartments with integral car and bicycle parking, refuse storage, landscaping and amenity together with altered vehicular access point from Laleham Road.		
<b>Applicant</b>	Mr D Conway, Ravensgate (Staines) Limited		
<b>Ward</b>	Riverside and Laleham		
<b>Call in details</b>	Cllr Davis has called this application in on the grounds that this community partnered regeneration project will transform the area and improve the street scene, retaining a river view and providing improved vehicular access and road safety. It will save the ex-servicemen's club, which needs updating, and has a sensible approach to flood risk. It will also provide much needed housing in a prime location, combined with a community amenity and economic growth.		
<b>Case Officer</b>	Kelly Walker		
<b>Application Dates</b>	Valid: 15/08/2018	Expiry: 14/11/2018	Target: over 13 weeks Extension of Time Agreed.
<b>Executive Summary</b>	<p>This planning application seeks the demolition of the existing buildings on site comprising the existing clubhouse and the redevelopment of the site for a new clubhouse and 14 apartments, landscaping and amenity space provision, along with alterations to the vehicular access on Laleham Road.</p> <p>The proposal is considered to be an overdevelopment of the site, providing a design which has little regard to that of neighbouring properties. It would not make a positive contribution to the street scene and as such, is considered to be unacceptable on design grounds. Although it would be an efficient use of land providing a good standard of housing, there is little space provided around the building. It will also have an unacceptable impact on flooding, with an inadequate FRA being provided. It would conform to policies on highway issues, parking provision, housing, and renewable energy.</p>		
<b>Recommended Decisions</b>	This planning application is recommended for refusal due to the design and impact on the character of the area and on flooding grounds.		



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## MAIN REPORT

### 1. Development Plan

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

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- CO1 (Community Facilities)
- CO2 (Provision of Infrastructure for New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN9 (River Thames and its Tributaries)
- EN11 (Development and Noise)
- EN13 (Light Pollution)
- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

1.2 Also relevant are the following Supplementary Planning Documents/Guidance:

- SPD on Design of Residential Extensions and New Residential Development
- SPG on Parking Standards
- SPG on Flooding

- 1.3 The advice contained within the National Planning Policy Framework (NPPF) 2018 is also relevant.

## **2. Relevant Planning History**

16/01088/FUL	Erection of part single storey/part two and a half storey building (over 3 floors) containing new Staines Riverside ex-servicemen's clubhouse and 14 no flats with integral car, bicycle parking and refuse storage, following demolition of existing building and altered vehicular access.	Withdrawn 27.12.2016
PLAN W/FUL /83/249	Erection of a single-storey extension to Staines Ex-Servicemen's Club measuring 6 ft. (1.82 m) by 13 ft. 9 ins. (4.20 m) providing dressing room accommodation.	Granted 29.06.1983

## **3. Description of Current Proposal**

- 3.1 The site comprises an area of 0.13ha and is located to the western side of Laleham Road, with the River Thames to the west, across the tow path. The northern part of the site is occupied by the existing building consisting of a part single storey, part 2 storey clubhouse, with a separate flat. The building directly adjoins the road to the east. It has a terrace overlooking the River Thames on the western elevation. The southern part of the site consists of the car park area for approximately 21 cars, which is accessed from Laleham Road with a barrier across.
- 3.2 The site is located within the urban area. It is located within the 1 in 100 year flood plain, however the south western corner is within the functional floodplain, which has a 1 in 20 year chance of flooding. The front of the site on the road is within the 1 in 1000 year flood zone.
- 3.3 The site is located outside of the commercial area of Staines town centre, (which is located to the north). The area is characterised mainly by residential uses and is distinctly different to the commercial uses to the north of the iron bridge. There are a few commercial uses nearby including a dry cleaners on the corner of Gresham Road and Laleham Road directly opposite the application site and a hand car wash to the south, next door but one. There is also the public open space along the river at Victoria Gardens located to the north of the site before the railway bridge.
- 3.4 The common height of buildings fronting Laleham Road is 2 storey. Properties opposite are relatively small cottage style semi-detached and terraced properties of traditional design and materials. Directly to the north are the residential flats at Regatta House, no's 1-5. This is a 3 storey building abutting with a block of garages to the north. (This property is also in the same ownership of the club). To the south is a single residential dwelling at no. 26

Laleham Road, which is 2 storey, with dormers at first floor facing the application site and traditional in design and materials. This property is set back from Laleham Road and has its main garden located to its north, towards the application site. Beyond this are more residential houses facing the river and a hand car wash at a former petrol station, accessed from Laleham Road. St Peter's Church, which is a Grade II listed building is further to the south. Other dwellings in the vicinity are varied in design. Some are 3 storey, including those on the opposite side of the road, adjacent to the Iron Bridge. These, as well as the nearby locally listed and listed buildings some along Gresham Road have traditional features and are domestic in character and scale. There is a 3 storey block of flats at Lauderdale House on the opposite side of Gresham Road. This has a shallow pitched roof and is set back from the street frontages the area has a sense of space with gaps between the built form and the relatively low height and pitched roofs provide space between the built form and views of the sky.

- 3.5 The Ex Servicemen's club was established in the 1930s to cater for the needs of ex-servicemen and servicewomen from Her Majesty the Queen's armed services in Staines. The club provides indoor recreation of various types, live music and a place to meet with a bar and snacks being offered.
- 3.6 The proposal is for the demolition of the existing building and erection of a block of 14 flats over 4 stories, including an undercroft car park for 24 cars (17 for residential units and 7 for the club use), which will be excavated into the ground. The proposal also provides refuse storage facilities for the club and also the proposed flats. The proposal will comprise 2 buildings joined together by balconies, terraces and walkways. The overall building will be mainly 4 storeys in height. It will measure some 30m in total length, (with a 6m gap between the buildings), some 20.5 in depth and up to 11m in height. It will be faced in a mix of cream brick (rustication at ground floor) white render and grey metal cladding.
- 3.7 There will be a new layby created centrally within the site to provide space for deliveries, refuse collection and will lead to the new entrance to the undercroft parking area. There will be small areas of landscaping along the sides of the proposed built form and the provision of balconies and terraces for amenity purposes.
- 3.8 The proposed site layout and elevation plans are provided as an Appendix.

#### **4 Consultations**

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

<b>Consultee</b>	<b>Comment</b>
County Highway Authority	No objection subject to conditions
Environment Agency	Raises objection due to inadequate FRA concerned about the proposal causing greater flood risk to people and properties in

	the Borough during a flood event
Group Head of Neighbourhood Services (refuse)	No objection
Sustainability Officer	No objection
Local Lead Flood Authority (Surrey County Council)	No objection. Recommends conditions
Crime Prevention Officer	No objection. Makes a number of detailed security related comments. Requests a condition to require the development to achieve the Secure by Design award.
Natural England	No comments made.
Surrey Wildlife Trust	No objection.
Tree Officer	No objection.
Thames Water	No objection with regard to sewage infrastructure. Recommends an informative
Environmental Health (Contaminated land)	No objection. Recommends conditions.
Environmental Health (Air Quality)	No objection. Recommends conditions.
Environmental Health (construction/dust)	No objection. Recommends conditions.
SCAN Officer	Raises concerns about disabled parking for the club, lift being suitable for wheelchair users and access into the club should be via a ramp, rather than a step
Staines Town Society	Raises an objection on design, out of character, overdevelopment of the site, little landscaping, loss of 2 trees, flooding including lack of escape route, noise and disturbance to new residential units from club use, traffic, poor air quality, current site appearance is not justification to grant permission.

## 5. **Public Consultation**

5.1 A total of 32 neighbouring properties were notified of the planning application. In addition, statutory site notices were displayed and the application was advertised in the local press. 8 letters have been received: 7 objecting and 1 in support.

5.2 Reasons for objecting include:-

- Poor design - boxy unsympathetic to the Victorian cottages
  - Flats roofs and stark industrial look needs to be more sympathetic with the surroundings
  - No attempt to improve pedestrian access to the town
  - Density too high
  - Over development
  - Out of character
  - Cars existing underground car park will shine lights into house opposite
  - Currently appears overbearing due to the height and design
  - Loss of outlook and view
  - Overlooking and loss of privacy
  - Cramped/dominates the site
  - Gated access will create impact on road users
  - Loss of light on opposite side of road
  - Road already very busy and Lorries regularly get stuck under the iron bridge road is very narrow - highway safety issues
  - Road make up is poor including gas, water and sewerage – more people living there will put greater pressure on this.
  - Noise disturbance and dust during works will take its toll on the health and well-being of neighbours in close proximity.
  - The consultation meeting that was held should have been before the planning application consultation period
- Reasons for supporting include:-
- Providing a valuable community facility
  - Existing building is deteriorating
  - Improve the visual appearance of the site

The applicants also carried out a public consultation. In addition, plans of the proposal are currently displayed at the club.

## **6. Planning Issues**

- Principle of the development
- Provision of community facilities
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Flooding
- Renewable energy
- Ecology
- Dwelling mix
- Impact on trees
- Air quality

## **7. Planning Considerations**

### **Need for housing**

- 7.1 In terms of the principle of housing development regard must be had to paragraphs 59-61 of the National Planning Policy Framework (NPPF) 2018 which state the following:-

*“Para 59. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.*

*Para 60. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*

*Para 61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

7.2 When considering planning applications for housing local planning authorities should have regard to the government’s requirement that they boost significantly 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).

7.3 Para 11 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay noting that:

“...Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) 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.”

7.4 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). In September 2017, the government produced a consultation paper on planning for the right homes in the right places which included proposals for a standard method for calculating local authorities’ housing need. A figure of 590 dwellings per annum for Spelthorne was proposed by the application of this new approach.

The draft methodology has yet to be formally adopted by the Government and is being reviewed in the light of the new 2016 household projection forecasts which appeared to indicate lower growth rates. The Government is now consulting on changes to the standard methodology in the light of these new forecasts and, for the time being, the Council will continue to rely on the provisional figure of 590 based on the 2014 household formation projections as suggested by the Government in its latest consultation (Oct – Dec 2018). Despite recent uncertainties the draft methodology provides the most recent calculation of objectively assessed housing need in the Borough and is therefore the most appropriate for the Council to use in the assessment of the Council's five-year supply of deliverable sites. .

- 7.5 In using the new objectively assessed need figure of 590 as the starting point for its calculation of its five 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.
- 7.6 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised 5-year housing land supply figure. Using the draft Objectively Assessed Need figure of 590 for the five year period from 1 April 2019 to 31 March 2024 the Council is satisfied that it can demonstrate a five year supply of deliverable housing sites.
- 7.7 Taking into account the above and adopted policy HO1, which encourages new housing development, it is considered that weight should be given to the use of this urban site for housing.

#### Principle of the development

- 7.8 As noted above, Policy HO1 of the Local Plan is concerned with new housing development in the Borough. HO1 (c) encourages housing development on all sustainable sites, taking into account policy objectives and HO1 (g) states that this should be done by:
- “Ensuring effective use is made of urban land for housing by applying Policy HO5 on density of development and opposing proposals that would impede development of suitable sites for housing.”*
- 7.9 As referred to above, the NPPF paragraphs 59-61 emphasise the government's overall housing objective to significantly boost the supply of housing.
- 7.10 The site is located within the urban area and is a brownfield site within an accessible location close to local facilities and public transport links. However, although it is not located within the Green Belt it is located within a high flood risk area and these risks need to be overcome to ensure no more people are put at risk from flooding. The area is characterised by mainly residential properties and a residential use would be an acceptable use of the site in

principle, provided other policies requirements are met including flooding, as discussed further below.

#### Providing community facilities

- 7.11 Policy CO1 of the Core Strategy and Policies DPD 2009 (CS & P DPD) seeks to ensure community facilities are provided to meet local needs by a) supporting the provision of new facilities for which a need is identified in locations accessible to the community served and b) supporting improvements to existing facilities to enable them to adapt to changing needs, For the purposes of the policy community facilities include clubs, societies, leisure activities and community centres
- 7.12 The proposal provides a replacement ex-serviceman's club following the demolition of the existing building. Similar but new and improved facilities will be provided to continue the current community function and as such the proposal will conform to policy CO1.

#### Housing density

- 7.13 Policy HO5 in the Core Strategy Policies DPD 2009 (CS & P DPD) sets out density ranges for particular context but prefaces this at paragraph 6:25 by stating:

*“Making efficient use of potential housing land is an important aspect in ensuring housing delivery. Higher densities mean more units can be provided on housing land but a balance needs to be struck to ensure the character of areas is not damaged by over-development.”*

- 7.14 Policy HO5(b) states that within existing residential areas that are characterised by predominately family houses rather than flats new development should generally be in the range of 35 to 55 dwellings per hectare.
- 7.15 The proposal is for 14 units and is on a site of some 0.13 ha, equating to 107 dwellings per hectare (dph). The proposed density is above the recommended 35-55 dph range stipulated in Policy HO5. The policy states that, *‘Higher density developments 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.’* However, it is considered that in this instance the proposal does not comply with policy EN1 as it is not compatible with the character of the area. As such the high density of the scheme is an indication of the overdevelopment of the site, leading to poor design. The proposal is considered to conflict with Policy EN1 and therefore HO5, which is explained in the following paragraphs.

#### Design and appearance

- 7.16 Compared with the previous NPPF, the revised version, 2018, has added emphasis on securing high quality design. The NPPF 2018 para 124 – 132 emphasise the requirement of achieving well-designed places. It notes that, *‘The creation of high quality buildings and places is fundamental to what the*



*planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*

7.17 Para 127 of the NPPF notes that planning policies and decisions should ensure that developments:-

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to 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);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) 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<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

7.18 It goes on to note in para 130 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

7.19 In para 131 of the NPPF states that, *'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings'* (officer emphasis)

7.20 Policy EN1a of the CS & P DPD states that *"the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: 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."* (Officer emphasis). In addition, the Council's "Design of

Residential Extensions and New Residential Development” SPD, 2011 provides guidance on design and states that the design of new development and the materials used should reflect the character of the area. It advises further that *“good detailed design and use of materials is critical to an acceptable scheme.....[and] poor design with little or no attention to detail will be unacceptable”*.

- 7.21 The existing building on site is located abutting the road and has a tired and dated appearance. However, it takes up only part of the application site, with the southern part currently being open and used as the car park. This is surrounded by a high level wall on its boundary with Laleham Road. The current view into the site is via the parking barrier. Directly to the north is Regatta House which also abuts the road and the northern boundary of the application site and consists of a large 2 storey building with a pitched roof but this site is more open to the north which contains a block of garages. The property to the south at 26 Laleham Road is more spacious, with its garden area located between the dwelling and application site. It is traditional in design and materials, with bricks and rendered walls, with pitched tiled roofs. The cottages across the road are semi-detached and terraced with traditional design features and materials with pitched roofs. The proposed development is 4 storeys with the lower ground floor sunk beneath the existing ground level with an undercroft parking area. The ground floor of the building is raised by approximately 1.2m above ground level at the street frontage and approximately 2.3m above ground level on the river frontage due to the change in ground levels. It will provide a replacement club at ground floor level and 4 flats. Flats will also be provided on the first, second and third floors. The undercroft area will have the parking area and cellar/store for the club house.
- 7.22 Properties closest to the site are located along Laleham Road, which contain a variety of detached, and semi-detached dwellings, with a block of terraced cottages directly opposite the site. Many of these properties display traditional design features and materials, such as pitched sloping roofs with tiles and bricks. There is a block of flats to the south east on the corner of Laleham Road and Gresham Road, called Lauderdale House. This is a 3 storey block of flats which is set back some distance from both roads and has a simple design, with traditional materials. Although not the same as neighbouring sites, it does pay regard to them in particular in terms of the scale and space around the building. The area also contains a number of interesting properties with intricate design features including some along Gresham Road which include some locally listed buildings.
- 7.23 The proposal is for a building of 4 storeys in height which is split into 2 separate buildings with a link across. The building design has flat roofs with staggered levels and protruding bays, balconies and walkways and it steps away from the boundaries as it increases in height, in particular the northern boundary with Regatta House. The flat roofs will be ‘green’ with vegetation and in addition will be used for the siting of solar panels. Materials and finishes are set out in blocks, including square windows in various sizes and positions, resulting in an overall appearance of a bulky scheme of a contemporary design. There is a gap between the 2 blocks which will help to provide space and a view of the river from Laleham Road, however otherwise

it will fill much of the width of this wide plot fronting Laleham Road and also the river frontage. It will also extend across much of the width of the plot, which will be particularly visible when travelling from the south to the north along Laleham Road towards Staines town centre, appearing at this point as one large mass, dominating the site, The gap between the built form will not be evident from an angle as it will appear as one building. .

- 7.24 It is considered that the proposal pays little regard to the characteristics and features of neighbouring sites. It's contemporary and bulky design pays little regard to the neighbouring properties' features including building lines, scale and materials. There will be little room left around the proposed built form, and as such it will appear cramped. The lack of space will also provide minimal opportunities for landscaping to help to soften the build form. The proposed ground floor street elevation will comprise the bin store, beer cellar and the undercroft car parking and access, with a small element accommodating the club and flat entrance areas. It is considered that this particular elevation will have a 'back of house' appearance and will have a negative and hostile impact on the street scene. It will fail to make a positive contribution to the area, contrary to Policy EN1 and the SPD. The bin store, beer cellar and undercroft parking and access will in part be directly adjoining the new pedestrian footpath and only some 3m from the highway at its closest point. There is virtually no space for landscaping to help soften the development.
- 7.25 A new access with layby for deliveries will be created from Laleham Road, central to the site, leading to the entrance of the undercroft parking area. All of the parking has been provided within the undercroft area, with limited views of it from the public domain. However the under croft element will be evident within the design of the building on the main street elevation. It will appear incongruous at street level making the building appear unduly tall, with the floor levels not lining up with neighbouring properties, which will add to the uncharacteristic features of the proposed building which would appear at odds with the existing properties and does not fit in with the overall form and layout of its surrounding as required by the NPPF, policy EN1 and the SPD. The bulk, and scale of the proposed built form, the lack of space around the building, along with the high density, results in the proposal appearing cramped and the scheme is considered to be an overdevelopment of the site.
- 7.26 The proposed development will make an improvement in part to the current location of the building on site, in that the building will be brought back from the highway to provide space for a layby. However it will also include another building linked to this one to the south taking up much of the site which is currently open to the south. This building will be located very close to the highway. As such this improvement has only limited benefits. The proposal is not considered to take into account the character of the area as required by in the Supplementary Planning Document on design and Policy EN1, and is contrary to the NPPF. In addition, although the scheme promotes sustainability, it is not considered to raise the standard of design more generally in the area and it does not fit in with the overall form and layout of its surroundings. As such the proposal is considered to the unacceptable in design terms, and does not make a positive impact on the street scene of

Laleham Road, contrary to Policy EN1. The applicants have been advised of the concerns but have not provided any amended plans.

#### River Thames and its Tributaries

7.27 Policy EN9 aims to ensure that the setting of the river and its tributaries is protected and where possible enhanced. It includes protecting landscape features and enhancing views of the river and special regard to land along it being developed. In particular in relation to development proposals it states that the Council will-

*c) pay special attention to the design of development located in riverside settings to ensure that it respects and makes a positive contribution to the setting of the rivers.*

7.28 The proposal is considered to pay little regard to the street frontage along Laleham Road in terms of fitting in with the existing built form and the local character. However the riverside character is quite different with longer views and, in particular when viewed in combination with the opposite bank. As such, it is not considered that the proposed development would be of detriment to the river setting and accords with Policy EN9.

#### Impact on neighbouring residential properties

7.29 Policy EN1b of the CS & P DPD states that:

*“New development should 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.”*

7.30 The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policies requirements in order to ensure this is met.

7.31 The SPD in para 3.6 acknowledges that *‘most developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.’* It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for 2 storey development of 10.5m for back to boundary distance, and 21m for back to back development. Three storey development has a back to boundary distance of 15m and back to back distance of 30m. There is also a minimum distance for back to flank elevations of 13.5m (2 storey) and 21m (3 storey).

7.32 The site directly adjoins the property at Regatta House to the north, with the current building located very close to it. Regatta House is located up to the boundary on to the road and its southern boundary with the application site. It is noted that this site is also in the ownership of the Ex-Serviceman's Club. The existing building is approximately 4m from the boundary/side wall of Regatta House (the roof overhangs further). The proposed building will be 2m

away at the closest point and up to a height of 4.2m, and the main proposed building located some 3.2m away and up to 7.5m in height. As the proposed building continues to get higher, it increases in distance from the boundary. The side of the building at Regatta House, which contains 5 flats, has a number of windows facing towards the application site. The applicant notes these are all obscure glazed, apart from the 2 first floor windows closest to the river. As such the applicants have taken a 25 degree line from the first floor windows to show that the built form will not cross this or cause a significant impact in terms of over shadowing or loss of light to rooms. It is considered that this is a reasonable assessment to make. As such although the built form will be closer to the existing property at Regatta House than the existing building, it is not considered to have a greater significant impact on the occupants of this property and the relationship will be no worse. As such the proposal is considered to have an acceptable relationship with the existing property at Regatta House, in terms of light and overshadowing. Screening could also be used on the balconies closest to the clear glazed windows to ensure overlooking was not an issue. As such, it is not considered that the proposal will cause a significant overlooking, loss of privacy or overbearing/overshadowing or loss of light impact and will have an acceptable impact on the amenity of the occupants of Regatta House.

- 7.33 To the south is no. 26 Laleham Road, which is set back from the common boundary by 10.7m at its closest point. Given it is an L shaped dwelling, it is also stepped back at a distance of 13.5m. The proposed building will be set back some 2.7m from the side boundary and as such will be approx. 13.4m away at its closest point. The applicant has shown on the submitted drawings that the proposed built form will not cross a 25 degree line when drawn from a point at 2m above ground level from the windows in the side elevation of 26 Laleham Road facing towards the proposal. As such, this accords with the requirement set out in the SPD and will ensure that a significant view of the sky is retained this also means that a reasonable amount of day light is maintained into habitable rooms and will avoid excessive overshadowing. The applicant has also provided an 'equinox study' to further support the acceptable relationship and impact in terms of over shadowing. Given the property is located both on the river and Laleham Road, with frontages onto both, its main outlook will be in these directions. As such, although the proposal will result in some overshadowing of the garden due to the scale of the proposed building, it is not considered that this would be significant in order to justify refusal of the scheme. The windows in the side elevation of the proposed building facing towards the existing dwelling, will be obscurely glazed by condition and a privacy screen is shown to be provided along the terraced areas which could be conditioned. As such it is not considered the the proposal would lead to a significant overlooking or loss of privacy issue. Therefore, on balance the proposal is considered to have an acceptable relationship with and impact on the amenity of the occupants of no. 26 Laleham Road.
- 7.34 The properties located on the opposite side of Laleham Road are semi-detached and terraced cottages and these are also located relatively close to Laleham Road. Although the view from the front of the dwellings will change, in particular given the width and height of the proposed building across the site compared to the existing which only covers part of the site, loss of a view

is not a planning consideration. The existing building will be partly replaced by one set further back from Laleham Road but the proposed building will be taller and wider. There will be some loss of light and outlook from these dwellings, however there is approximately 15m between the closest part of the buildings, but some 19m between the front of the existing cottage and the first floor and second floor. This results in the proposal not crossing the 25 degree line when taken from a point at 2m above ground level from the front ground floor window at the cottages (as set out in the SPD). This will ensure that the proposed building is not so close that a significant view of the sky is lost and as such will provide an appropriate level of daylight to the existing dwellings. This is a requirement of the SPD which is based on the BRE guidelines in order to provide a useful guide to maintain adequate light levels and avoid excessive overshadowing. As such the proposed dwellings will have an acceptable relationship with the existing cottages opposite the site.

- 7.35 The proposal is considered to have an acceptable relationship with and therefore impact on the amenity of existing neighbouring residential properties, conforming to the SPD and Policy EN1.

#### Amenity Space

- 7.36 The Council's SPD on Residential Extension and New Residential Development 2011 provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats it requires 35 sqm per unit for the first 5 units, 10 sqm for the next 5 units and 5 sqm per unit thereafter. On this basis some 245 sq. m would be required for the 14 flats. The proposal provides access to balconies or roof terrace for each of the flats, with a total of 262 sq. m. In addition the applicant notes that there is also a common riverside amenity space of some 110 sq. m in area. Some space is located beneath the terrace above and as such will have limited amenity value. The proposal provides a total of 372 sq. m, which is in excess of the required amount, Although some is limited in size and provides limited useable space, it will front the river which will provide an attractive outlook and great benefit to the occupants of the units and club users. In addition the location of the site along the tow path which has public open spaces nearby, it is considered that in this instance the amenity space provision is acceptable.

#### Proposed dwelling sizes

- 7.37 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats, as well as to 2 and 3 storey houses. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sqm.
- 7.38 The Government has since published national minimum dwelling size standards in their "*Technical Housing Standards – nationally described space standard*" document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD and includes minimum sizes for studio flats. This national document must be given

substantial weight in consideration of the current application in that it adds this additional category of small dwellings not included in the Council's Standards.

- 7.39 All of the proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards and the SPD. Therefore, it is considered that their standard of amenity overall to be acceptable.

#### Highway and parking provision

- 7.40 Policy CC2 of the CS & P DPD states that:

*“The Council will seek to secure more sustainable travel patterns by: ... (d) only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative impact including other proposed development; (iv) access and egress to the public highway; and (v) highway safety.*

- 7.41 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.
- 7.42 On 20 September 2011 the Council's Cabinet agreed a 'Position Statement' on how Policy CC3 should now be interpreted in the light of the Government's recent parking policy changes. The effect of this is that the Council will give little weight to the word 'maximum' in relation to residential development when applying Policy CC3 and its residential parking standards will generally be applied as minimum (maximum parking standards continue to be applicable in relation to commercial development).
- 7.38 The proposed parking provision for the site is 24 spaces, three more than the existing site has. The applicant notes that 7 of these will be for the club, 2 of which will be disabled spaces. The Council's Parking Standards as set out in the Supplementary Planning Guidance requires 1.25 spaces per 1 bed unit, 1.5 spaces per 2 bed unit and 2.25 per larger 3 bed units. As such the current proposal for 14 units (4 no. 1 bed, 9 no. 2 bed and 1 no. 3 bed) would require 20.75 rounded up to 21 car parking spaces. In addition the ex-serviceman club, when classed as a public house and licensed club, would require a maximum of 1 space per 2 sq. m of net bar floor area available to customers. The internal space club floor space is some 163 sq. m and as such this would require 81.5 spaces as a maximum. The proposal provides only 24 for the entire site, for both the club and residential uses. This consists of 7 for the club and the remaining 18 for the flats. It should be noted that the required parking provision for the club use is a maximum, as such providing less than this is not contrary to the policy requirements. The parking spaces for the flats would be 17, which falls below the 21 required and does not meet the current parking standards requirements which is a minimum for residential. However the site is in a location just outside the town centre and as such is sustainable, with local facilities and transport options including railway line and bus station in walking distance. It should also be noted that the existing club has a similar

bar area available to customers to that proposed and would fall short of this requirement.

- 7.39 The County Highway Authority (CHA) has noted that 24 parking spaces are proposed within the site, 17 of which are allocated to the residential element of the development, with the remaining 7 allocated to users of the social club. Whilst it should be possible to manoeuvre into them (depending on how adjacent vehicles are parked), it is noted that the parking spaces immediately next to the walls of the parking area will be difficult to manoeuvre into. Ideally parking bays adjacent to a wall should be 3m wide, rather than the standard 2.4m. In line with Spelthorne Borough Council's Parking Standards, the mix of residential accommodation (1x3 bed; 9x2 bed; 4x1 bed) should be provided with 20.5 parking spaces, rounded up to 21. However, the Parking Standards document states that a lower parking provision can be provided where the site is sustainably located with good opportunities for sustainable travel. The site is located within reasonable walking distance from good bus and train services, as well as a range of local amenities in Staines Town Centre. In the event that parking demand occasionally exceeds supply on site, it is unlikely that indiscriminate parking would occur given the existing parking restrictions on the roads in the vicinity of the site. As such the level of on-site parking provided as part of this development is considered to be acceptable. As a result, the Highway Authority does not consider it is appropriate to object to the proposal based on parking concerns.
- 7.40 The proposal includes the provision of a lay-by on Laleham Road to be used for loading and unloading, as well as disabled parking and taxi pick up. It has been agreed with the CHA that this will not be adopted as part of the public highway. The CHA has requested that as part of the Section 278 agreement required for the proposed access and pedestrian crossing facilities, details should be submitted to explain how a distinction will be made between highway and private land.
- 7.41 Therefore the proposed parking provision for the residential units and club is acceptable. The CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision. As such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

#### Flooding

- 7.42 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by not requiring all development proposal within Zones 3a and 3b and development outside the area (Zone 1) on sites of 0.5ha or of 10 dwellings or 1000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA).
- 7.43 The site is located within Flood Zone 3a, 3b and 2 which has a high probability of flooding ranging from a more than a 1 in 20 year chance of flooding to 1 in 100. More vulnerable uses such as residential need to be assessed in order to ensure there is an acceptable impact at a time of flood and in order to ensure that future occupants can escape by a dry route. The applicant has submitted



a Flood Risk Assessment & Surface Water Drainage Strategy, as is required by Policy LO1 of the CS & P DPD.

- 7.44 The Lead Local Flood Authority at Surrey County Council has been consulted in regards to the SUDS and have made no objection subject to conditions.
- 7.45 The Environment Agency (EA) was consulted and raised a number of objections on flooding and ecology grounds. The EA objected to the absence of an acceptable Flood Risk Assessment (FRA) and also because there was no ecological buffer zone to the River Thames. The applicant has provided amended information, however the EA has noted that the applicant has not provided enough detail or clarity to overcome their objection on the basis that the proposal will cause greater flood risk to people and properties in the Borough during a flood event. However, the EA no longer objects on ecological grounds. As such the proposal is unacceptable on flooding grounds and it does not accord with policy LO1.
- 7.46 The EA do not comment of safe access and egress as this is for the Local Planning Authority (LPA) to address. LPAs are provided with planning flood maps from the EA which zones the Borough into flood areas. Applicants can then contact the EA directly to provide further, more detailed information (Product 4) relating to the area around the application site, which includes further modelling to assist in their flood risk assessment.
- 7.47 Policy LO1 of the Spelthorne Development Plan Core Strategy and Policies DPD Submission Document” (CS & DPD) states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by amongst other things, not permitting residential development, change of use or other ‘more vulnerable’ uses within Flood Zone 3a, or ‘highly vulnerable’ uses within Zone 2 where flood risks cannot be overcome. The Council’s Flooding SPD also identifies within *Table 4* that a residential dwelling constitutes a ‘more vulnerable’ use.
- 7.48 The National Planning Policy Framework (NPPF), July 2018, (paragraph 155) states that *“inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk”*. The NPPF further states (paragraph 163) development should only be allowed in areas at risk of flooding where amongst things, *“safe access and escape routes are included where appropriate, as part of an agreed emergency plan”*.
- 7.49 The Council’s flood map shows clearly that the route of escape from the site along Gresham Road would go into the 1 in 100 flood zone, which is not dry. The applicant has provided more detailed data they received from the EA and this shows that the route along Gresham Road would in fact be in the 1 in 100 year plus climate change zone. As such this does show that the route would be dry during a 1 in 100 year flood event as required by the Council’s Flooding SPD. The applicants have also provided an evacuation plan which would be implemented during a greater flood event. As such, the proposal is considered to be acceptable on the grounds of providing safe access and egress for future occupants in accordance with Policy LO1. This does not overcome the EA objection on flooding grounds as referred to above.

### Renewable Energy

- 7.50 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sqm to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.51 The applicant has submitted a renewable energy statement and concludes that the use of air source heat pumps are likely to provide a total energy reduction of at least 10%. The Council's Sustainability Officer has been consulted and raises no objection. Accordingly, the renewable energy proposals are acceptable but would be subject to condition

### Ecology

- 7.52 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
- 7.53 The site consists of a dated clubhouse building and a large car park area laid to hardstanding. The river frontage has a wire fence with various shrubs and 2 trees close to the boundary with the river and as such the site itself has little ecological value.
- 7.54 A bat survey was carried out and Surrey Wildlife Trust (SWT) was consulted. SWT agree that the bat roosts in the building affected by development are not a constraining effect on this development proposal and put forward a number of ecological recommendations to improve biodiversity. The EA requested further details to provide an appropriate ecological buffer to the River Thames and has recommended conditions for its provision. Consequently, the proposed development is considered acceptable on ecological grounds and there will be no adverse impact on protected species, in accordance with policy EN8. Natural England has made no comment on the proposals.

### Dwelling mix

- 7.55 Policy HO4 of the CS & P DPD (Housing Size and Type) states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments that propose four or more dwellings to include at least 80% of their total as one or two bedroom units.
- 7.56 The proposal complies with the requirements of Policy HO4 with 13 of the 14 units being one and two bedroomed, which represents 93% of the total units.

### Impact on Trees/Landscaping

- 7.57 The applicant has submitted an Arboricultural Impact Assessment as 2 trees on the site will be removed as a result of the proposal. The Council's Tree

Officer has raised no objection to this noting that these trees have little merit and the proposal can provide some landscaping to help to compensate for their loss.

- 7.58 Private amenity spaces will be provided in the form of balconies and terraces which will provide little in the way of landscaping however there is some space around the building which although limited in size can have the potential to provide planting and some landscaping to help soften the built form. This is limited and the site would be dominated by built form covering most of the site. However landscaping can be covered by condition.

#### Contaminated Land

- 7.59 The Council's Pollution Control Officer has raised no objection but has requested conditions to be imposed requiring an investigation to be carried out to identify risks and remediation measures. Subject to these conditions, the proposal is considered acceptable.

#### Air quality

- 7.60 The applicant has submitted an Air Quality Assessment (AQA), as is required by Policy EN3 of the CS & P DPD. The AQA assesses the impact of both construction and operational impacts of the proposed development and recommends further details which should be included in a Dust Management Plan be submitted for the demolition and construction phase. It is considered that this and the requirement for a demolition method statement could be brought to the attention of the applicant by the imposition of an informative if there was an acceptable scheme in planning terms.

#### Refuse Storage and Collection

- 7.61 The layout of the site has been designed to ensure that delivery and refuse collection vehicles can use the layby created by the proposed scheme. Refuse storage areas have been located to the front of the site within the building within reach of the refuse collection vehicles and accessible by residents
- 7.62 The Council's Head of Street Scene has raised no objection to the arrangement. Furthermore, the County Highway Authority has raised no objection on this particular issue. Accordingly, the proposed refuse storage and collection facilities are acceptable.

#### Crime and Design

- 7.63 With regard to the Crime Prevention Officer's comments, as with the previous scheme, it is not considered 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 and in the event that the proposal was acceptable on planning grounds, it is recommended that this could be brought to the attention of the applicant by adding an informative.

## Financial Considerations

- 7.64 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 is a CIL chargeable development. It will generate a CIL Payment in relation to the net additional gross floor space. This amounts to a CIL payment of approximately £189,000, which is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

## Conclusion

- 7.65 The proposal seeks to redevelopment the Ex-Serviceman's site with the provision of a new club house and will meet the need for housing. It will make effective use of urban land in a sustainable location. However this does not outweigh the fact that the proposed design is not sympathetic to local character and does not improve the character and quality of the area. It is not considered to respect and make a positive contribution to the street scene and the character of the area in which it is located, paying little regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and does not fit in with the overall form and layout of their surroundings. The proposal to provide 14 units and a clubhouse is considered to be unacceptable.
- 7.66 The NPPF requires permission for housing to be granted unless the impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. The proposal will not make a positive impact on the character of the area and has not demonstrated an acceptable impact on flooding during a flood event to ensure there is no greater impact on properties and people in Spelthorne, as such the proposal is considered to be contrary to Policies EN1 and LO1 of the Core Strategy and Policies DPD and the NPPF. As such the application is recommended for refusal.

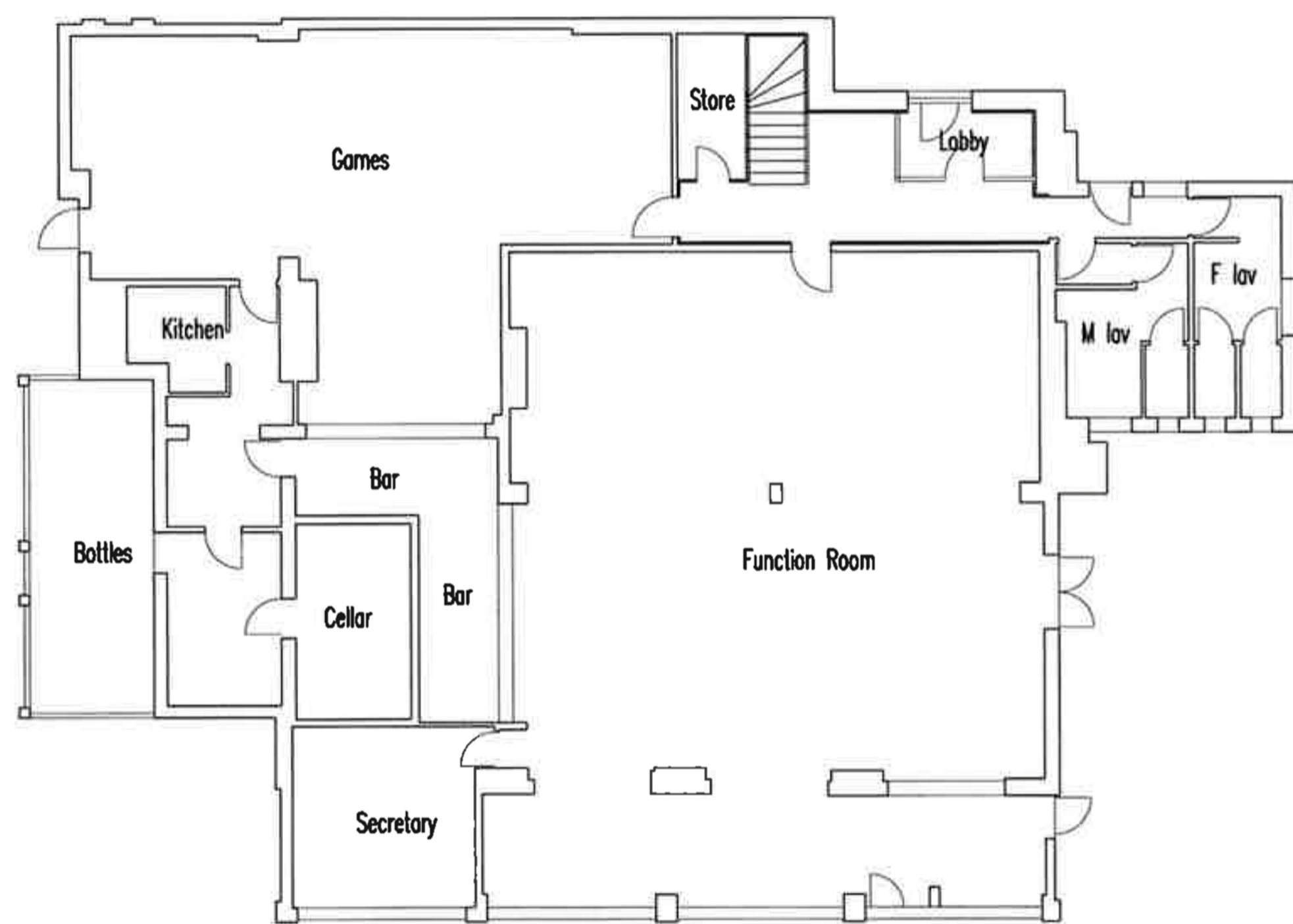
## **8. Recommendation**

- 8.1 REFUSE the planning application for the following reason:

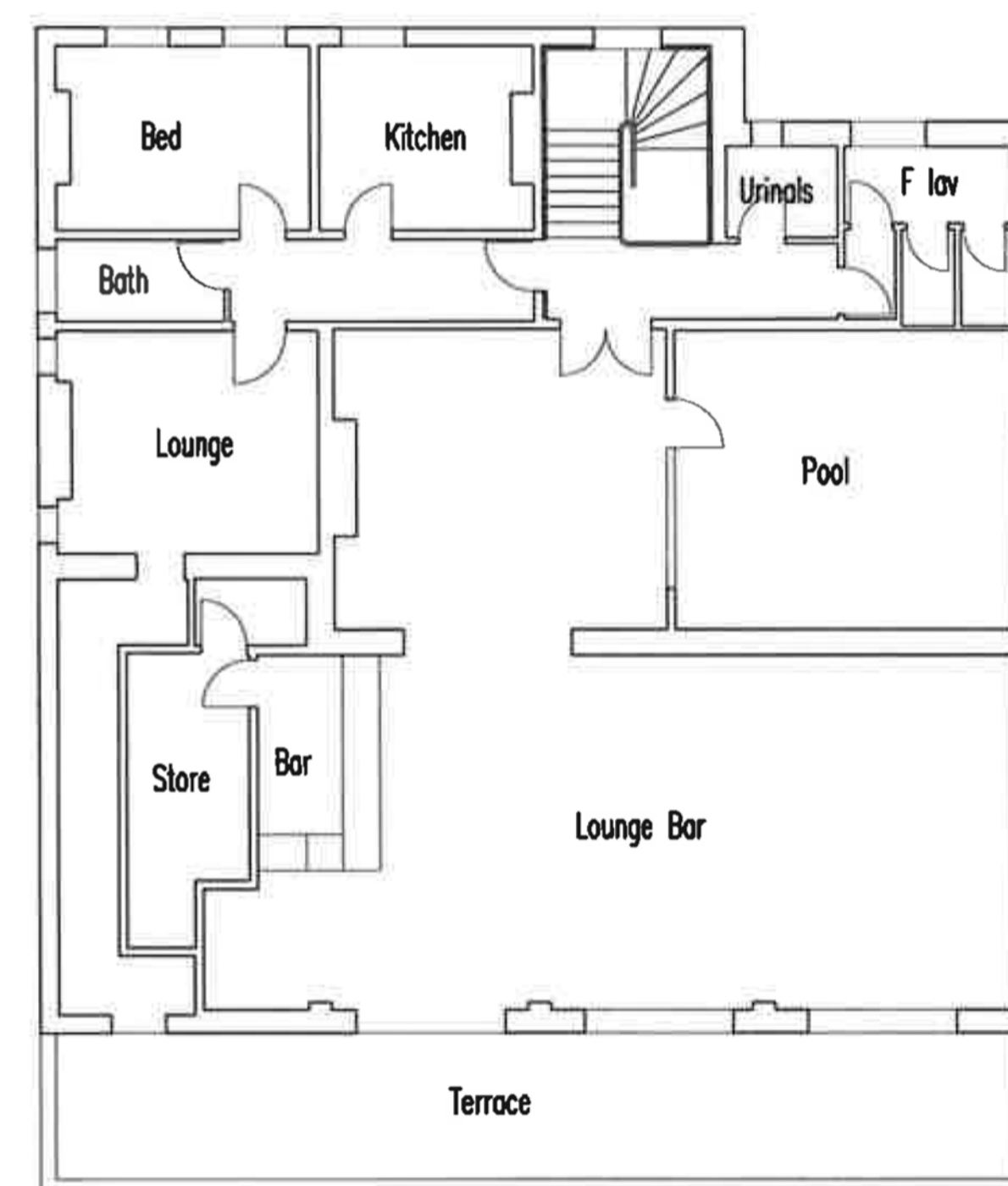
1. The proposal would, by reason of design, scale, density and location, represent an overdevelopment of the site, and would appear visually obtrusive and out of character with the surrounding street scene. Furthermore, the proposed Laleham Road elevation, would, by reason of its poor quality design, have a negative, adverse impact and fail to make a

positive contribution to the surrounding area. The proposal is, therefore, contrary to Policies EN1 and HO5 of the Core Strategy and Policies DPD 2009, the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 and the NPPF 2018..

2. The submitted Flood Risk Assessment (FRA) does not comply with the requirements set out in paragraph 163 of the National Planning Policy Framework (NPPF) and does not provide a suitable basis for an assessment to be made of the flood risk arising from the proposed development contrary to Policy LO1, of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009), the Supplementary Planning Document on Flooding 2012 and the NPPF 2018..



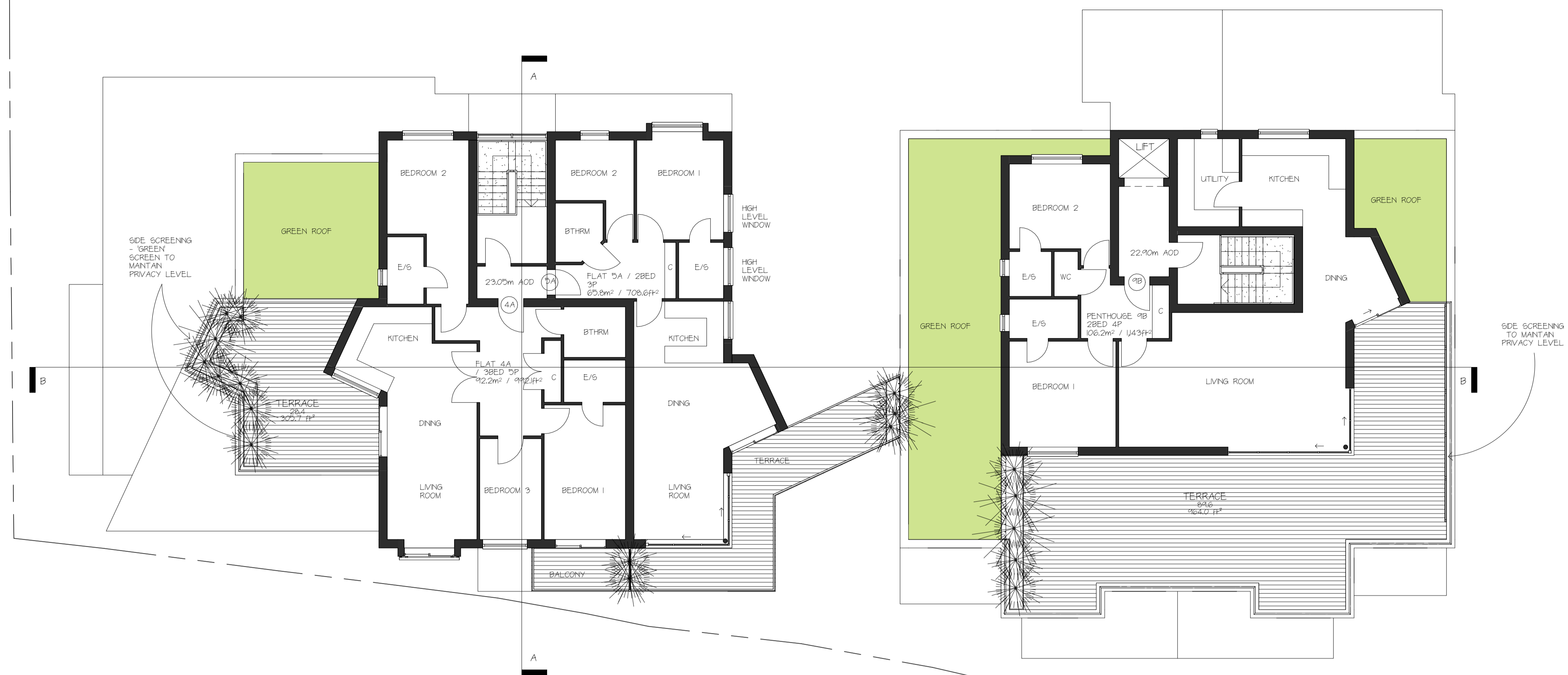
Ground Floor



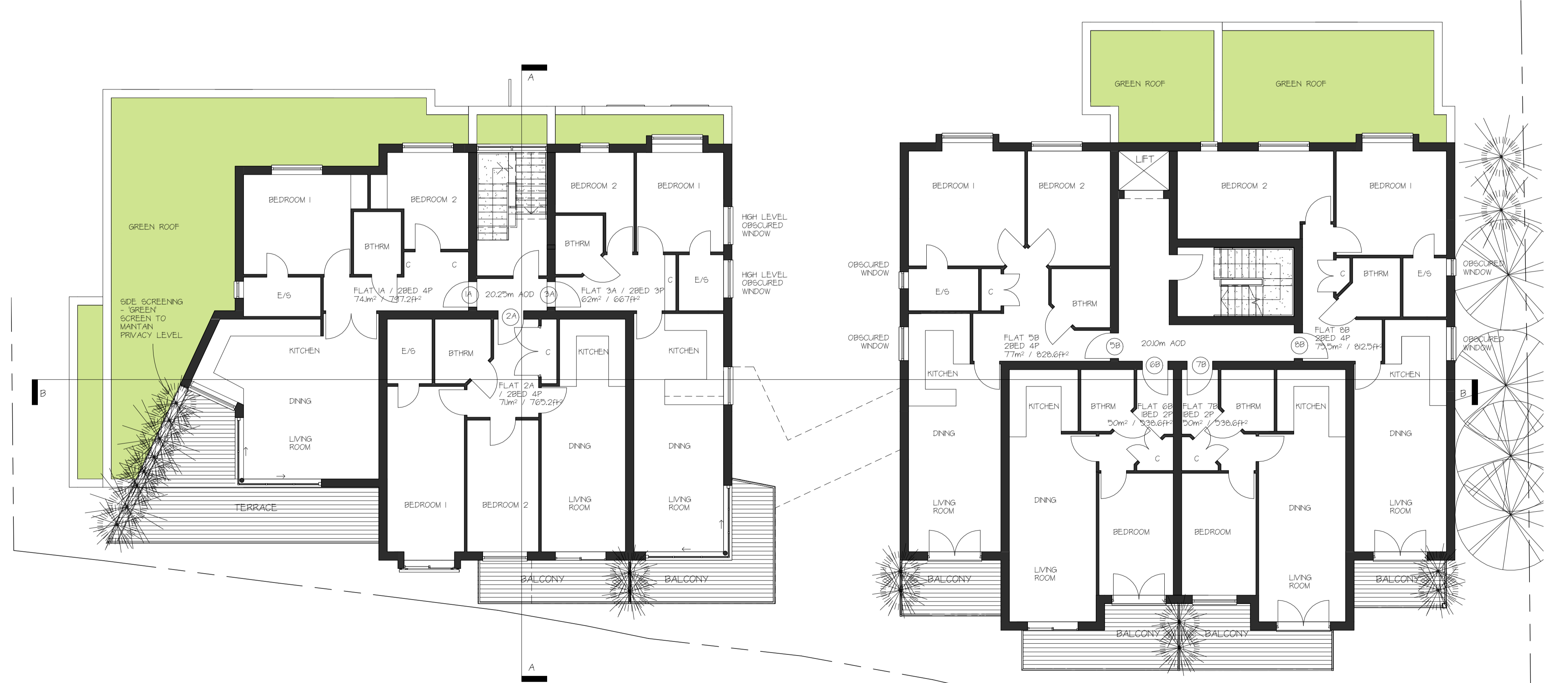
First Floor

PROJ NO	DATE	BY	CHKD
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SCALE	DATE	BY	CHKD
1:100 (A1)	AUG 2010	PEW	

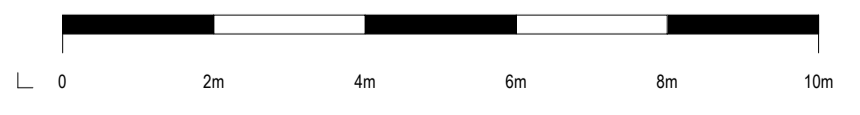
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 1. THE CONTRACTOR IS RESPONSIBLE FOR ALL SETTING OUT AND MUST CHECK DIMENSIONS ON SITE BEFORE WORK IS PUT IN HAND  
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**2 03 SECOND FLOOR PLAN**  
 1:100



**1 02 FIRST FLOOR PLAN**  
 1:100



REVISION	DESCRIPTION	CHECKED	DATE
F	MINOR UPDATES	AJ	27/07/2016
E	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	24/07/2016
D	INFORMATION ADDED, LEVELS UPDATED	AJ	16/07/2016
C	FLAT LAYOUTS UPDATED	AJ	02/07/2016
B	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	28/06/16
A	LAYOUT UPDATED TO CLIENT REQUIREMENTS	AJ	15/06/16

**ROBERT DAVIES JOHN WEST LIMITED**  
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 Staines upon Thames Middx TW18 4XS  
 Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE: 15/07/16  
 SCALE: 1:100 (R/A)  
 DRAWN: AJ  
 CHECKED: Osher  
 PROPOSED DEVELOPMENT  
 EX-SERVICEMENS CLUB  
 LALEHAM ROAD,  
 STAINES  
 PROPOSED FIRST AND  
 SECOND FLOOR PLAN  
 DRWG No L2545/07 REV F

- NOTES
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**1 FRONT - STREET (EAST) ELEVATION**  
1 : 100

Page 40

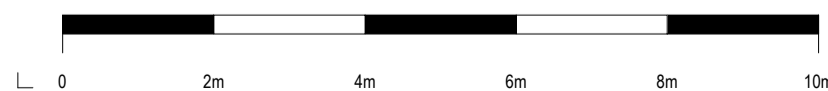


**2 REAR - RIVER (WEST) ELEVATION**  
1 : 100

REVISION	DESCRIPTION	CHECKED	DATE
H	SPACING BETWEEN BALCONY RAILINGS UPDATED	AJ	20/01/2018
G	DOOR TO BIN STORE RE-LOCATED AND RETAINING WALL LEVELS UPDATED	AJ	30/01/2018
F	MINOR UPDATES, INFORMATION ADDED IN LINE WITH SCC 194 COMMENTS	AJ	20/04/2018
E	MINOR UPDATES	AJ	27/07/2018
D	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	24/07/2018
C	INFORMATION ADDED, LEVELS UPDATED	AJ	16/07/2018
B	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	28/06/18
A	LAYOUT UPDATED TO CLIENT REQUIREMENTS	AJ	29/06/18

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Staines upon Thames Middx TW18 4XS  
Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE: 14/07/2018  
SCALE: 1 : 100 (R/A)  
DRAWN: AJ  
CHECKED: Cather  
PROPOSED DEVELOPMENT  
EX-SERVICEMENS CLUB  
LALEHAM ROAD,  
STAINES  
PROPOSED ELEVATIONS 1  
OF 2  
DRWG No: L2545/08 REV H

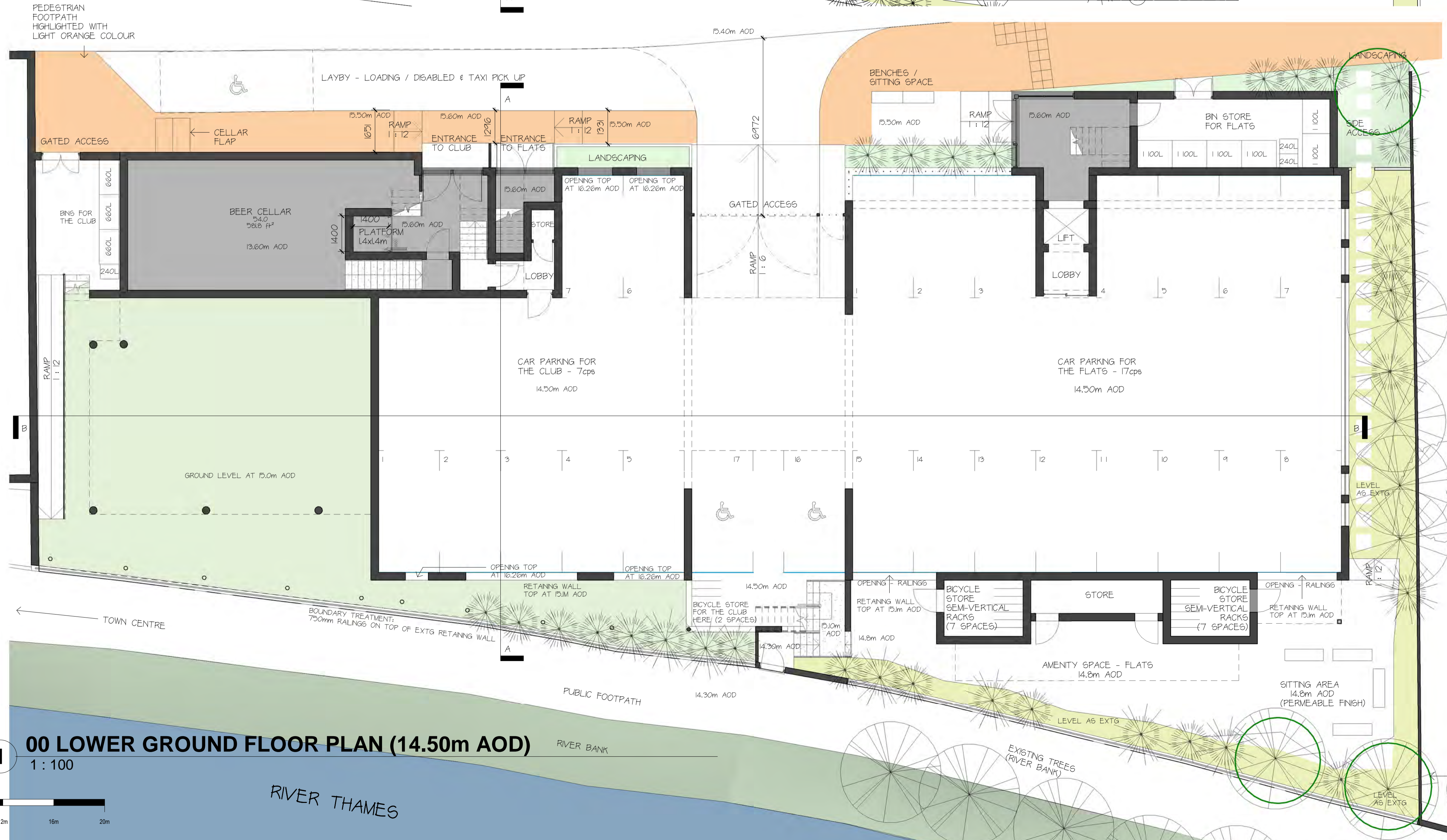




- NOTES
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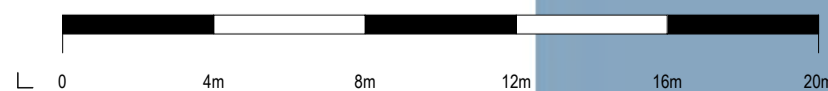


**2 01 UPPER GROUND FLOOR PLAN**  
1:100



**1 00 LOWER GROUND FLOOR PLAN (14.50m AOD)**  
1:100

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REVISION	DESCRIPTION	CHECKED	DATE
K	DOOR TO BN STORE RE-LOCATED	AJ	30/01/2020
J	INFORMATION UPDATED IN LINE WITH SCC HA COMMENTS	AJ	03/01/2020
I	MINOR UPDATES, INFORMATION ADDED IN LINE WITH SCC HA COMMENTS	AJ	20/09/2019
H	BN DETAILS ADDED	AJ	10/09/2019
G	MINOR UPDATES	AJ	27/07/2019
F	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	24/07/2019
E	INFORMATION ADDED, LEVELS UPDATED	AJ	16/07/2019
D	FLAT LAYOUTS UPDATED	AJ	02/07/2019
C	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	28/06/19
B	LAYOUT UPDATED TO CLIENT REQUIREMENTS	AJ	19/06/19

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Staines upon Thames, Middx, TW18 4XS  
Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE: 14/07/2020  
SCALE: 1:100 (R/A)  
DRAWN: AJ  
CHECKED: RN  
PROPOSED DEVELOPMENT  
EX-SERVICEMENS CLUB  
LALEHAM ROAD,  
STAINES  
PROPOSED LOWER AND  
UPPER GROUND FLOOR  
PLANS  
DRWG No: L2545/06 REV K

GREEN OUTLINE OF SUGGESTED LOCATIONS FOR REPLACEMENT TREES

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GRESHAM ROAD

LALEHAM ROAD

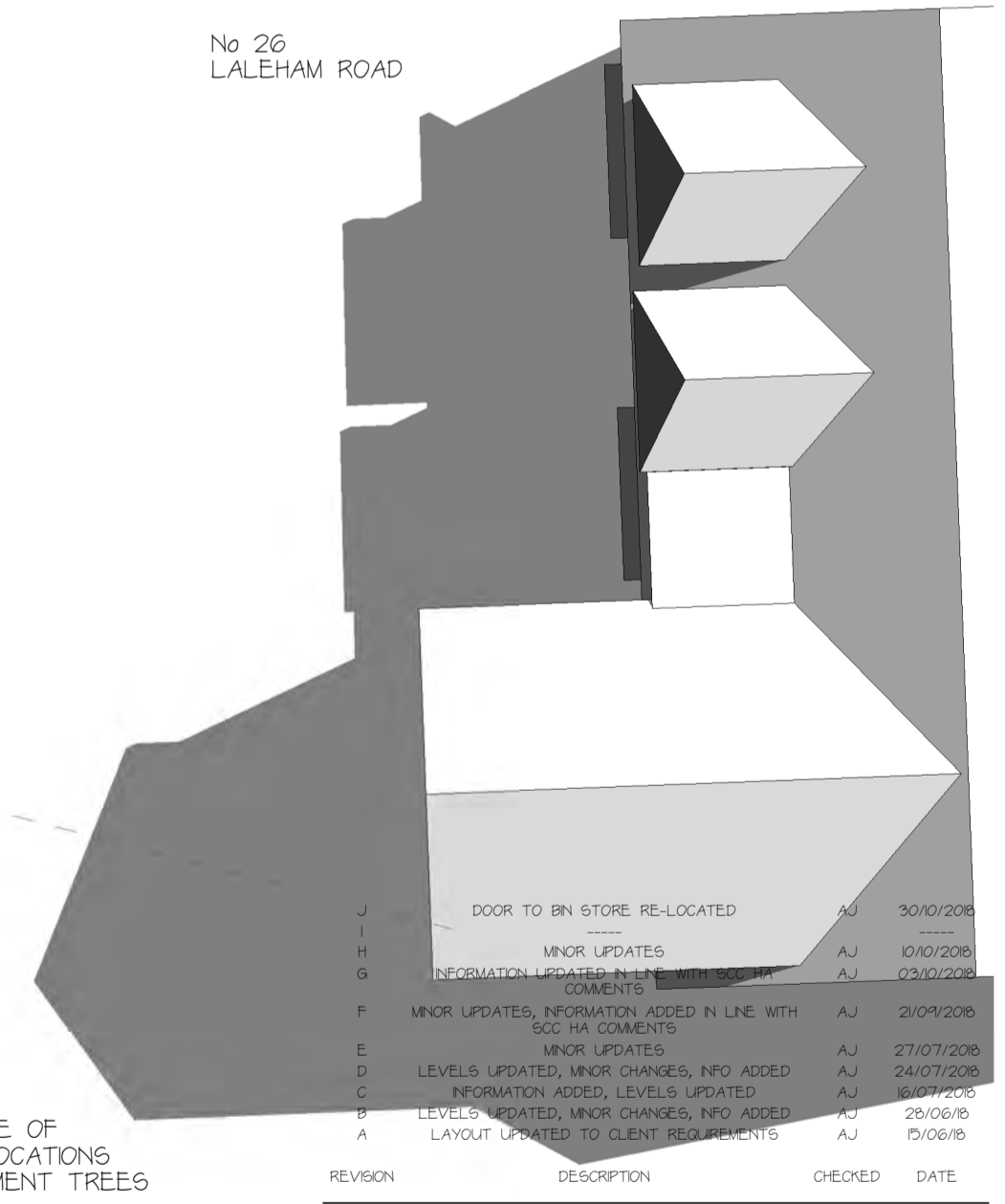
TACTILE PAVING AND DROPPED KERB TO FORM CROSSING IN LINE WITH SCC HA REQUEST SHOWN INDICATIVELY THUS FOR HIGHWAYS APPROVAL

REGATTA HOUSE

RED DOTTED OUTLINE OF THE EXTG BUILDING

NEW DROPPED KERB

BLUE DOTTED OUTLINE OF THE GROUND FLOOR EXTENT OF THE WITHDRAWN SCHEME (REF:010005/FUL)



No 26 LALEHAM ROAD

REVISION	DESCRIPTION	CHECKED	DATE
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I	MINOR UPDATES	AJ	01/01/2018
H	INFORMATION ADDED IN LINE WITH COMMENTS	AJ	23/10/2018
G	MINOR UPDATES, INFORMATION ADDED IN LINE WITH SCC HA COMMENTS	AJ	20/09/2018
F	MINOR UPDATES	AJ	27/07/2018
E	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	24/07/2018
D	INFORMATION ADDED, LEVELS UPDATED	AJ	20/06/18
C	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	28/06/18
B	LAYOUT UPDATED TO CLIENT REQUIREMENTS	AJ	20/06/18
A			

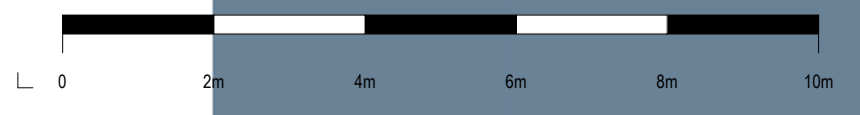
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 Staines upon Thames Middx TW18 4XS  
 Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE	DESCRIPTION
23/02/18	PROPOSED DEVELOPMENT
11/06/18	EX-SERVICEMENS CLUB LALEHAM ROAD, STAINES
	PROPOSED SITE LAYOUT

DRWG No **L2545/05** REV **J**

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**1 Site Plan**  
1 : 100



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Page 43

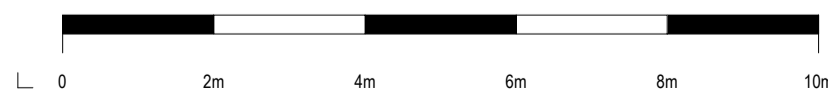
**1 Section B-B**  
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C	BALCONY RAILINGS UPDATED	AJ	27/07/2018
B	MINOR UPDATES	AJ	24/07/2018
A	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	24/07/2018
	LAYOUT UPDATED TO CLIENT REQUIREMENTS	AJ	19/06/18

  
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 Staines upon Thames Middx TW18 4XS  
 Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE: 18/07/2018  
 SCALE: 1 : 100 (A)  
 DRAWN: AJ  
 CHECKED: RN  
 PROPOSED DEVELOPMENT  
 EX-SERVICEMENS CLUB  
 LALEHAM ROAD,  
 STAINES  
 PROPOSED SECTION B-B

DRWG No: **L2545/12** REV: **D**

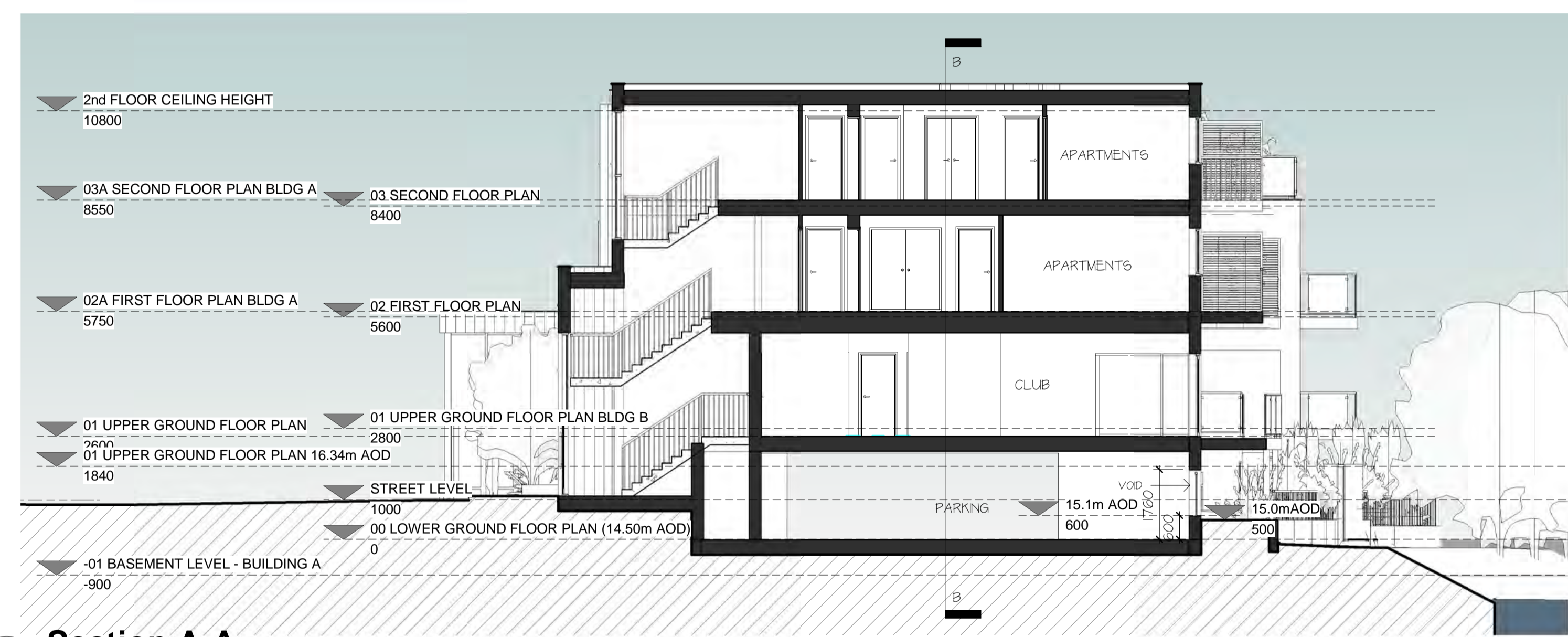


NOTES

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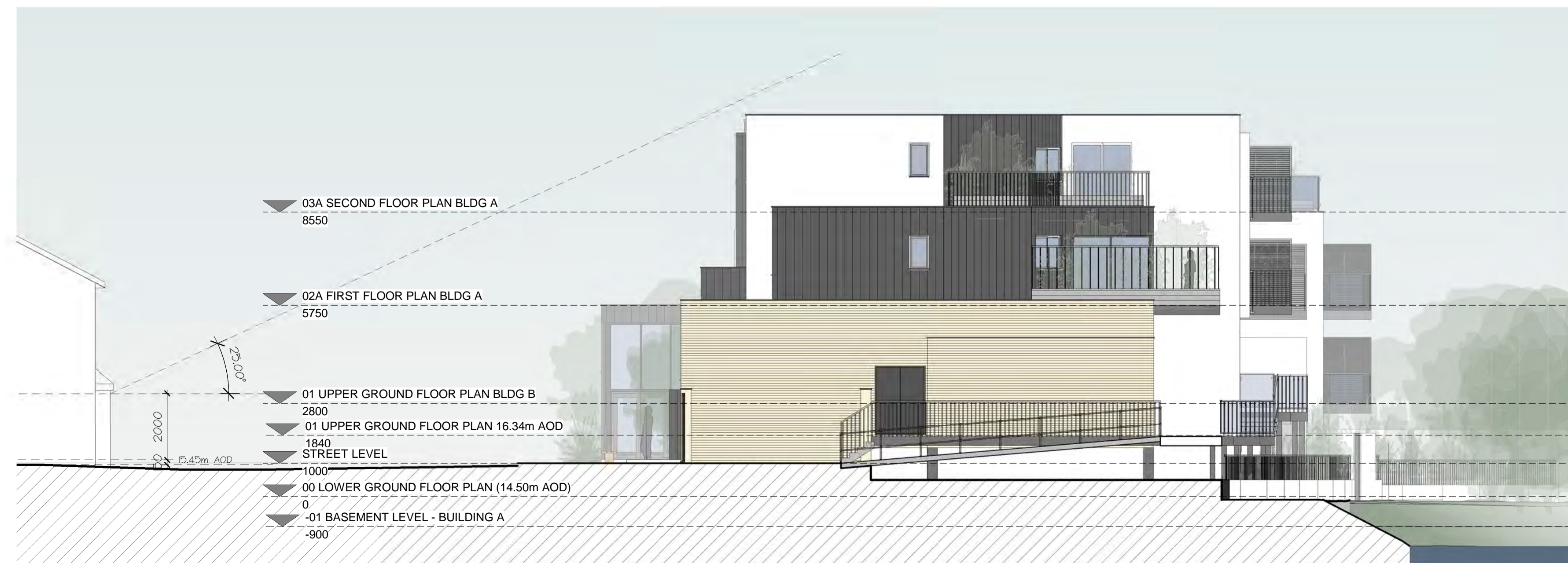
**1 SIDE (SOUTH) ELEVATION**  
1 : 100



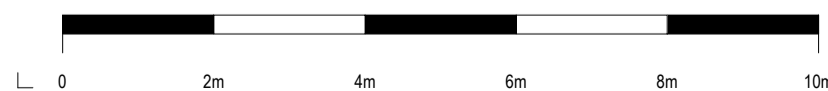
**2 Section A-A**  
1 : 100



**3 3D View - AMENITY SPACE**



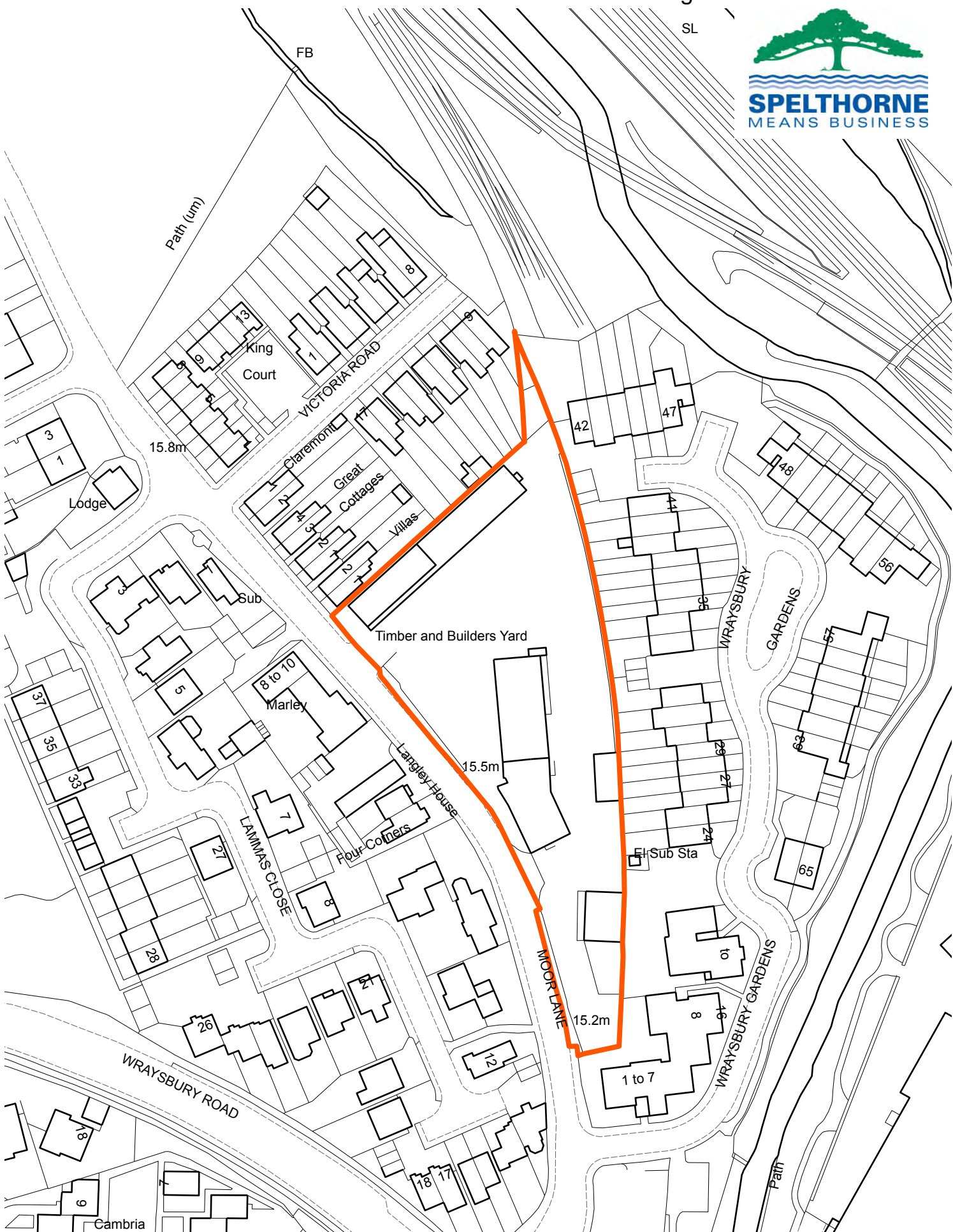
**4 SIDE (NORTH) ELEVATION**  
1 : 100



REVISION	DESCRIPTION	CHECKED	DATE
J	VOD LEVELS ADDED & SPACING BETWEEN BALCONY RAILINGS UPDATED	AJ	20/02/20
I	RETAINING WALL LEVELS UPDATED	AJ	30/10/20B
G	INFORMATION UPDATED IN LINE WITH SCC HA COMMENTS	AJ	03/10/20B
F	MINOR UPDATES, INFORMATION ADDED IN LINE WITH SCC HA COMMENTS	AJ	20/09/20B
E	MINOR UPDATES	AJ	27/07/20B
D	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	24/07/20B
C	INFORMATION ADDED, LEVELS UPDATED	AJ	18/07/20B
B	LEVELS UPDATED, MINOR CHANGES, INFO ADDED	AJ	28/06/19
A	LAYOUT UPDATED TO CLIENT REQUIREMENTS	AJ	25/06/19

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Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE: 14/02/2020  
SCALE: 1 : 100 (R/A)  
DRAWN: AJ  
CHECKED: Ocher  
PROJECT: PROPOSED DEVELOPMENT  
EX-SERVICEMENS CLUB LALEHAM ROAD, STAINES  
2 OF 2 AND SECTION  
DRWG No: L2545/09 REV J



18/01000/FUL Jewson Builders Merchant, Moor Lane, Staines-upon-Thames.

Scale: 1:1,250

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## Planning Committee

09 January 2019



<b>Application No.</b>	18/01000/FUL		
<b>Site Address</b>	Jewson Builders Merchant, Moor Lane, Staines-upon-Thames		
<b>Proposal</b>	Demolition of existing buildings and redevelopment of the site to provide 36 residential units comprising 25 houses (7 no. 2 bed, 8 no. 3 bed and 10 no. 4 bed) and 11 flats (3 no. 1 bed and 8 no. 2 bed) together with associated accesses, car parking, amenity space and landscaping (renewal of planning permission 14/01882/FUL)		
<b>Applicant</b>	CBRE GI Trustee Ltd as Trustees for EDS Pension Plans		
<b>Ward</b>	Staines		
<b>Call in details</b>	N/A		
<b>Case Officer</b>	Paul Tomson/Susanna Angell		
<b>Application Dates</b>	Valid: 04.09.2018	Expiry: 04.12.2018	Target: Extension of time agreed until 16.01.2019
<b>Executive Summary</b>	<p>This application seeks the demolition of the existing buildings and the redevelopment of the site to provide 36 dwellings together with associated accesses, car parking, amenity space and landscaping.</p> <p>The application is the same as planning permission 14/01882/FUL, which was granted on the 03 September 2015 (expired on the 03/09/2018). The proposed plans and elevations are identical to the approved scheme.</p> <p>The site is located within the urban area and is allocated for housing in the Council's Allocations Development Plan Document 2009 and in part 1 of the Brownfield Register. The principle of redeveloping the site for residential purposes is therefore acceptable. The proposal continues to be in keeping with the character of the surrounding area and has an acceptable relationship with neighbouring properties. The proposed parking provision is considered acceptable in this location close to the town centre. The County Highway Authority has raised no objection to the scheme on highway safety grounds. The impact on flooding continues to be acceptable.</p> <p>The proposal is considered to be in accordance with the Government's revised National Planning Policy Framework 2018. It is not considered</p>		

	that there has been a material change in circumstances since the last approval that would justify refusal for this particular scheme.
<b>Recommended Decision</b>	The application is recommended for approval subject to the completion of a Section 106 agreement relating to affordable housing, highway matters and open space/children's play area.

## MAIN REPORT

### 1. Development Plan

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

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- HO3 (Affordable Housing)
- HO4 (Housing Size and Type)
- HO5 (Housing Density)
- CO3 (Provision of Open Space for New Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

1.2 The following policy of the Allocations Development Plan Document December 2009 is considered relevant to this application:

- Site Allocation A7 Builders Merchant, Moor Lane

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

- BE26 (Archaeology)

1.4 Also relevant are the following Supplementary Planning Documents/Guidance:

- SPD on Design of Residential Extensions and New Residential Development 2011.
- SPD on Housing Size and Type 2012.
- SPG on Parking Standards Updated 2011.

1.5 The advice contained within the National Planning Policy Framework (NPPF) 2018 is also relevant.

## 2. **Relevant Planning History**

11/00941/FUL Demolition of existing buildings and redevelopment of the site to provide 36 residential units comprising 25 houses (7 no. 2-bed, 8 no. 3-bed and 10 no. 4-bed) and 11 flats (3 no. 1-bed and 8 no. 2-bed), together with associated accesses, car parking, amenity space and landscaping. Approved 04/09/2012

14/01882/FUL Demolition of existing buildings and redevelopment of the site to provide 36 residential units comprising 25 houses (7 no. 2-bed, 8 no. 3-bed and 10 no. 4-bed) and 11 flats (3 no. 1-bed and 8 no. 2-bed), together with associated accesses, car parking, amenity space and landscaping (renewal of planning permission 11/00941/FUL) Approved 03/09/2012

## 3. **Description of Current Proposal**

3.1 This application relates to the Jewson's Builders Merchants site located on the eastern side of Moor Lane. The site is 0.59 hectares in area and includes a large warehouse to the centre of the site. There are a number of smaller structures to the north and east of the site, the remainder being covered in hard standing. The site is largely flat in profile.

3.2 The application site is triangular in shape. To the east of the site lies Wraysbury Gardens a traditionally styled residential estate built in the early 2000's, comprising terraced and semi-detached dwellings with flats to the south of the site. To the north lies Victoria Road which comprises late 19th century cottages and to the east lies the Lammas Close residential development.

3.3 The site lies within the urban area and is in the 1 in 1000 year flood zone. The site is included in the Spelthorne Development Plan Allocations DPD as a specific site allocation (Allocation A7). The document, adopted in 2009, allocates the site as follows:

*"This site is proposed for approximately 30 dwellings. The adjoining site has been developed with a mixture of housing and flats. The number of units assumes a mixture of flats and houses"*



With regard to Jewson's Yard site, the Allocation document states that the shape of the site, and the proximity of adjoining housing means the design and layout will require particular care to ensure the privacy of adjoining properties is maintained. It also states that for reasons of pedestrian safety, any proposal must make provision for a public footway for Moor Lane which forms the western boundary of the site.

- 3.4 The proposal involves the demolition of the existing buildings and redevelopment of the site to provide 36 residential units comprising 25 houses and 11 flats. The design of the proposal is identical to the previously approved scheme (with the exception to the location of the bin stores). On the Moor Lane frontage 1 block of 11 flats will be erected to the south of the site. Viewed from the road, the proposed block will be 2-storey in appearance with rooflights, although within the site the building would extend to three storeys. This will provide 3 one bedroom and 8 two bedroom flats. The remaining units will comprise 25 houses largely arranged in terraces between 2 and 3 storeys in height. The units will also front Moor Lane. The elevations of the proposed dwellings incorporate hipped pitched roofs with gable elements and some dormer windows and roof lights. Materials include yellow and brown bricks, render, reconstituted stone features and cladding, although samples have not been submitted at this stage.
- 3.5 The applicant is proposing 7 of the units (i.e. 19%) to be affordable housing, 5 of the affordable units will be rented housing and 2 will be shared ownership. In addition, the applicant will also pay a financial contribution of £69,568 towards off-site affordable housing.

	PRIVATE	AFFORDABLE		TOTAL
		Rented	Shared	
One bed	3			3
Two beds	12	1	2	15
Three beds	4	4		8
Four beds	10			10
<b>Total</b>	<b>29</b>	<b>5</b>	<b>2</b>	<b>36</b>

- 3.6 A total of 60 parking spaces will be provided comprising both integral garages and areas of surface parking. The site will be served by new accesses onto Moor Lane. The plans also show the provision of a new footway along the boundary of the site with Moor Lane. To the southern corner of the site the plans show a pump station. The applicant states that it is required by the water authority. The majority of equipment will be below ground with a small equipment cabin situated above ground. It is a requirement that this area is fenced off from the rest of the site and the appearance of which would be subject to a suitable condition.
- 3.7 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	Recommends a Section 106 Agreement to secure within a period of 5 years following occupation of the development, if required by Surrey County Council, the full funding of the cost of advertising and implementing a Traffic Regulation Order (TRO) for the traffic management scheme on the south-western side of Moor Lane, or an alternative scheme as determined by Surrey County Council. Also advises a Section 106 agreement to secure the footpath and that a number of conditions and informatives should be attached to the permission.
Environment Agency	No objection
Group Head- Neighbourhood Services	No objection to revised bin store layout.
Valuation Advisor	Agrees with the applicant's provision of 2 shared ownership units and 5 affordable rented units. Requested a further contribution of £69,568 towards off-site affordable housing ( <i>Officer note: the applicant has agreed to pay this figure</i> )
Sustainability Officer	No objection. Satisfied the renewable energy requirements will be met.
Local Lead Flood Authority (Surrey County Council)	No objection subject to conditions
County Archaeologist	No objection subject to a condition
Crime Prevention Officer	Has made various security related comments. Recommends a condition or informative to enable the development to achieve a Secured by Design award.
Natural England	No objection
Surrey Wildlife Trust	No objection recommends applicant under take the recommendations in section 12 of the Phase 1 Habitat survey, which can be controlled by condition
Tree Officer	No objection. There are no trees of merit on the site and they will be replaced by new tree planting.
Thames Water	No objection recommends informative.

National Grid	No comments
Environmental Health (Contaminated land)	No objection. Recommends conditions.
Environmental Health (Air Quality)	No objection. Recommends conditions.
Environmental Health (Noise)	No objection. Recommends conditions.

## 5. **Public Consultation**

5.1 91 properties were notified of the planning application. A statutory site notice was displayed and the application was advertised in the local press. A total of 3 representations have been received. Reasons for objecting include:-

- Concerns about impact on parking
- Overlooking/loss of privacy
- Overdevelopment of the site,
- Lack of amenity space for proposed dwellings
- Density of the development

## 6. **Planning Issues**

- Need for housing
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Affordable housing
- Dwelling mix
- Flooding
- Ecology
- Public open space
- Archaeology

## 7. **Planning Considerations**

### Principle

7.1 The site lies within the urban area and is occupied by a Jewson's Warehouse located centrally on the site, with a number of smaller structures to the north and east of the site. The site is not within a designated Employment Area and the principle of demolishing the existing buildings and developing the site for residential purposes has already been agreed by the Council under planning permission 11/00941/FUL and 14/01882/FUL. It is also within the Spelthorne Development Plan Allocations DPD (Allocations DPD) and in part 1 of the Brownfield Register. Whilst the allocation suggests residential development of approximately 30 dwellings, this is only a guide and reflected a cautious assessment of the sites capacity in the absence of detailed design. The allocation does not preclude a greater number of dwellings, provided other aspects of the scheme are acceptable.

- 7.2 It is not considered there has been a material change in planning policy since the previous planning permission, which would preclude the development from being approved again. The proposal continues to comply with the relevant policies in the Councils Core Strategy and Policies DPD.

### Need for housing

- 7.3 In terms of the principle of housing development regard must be had to paragraphs 59-61 of the National Planning Policy Framework (NPPF) which state the following:-

*“Para 59. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.*

*Para 60. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*

*Para 61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

- 7.4 When considering planning applications for housing local planning authorities should have regard to the government’s requirement that they boost significantly 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).

- 7.5 Para 11 of the NPPF stresses the presumption in favour of sustainable development and that proposals which accord with a development plan should be approved without delay noting that’

“...Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) 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.”

- 7.6 The Council has embarked on a review of its Local Plan and accepts that the housing target in its Core Strategy and Policies DPD-Feb 2009 of 166 dwellings per annum is significantly short of its latest objectively assessed need of 552-757 dwellings per annum (Para 10.42 – Strategic Housing Market Assessment – Runnymede and Spelthorne – Nov 2015). In September 2017, the government produced a consultation paper on planning for the right homes in the right places which included proposals for a standard method for calculating local authorities’ housing need. A figure of 590 dwellings per annum for Spelthorne was proposed by the application of this new approach. The draft methodology has yet to be formally adopted by the Government and is being reviewed in the light of the new 2016 household projection forecasts which appeared to indicate lower growth rates. The Government is now consulting on changes to the standard methodology in the light of these new forecasts and, for the time being, the Council will continue to rely on the provisional figure of 590 based on the 2014 household formation projections as suggested by the Government in its latest consultation (Oct – Dec 2018). Despite recent uncertainties the draft methodology provides the most recent calculation of objectively assessed housing need in the Borough and is therefore the most appropriate for the Council to use in the assessment of the Council’s five-year supply of deliverable sites.
- 7.7 In using the new objectively assessed need figure of 590 as the starting point for its calculation of its five 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.
- 7.8 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised 5-year housing land supply figure. Using the draft Objectively Assessed Need figure of 590 for the five year period from 1 April 2019 to 31 March 2024 the Council is satisfied that it can demonstrate a five year supply of deliverable housing sites.
- 7.9 Taking into account the above and adopted policy HO1, which encourages new housing development, it is considered that particular weight should be given to the use of this urban site for housing.

#### Housing density

- 7.10 Policy HO5 of the CS & P DPD states that within existing residential areas that are characterised by predominantly family housing rather than flats, new development should generally be in the range of 30 to 55 dwellings per hectare. Higher density development may be acceptable where it is demonstrated that the development complies with Policy EN1 on design particularly in terms of compatibility with the character of the area and is also within an area which is accessible by non-car based modes of transport.
- 7.11 The proposed density remains 61 dwellings per hectare (dph), which is just above the recommended 35 to 55 dph range laid out in policy HO5.

However, this level continues to be acceptable in this location. The design and appearance of the dwellings would respect the character of the surrounding area and complies with policy EN1 (which is addressed in more detail in the following paragraphs). Furthermore, the site is located within a short walking distance of the Two Rivers Shopping Centre and the rest of the Staines town centre. Policy HO5 recognises that higher densities may be acceptable in locations that are accessible by non-car modes of transport. It is also relevant to note that the neighbouring 3 storey development of Marley Croft has a density of 89 dwellings per hectare. There has been no fundamental change in planning policy regarding housing density since that time. As stated above, The 2018 NPPF requires that the supply of homes are significantly boosted. Accordingly, it is considered that the density proposed in this particular site remains acceptable.

### Design and appearance

- 7.12 Policy EN1a of the CS & P DPD states that *“the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: 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.”*
- 7.13 The proposed design and appearance of the development is virtually identical to the schemes granted planning permission in 2011 and 2014 and is acceptable in accordance with Policy EN1. The character of the surrounding area is mixed in terms of style of dwellings and storey height. The proposed dwellings fronting Moor Lane to the north of the site are two storey in height and would incorporate rendered gable frontages that reflect the character of the adjacent semi-detached Edwardian dwellings. To the south of the site the buildings increase to 2.5 storeys, with one 3 storey terraced block facing the road. However, there is other 3 storey development fronting Moor Lane and forming part of the Wraysbury Gardens development to the east of the site. The proposed development would have a variety of storey heights, as reflected in the surrounding area. The dwellings would incorporate varied roof pitches, gables and materials providing visual interest. The development as a whole incorporates traditional design features, including pitched roofs, porches, white and coloured renders and casement windows in order to reflect the existing architectural styles within the area. Parking areas would be softened with introduction of landscaped areas, with further landscaping in front of dwellings.

### Impact on neighbouring residential properties

- 7.14 Policy EN1b of the CS & P DPD states that:

*“New development should 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.”*

- 7.15 There are no changes to the siting and layout of the proposal from the previously approved scheme and therefore its impact on the amenity of neighbouring residential properties continues to be acceptable and complies with Policy EN1 of the CS & P DPD. With regards to the relationship with Wraysbury Gardens to the east of the site, the terrace to the west of No.34 Wraysbury Garden would retain a 13.5m separation distance which would comply with the back to flank separation distance laid out in the Council's Supplementary Planning Document on Design (SPD). The position of the terrace would mean that it would also not extend across the full width of the garden of No. 34. The adjacent property (No.35) is set slightly further back and therefore would retain a 14.3m separation distance. This relationship is therefore also considered to be acceptable, avoiding significant loss of light, privacy or overbearing impact. The new dwellings are also at 90 degrees to these properties and therefore would not result in unacceptable overlooking. Conditions will also be attached to ensure no window openings can be formed in the eastern elevation of the terrace.
- 7.16 The proposed terrace to the west of No's 28, 29 and 30 Wraysbury Gardens would retain a 13.6m separation distance. This would also comply with the guidance in the Design SPD regarding two storey development. The adjacent terrace is slightly higher (with accommodation in the roof space) but would continue to have two floors and therefore the 13.5m separation distance continues to be considered acceptable. These new dwellings would also be at 90 degrees to these properties and therefore would also not result in unacceptable overlooking.
- 7.17 With regard to 42 Wraysbury Gardens, the proposed flank elevation of Plot 34 will be situated at an oblique angle to the neighbouring front elevation and partly behind the existing garage block. It will be at least 8 metres away from No. 42's nearest front windows. Bearing in mind the orientation and distance, it is not considered the proposed dwelling will result in an unacceptable loss of amenity.
- 7.18 The Council has received a letter of objection from the occupants of No.10 Lammas Close concerned about loss of privacy and overlooking. No. 10 has a unusual layout in that its rear elevation faces onto Moor Lane and comprises 2 no. bedroom windows at first floor. The rear elevation is also positioned in very close proximity to the boundary of the site adjacent to Moor Lane and has a garden situated to the side of the property. The proposed new block fronting Moor Lane has been reduced in scale during previous applications. The block remains unchanged from the previously approved scheme and the applicant has demonstrated that block meets the requirements of the Council's 25 degree guide laid out in the Design SPD, which seeks to preserve outlook. Furthermore, the Council will require the first floor window of the corner flat facing No.10 (which serves a lounge) to be obscure glazed and non-opening 1.7m above floor level in order to preserve privacy. Overall therefore, the relationship continues to be acceptable in accordance with policy EN1. Furthermore, the applicants have submitted a Daylight, Sunlight and Overshadow Report which applies the Building Research Establishment's (BRE's) guidelines and has established that the proposal will meet the BRE's guidance. An assessment was also submitted

with the last application and it was considered there would be no adverse loss of light or overbearing impact. The impact therefore continues to be acceptable.

### Amenity Space

- 7.19 The Council's Design SPD provides minimum garden sizes for new schemes. 5 of the houses on the Moor lane frontage have private rear gardens slightly below that stipulated (i.e. several square metres below). However, 2 of these are only below standard because of the provision of a shared footpath to the rear of 4 of the dwellings (which could be omitted). Moreover, several of the dwellings have amenity space allocations above that required. The communal amenity space for the flats to the south of the site also falls below the requirement stipulated in the SPD at 179 square metres (51 metres below that required). However, as noted below the site is located in close proximity to the Lammas recreation ground. Furthermore, the application was previously considered acceptable on grounds of amenity space and there have been no changes since the last application. Overall therefore it is not considered that this reduction in amenity space would be sufficient grounds to refuse the scheme as a whole.

### Proposed dwelling sizes

- 7.20 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats, as well as to 2 and 3 storey houses. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sq. m.
- 7.21 The Government has since published national minimum dwelling size standards in their "*Technical Housing Standards – nationally described space standard*" document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD and includes minimum sizes for studio flats. This national document must be given substantial weight in consideration of the current application.
- 7.22 The 3 no. 1 bed flats would have 50 sq m of internal floor space, which would comply with the standards in the SPD. The 8 no.2 bed flats would have 61 sq m's of internal floor space, which would comply with the standards. The proposed dwellings would also meet the minimum floor space requirements as laid out in the Government's Technical Standards.

### Highway/Servicing issues

- 7.23 Policy CC2 of the CS & P DPD states that:

*"The Council will seek to secure more sustainable travel patterns by: ... (d) only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative impact*



*including other proposed development; (iv) access and egress to the public highway; and (v) highway safety.*

- 7.24 As with the previous applications the County Highways Authority (CHA) has again not raised objection to the proposal on highway safety grounds.
- 7.25 The applicant continues to propose a new footpath along the site boundary adjacent to Moor Lane, tying in with the existing footway on either site. The CHA considers that there is no major safety problems associated with the proposed highway works, which also formed part of the previously approved schemes and would be secured by a Section 106 agreement.
- 7.26 The CHA has analysed the number of vehicle movements associated with the existing and proposed use of the site. The results of this analysis show that the proposed development could generate approximately 17 additional two way traffic movements within the PM peak period compared to the existing use, but that it is unlikely to significantly change the number of movements in the AM peak. The CHA considers that the increase in vehicle movements that could occur would be safely accommodated on the surrounding highway network, subject to the recommended S106 obligations and conditions. Furthermore, the CHA considers that the decrease in HGV movements associated currently with the site would provide a significant improvement in safety for cyclists and pedestrians along this stretch of Moor Lane. Overall, having regard to the CHA's comments and subject to the implementation of the Section 106 Agreement and the required conditions the application is considered acceptable in terms of impact on highway safety

#### Parking provision

- 7.27 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. On 20 September 2011 the Council's Cabinet agreed a 'Position Statement' on how Policy CC3 should now be interpreted in the light of the Government's recent parking policy changes. The effect of this is that the Council will give little weight to the word 'maximum' in relation to residential development when applying Policy CC3 and its residential parking standards will generally be applied as minimum (maximum parking standards continue to be applicable in relation to commercial development).
- 7.28 The proposed parking provision is 60 spaces which is the same number as proposed in the previously approved schemes. The Council's Parking Standards require a total of 68 spaces and therefore the scheme has a shortfall of 8 spaces. The concerns about increased parking problems raised in 3 of the representations received are noted.
- 7.29 However, the County Highway Engineer has again not raised objection to the proposal on highway safety. The CHA has stated that they recognise "*existing on-street parking within the vicinity of the application site is not ideal and at times indiscriminate parking can cause problems to the free and safe flow of traffic on Moor Lane*" and the Highway Authority is therefore concerned that the proposed development may "*exacerbate this existing situation resulting in danger and inconvenience to highway users along this stretch of Moor Lane*".

Parking restrictions on the north eastern side of Moor Lane have already been implemented but, the CHA is concerned that that over spill parking resulting from the reduced parking provision could cause “indiscriminate parking to occur on the south west side of Moor Lane, resulting in danger and inconvenience to highway users”. Therefore the CHA considers it reasonable that within a period of 5 years following occupation of the development, if required by Surrey County Council, the applicant fully funds a scheme to provide additional/amended parking restrictions on the south west side of Moor Lane, which would be secured via a Section 106 Agreement. This was also agreed as part of the previous application.

- 7.30 It is relevant to note that the site is located in a relatively sustainable location being a 6 minute walk from the town centre. It could be argued that car ownership may be less than in more remote locations which are some distance away from public services. Moreover, the Council’s Parking Standards state that a lower provision may be acceptable. Overall therefore, taking into consideration that the provision has previously been agreed it is not considered that the Council could sustain an objection on the basis of inadequate parking provision.

#### Affordable housing

- 7.31 Policy HO3 of the CS & P DPD requires up to 50% of housing to be affordable where the development comprises 15 or more dwellings. The Council seeks to maximise the contribution to affordable housing provision from each site having regard to the individual circumstances and viability, including the availability of any housing grant or other subsidy, of development on the site. Negotiation is conducted on an ‘open book’ basis. Provision within any one scheme may include social rented and intermediate [*shared ownership*] units, subject to the proportion of intermediate not exceeding 35% of the total affordable housing component.
- 7.32 The applicant has proposed 7 units out of 36 as affordable. The 7 units will represent 4 no. 3-bed and 1 no. 2-bed houses for affordable rent and 2 no. 1-bed flats for shared ownership, which is a ratio of 19%. The Council’s Valuation Advisor has been consulted on the proposal and considers that in the current financial climate, the proposed 7 units is reasonable. The Valuation Advisor has also requested an off-site contribution of £69,568 in addition to the 7 affordable units. The proposed affordable housing provision is slightly different to the previously approved scheme in that the 2 no. shared ownership units are now 2 bed in size (instead of 1 bed) and a financial contribution is now also proposed.. With regard to the financial contribution, the applicant has confirmed that they are willing to pay this figure. Accordingly, the proposed affordable housing is considered acceptable.

#### Flooding

- 7.33 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by requiring all development proposals within Zones 2, 3a and 3b and development outside these areas (Zone 1) on sites of 0.5ha or of 10 dwellings

or 1000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA).

- 7.34 The application site is located in Flood Zone 2 which has a between a 1:100 and 1:1000 year chance of flooding. The Environment Agency have not raised objection to the proposal. The applicant has submitted a Flood Risk Assessment (FRA). This demonstrates a dry means of escape via Church Street and Bridge Street to get to Staines Bridge and the Causeway to a point outside the flood plain. This route was acceptable as part of the previously approved application and accordingly, the proposed impact in terms of flood risk is considered acceptable.

#### Ecology

- 7.35 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.
- 7.36 The Council has consulted the Surrey Wildlife Trust (SWT) on the proposal who has raised no objection. Having reviewed the applicants Phase 1 Habitat Survey update by Wildlife Matters the SWT has advised that the applicant should be required to implement all the recommendations in section 12 of the report, including the biodiversity enhancements. This will be required by condition.

#### Open space

- 7.37 Policy CO3 of the CS & P DPD requires the provision of public open space for residential development. The policy states that where any new housing is proposed in areas of the borough with inadequate open space, or where provision would become inadequate because of the development, the Council will require either new on site provision or a financial contribution to new off-site provision. New housing development of 30 or more family dwellings (i.e. 2-bed or greater units) should provide a minimum of 0.1ha of open space to provide for a children's play area.
- 7.38 The site and surrounding area is not located within an area of inadequate open space. (Assessment of Open Space, Sport and Recreation Provision in Spelthorne 2005). It is relevant to note that the Lammas Park is located a short walk away from the application site. The development continues to propose a total of 33 'family dwellings' and the policy would therefore require a minimum of 0.11 hectares of open space to provide for a children's play area. It was previously considered reasonable, given the proximity of the site to Lammas Park, that the existing facilities are upgraded/extended rather than a smaller park being provided on the application site, which is likely to make the scheme unviable. The Council's Neighbourhood Services have recommended that a contribution of £30,000 would be sufficient to extend the existing play area in the north eastern part of the park and the applicant has agreed to pay this. This would be secured by a Section 106 agreement.

### Dwelling mix

- 7.39 Policy HO4 of the CS & P DPD (Housing Size and Type) seeks to ensure a range of housing sizes and types are delivered to meet community needs. It requires developments that propose four or more dwellings to include at least 80% of their total as one or two bedroom units. The proposal provides a total of 36 units 50% of which are 1 or 2 bedroom units. The Supplementary Planning Document (SPD) on Housing Size and Type (July 2012) introduces greater flexibility on the proportion of small units in areas characterised by family dwellings. It also states proposals for new residential development should have regard to policy EN1 and its requirements for regard to local character and quality of design.
- 7.40 As noted in the previously approved schemes, the area surrounding the application site is characterised by family sized dwelling houses. To the east of the site, Wraysbury Gardens comprises mainly 3 and 4 bed terraced and semi-detached dwelling houses. To the north of the site is Victoria Road, consisting predominately of family sized terraced dwellings and to the west of the site is the Lammas Close development which comprises 3 to 4 bedroom 2 storey houses. The only exceptions to this character are the 3 storey blocks of flats in Wraysbury Gardens and the 3 storey block of flats fronting Moor Lane (Marley Croft). It was previously considered in this particularly case that it was more important that the design and layout of the proposal respects the character of the area, than the 80% smaller dwellings policy is met. Furthermore, if the policy was to be met, it is likely that the scheme would need to be substantially redesigned with a higher proportion of flats, which could have less regard to the character of the area. As the provision of 50% (18) smaller dwellings was approved as part of the previous applications it is not considered that there are sufficient grounds to justify a refusal on the limited provision of smaller dwellings in this particular scheme.

### Archaeology

- 7.41 The Council has consulted the County Archaeological Officer on the proposal. He notes that the site is over the 0.4 hectare threshold recommended for archaeological investigation as laid out in Saved Policy BE26, and within an area with good potential for containing heritage assets with archaeological significance. However, he considers that given that a proportion of the site will have been impacted on already, he does not believe that the archaeological work needs to be carried out in advance of planning permission. As previously recommended he advises that a programme of archaeological works is secured by condition.

### Refuse Storage and Collection

- 7.42 The Head of Neighbourhood Services originally raised concerns regarding the proposed bin storage facilities and the ability for refuse vehicles to enter and turn around and exit the site in a satisfactory manner. The County Highway Authority has not raised objection to the proposed access arrangements in the current application. Amended plans have since been submitted showing the bin storage facilities moved closer to the highway so to prevent the need for refuse vehicles to reverse into the site. The Head of Neighbourhood

Services is satisfied with this revised layout and accordingly the bin storage facilities are considered acceptable.

### Financial Considerations

- 7.43 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 is a CIL chargeable development and will generate a CIL Payment of approximately £98,000. The financial contributions of £69,568 towards off-site affordable housing and £30,000 towards the children's play area are in addition to this. These are material considerations in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

### Other Matters

- 7.44 The Environmental Health Department has raised no objection to the proposal on contamination grounds, subject to the imposition of conditions.
- 7.45 The applicant has submitted an Air Quality Assessment. The Pollution Control Officer has been consulted and has raised no objection on air quality grounds.
- 7.46 The Council's Sustainability Officer has raised no objection to the proposed renewable energy facilities (photovoltaics).
- 7.47 The Environmental Health Officer has raised no objection on noise grounds.
- 7.48 With regard to the comments from the Crime Prevention Officer, it is proposed to attach an informative to the decision notice to bring the Secured by Design award to the applicant's attention.

### Conclusion

- 7.49 The scheme is considered to be acceptable for the reasons set out in the report and subject to the proposed legal agreement.

## **8. Recommendation**

- 8.1 (A) Subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 7 affordable housing units on site built in accordance with core standards set out in the Homes England Design and Quality Standards (April 2007) and:
  - The split of the type of affordable housing shall be at 5 for affordable rent and 2 for shared ownership.
  - Prior to implementation the Registered Provider (RP) shall enter into a Nominations Agreement in respect of the affordable housing (in order that the affordable housing meets local needs).
  - Build and complete the affordable units and hand over to the Registered Provider prior to the occupation of the buildings.
2. To secure a financial contribution of £69,568 towards off-site affordable housing.
3. The creation of a footway fronting Moor Lane, generally in accordance with Plan No. FNH392/P/302B, to a specification to be agreed in writing with the Local Planning Authority following consultation with the Highway Authority. The private land required for the new footway shall be offered for adoption as publicly maintained highway.
3. Within a period of 5 years following occupation of the development, if required by Surrey County Council the applicant shall fully fund the cost of advertising and implementing a Traffic Regulation Order (TRO) for a traffic management scheme on the southwest side of Moor Lane (as shown by the blue coloured parking restrictions on Milestone's Drawing No. 14080/02), or an alternative scheme as determined by Surrey County Council.
4. To provide £30,000 to pay for the cost of extending the children's play area at Lammas Park.

**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 Planning Development Manager 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 fails to secure a public footpath on the eastern side of Moor Lane, which would be detrimental to pedestrian safety contrary to Policy CC2 of the Core Strategy and Policies DPD 2009.

3. The overspill parking resulting from the reduced parking provision would cause indiscriminate parking to occur on the south west side of Moor Lane resulting in danger and inconvenience to highway users, contrary to Policy CC2 of the Core Strategy and Policies DPD 2009.
4. The proposal fails to provide a financial contribution towards off-site children's play equipment, contrary to Policy CO3 of the Core Strategy and Policies DPD 2009

1.2 (B) In the event that the Section 106 agreement is completed to the satisfaction of the Local Planning Authority; 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:

FNH392 LS/01 received 10 July 2018

FNH392/P/301; /302B; /303B; /310B; /311B; /312B; /313B; /314B; /315B; /316B; 317B; /330A received 10 July 2018

Existing Site Plan received 24 July 2018

533009 & 533006A received 27 July 2018

FNH392/P/340A received 30 November 2018

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 and detailing to be used for the external surfaces of the buildings and surface material for parking areas are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials.

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:- 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" providing guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://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. Following construction of any groundwork and foundations, no construction of the development above damp-proof course level shall take place until a report is 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 the 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.

7. Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied and thereafter 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. Prior to first occupation of the proposed development :-

- (a) the proposed vehicular accesses to Moor Lane (D3286) shall be constructed in accordance with the approved plans and provided with the visibility splays shown on Drawing No. 14080/01 'Visibility Requirements'. The visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above the carriageway.

- (b) the proposed footway on the south-western side of the application site, adjacent to Moor Lane, shall be constructed in accordance with Fairview Homes' Proposed Site Layout Drawing No. FNH392/P/302 Revision B.

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.

9. Any accesses from the site to Moor Lane (D3286) made redundant as a result of the development shall be permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

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.

10. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans and Milestones Transport Assessment October 2014 for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning areas shall be used and retained exclusively for its designated purpose.

11. Notwithstanding the proposed plans and the accompanying Milestone's Transport Assessment dated October 2014 no new development shall be occupied 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 to provide a secure, covered and accessible storage area for a minimum of 11 bicycles and shall thereafter be permanently retained for their designated use.

Reason:- The above condition is required in recognition of Section 9 (Promoting Sustainable Transport) of the NPPF.

12. No new development shall be occupied until refuse collection points have been provided in accordance with the approved Refuse Strategy plan as shown on the Fairview Homes' Proposed Site Layout Drawing No. FNH392/P/340 Revision A received 30 November 2018. The refuse collection points shall thereafter be permanently retained for their designated use.

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.

13. Prior to the occupation of the buildings hereby permitted details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall be implemented prior to the occupation of the buildings and shall at all times accord with the approved details.

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

14. Details of a scheme of both soft and hard landscaping works shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The approved scheme of tree and shrub planting and other associated works shall be carried out prior to first occupation of the buildings and/or site. 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.

15. 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.

16. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior planning permission of the Local Planning Authority.

Reason:- To safeguard the amenity of neighbouring properties.

17. The proposed development works shall be carried out in accordance with the Recommendations set out in Section 12 of the Wildlife Matters Phase 1 Habitat Survey update dated May 2018.

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

18. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason:- The site is of high archaeological potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development.

19. Prior to the occupation of development, a scheme to provide bird and bat boxes/bricks 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.

20. Prior to the construction of the buildings details of the proposed pump station including the design and appearance of any equipment cabins, underground services, means of enclosure and hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority. The agreed pump station details shall be implemented prior to the occupation of the dwellings and thereafter maintained.

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.

21. Prior to the occupation of the buildings, details of the design of the proposed pergolas over the parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The agreed pergolas shall be installed prior to the occupation of the dwellings and shall

thereafter be maintained.

Reason:- To ensure that the pergolas do not prejudice the appearance of the development and the visual amenities and character of the locality.

22. Prior to the occupation of the development hereby permitted the living/dining room window on the western elevation of the first floor corner flat (SP-10 2-bed 61m<sup>2</sup> on plan no. FNH392/P/310B) shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type Local Planning Authority. The window shall thereafter be permanently retained as installed.

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

23. That no openings of any kind be formed in the eastern elevation(s) of Plots 12, 33, and 36 without the prior written consent of the Local Planning Authority.

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

24. The development hereby permitted shall not commence (excluding demolition) until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.)
- b) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- c) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

25. Prior to the first occupation of the development, 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 designed to the technical standards

26. No new development shall be occupied until 1 parking space has been laid out within the allocated residential parking spaces for the apartments for 1 dual headed fast charge point, and 25 individual fast units (houses only), for electric vehicles, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The charging points shall be retained exclusively for the designated purpose.

Reason: The above condition is required in recognition of Section 9 (Promoting Sustainable Transport) of the NPPF.

## INFORMATIVES

1. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Full 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.

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.

Further information on CIL and the stages which need to be followed is available on the Council's website. [www.spelthorne.go.uk/CIL](http://www.spelthorne.go.uk/CIL).

2. 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](http://www.securedbydesign.com).
3. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).

5. 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).
6. The applicant is advised that the proposed accesses and the new footway will have to be constructed under a Section 278 of the Highway Act legal agreement. This agreement must be obtained from Surrey County Council (the Highway Authority) before any works are carried out on any footway, carriageway, verge, or other land forming part of the highway. The applicant should contact Surrey County Council's Transportation Development Control section (Tel: 0300 200 1003) to discuss the requirements for entering into the agreement.
7. Design standards for the layout and construction of the proposed accesses and footway shall be in accordance with the requirements of the County Highway Authority.
8. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Transportation Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
9. The Highway Authority advise that the proposed roads within the application site are of insufficient public utility to warrant adoption as highway maintainable at public expense.
10. The applicant 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.
11. 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 that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
  - b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
  - c) Deliveries should only be received within the hours detailed in (a) above;

- d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses 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 bowsers and wheel washes;
- e) There should be no burning on site;
- f) Only minimal security lighting should be used outside the hours stated above; and
- g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme ([www.ccscheme.org.uk/index.php/site-registration](http://www.ccscheme.org.uk/index.php/site-registration)).

12. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:
  - a. how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
  - b. how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
  - c. the arrangements that will be in place to ensure a reasonable telephone response during working hours;
  - d. the name and contact details of the site manager who will be able to deal with complaints; and
  - e. how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.
  
- 13 Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

14. 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](http://www.securedbydesign.com).
15. The applicant is advised that all gas fired boilers should meet a minimum standard of less than 40mgNOx/kWh.

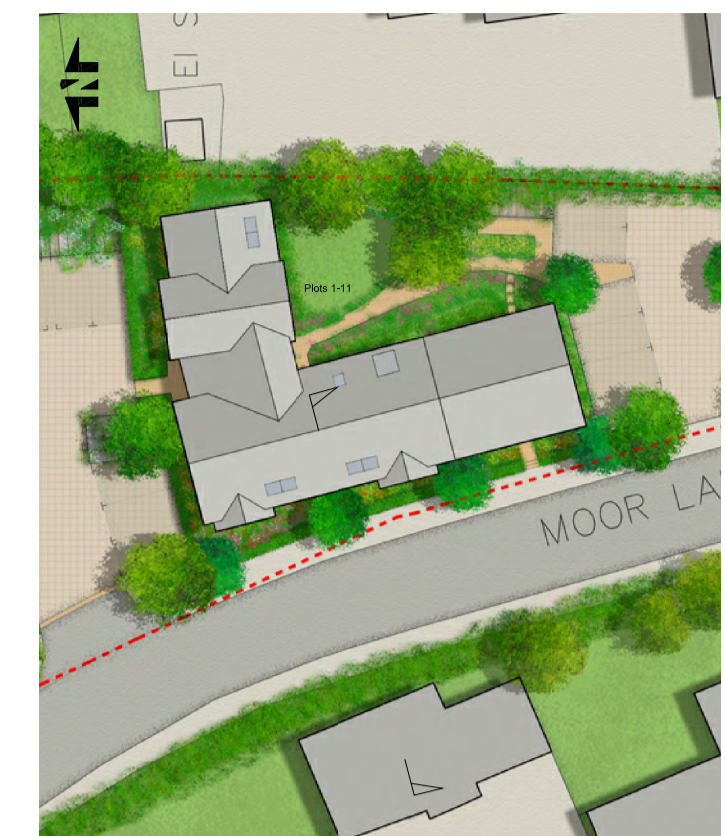
**The Town and Country Planning (Development Management Procedure) (England) Order 2015**  
**Working in a positive/proactive manner**

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Section 4 of the NPPF. This included the following:-

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



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Roof Plan - 1:500 @ A1, 1:1000 @ A3



Front Elevation



North Elevation



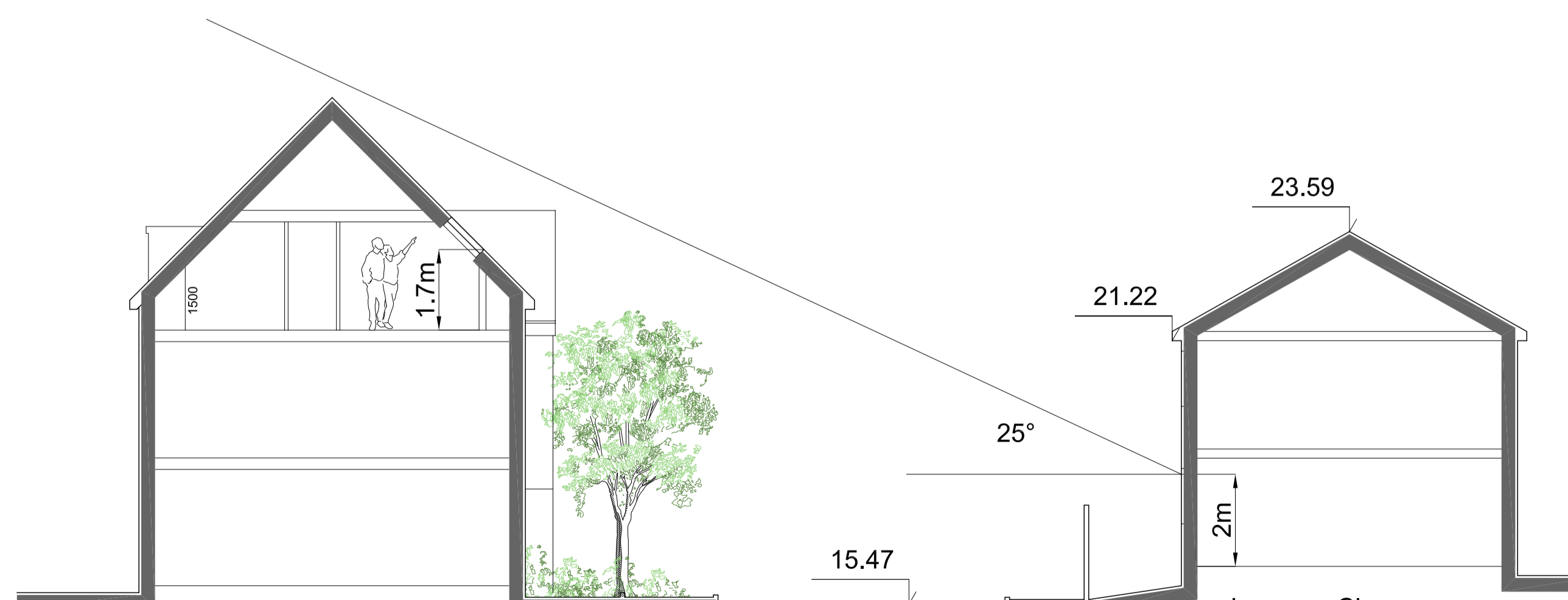
South Elevation



Sectional South Elevation A-A



Rear Elevation



2.5 storey part fronting Moor Lane

Moor Lane

Lammas Close No.10

Section

**MATERIALS:**

- Brick:
  - B1 - Brown Stock
  - B2 - Yellow Stock
- Reconstituted stone features
- Render:
  - R1 - White
  - R2 - Rose
- Cladding: Eternit Weatherboard or similar C1- Blue/Grey
- Roofs: Slate grey concrete tile
- Windows: White UPVC
- Juliette balconies - dark grey metal railing
- Refuse & Cycle stores: timber
- Pergola over parking: timber

Rev.B (12.03.2012) - block of flats revised, one unit removed, plot numbers revised to match  
 Rev.A (09.02.2012) - plans, footprint and elevations revised, building height reduced at eastern end.

**Fairview**  
**NEW HOMES Ltd.**

Moor Lane  
 Staines  
 Plots 1-11 Elevation

Scale 1:100 @ A1 / 1:200 @ A3

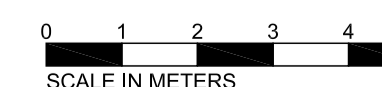
Date October 2011

Drawn ML

FAIRVIEW NEW HOMES Ltd.  
 50 Lancaster Road Enfield Middx EN2 0BY  
 Telephone: 0208-366 1271 Fax: 0208-366 7219

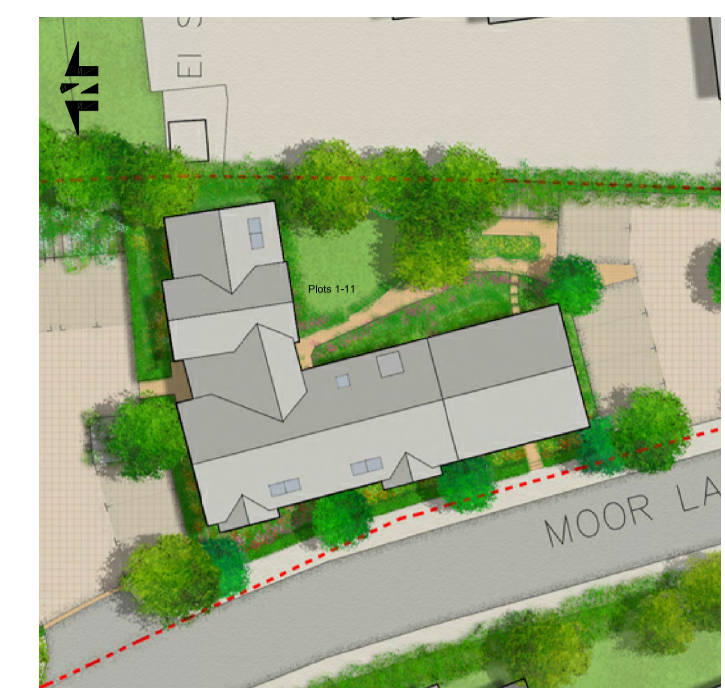
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FNH392/P/311 B

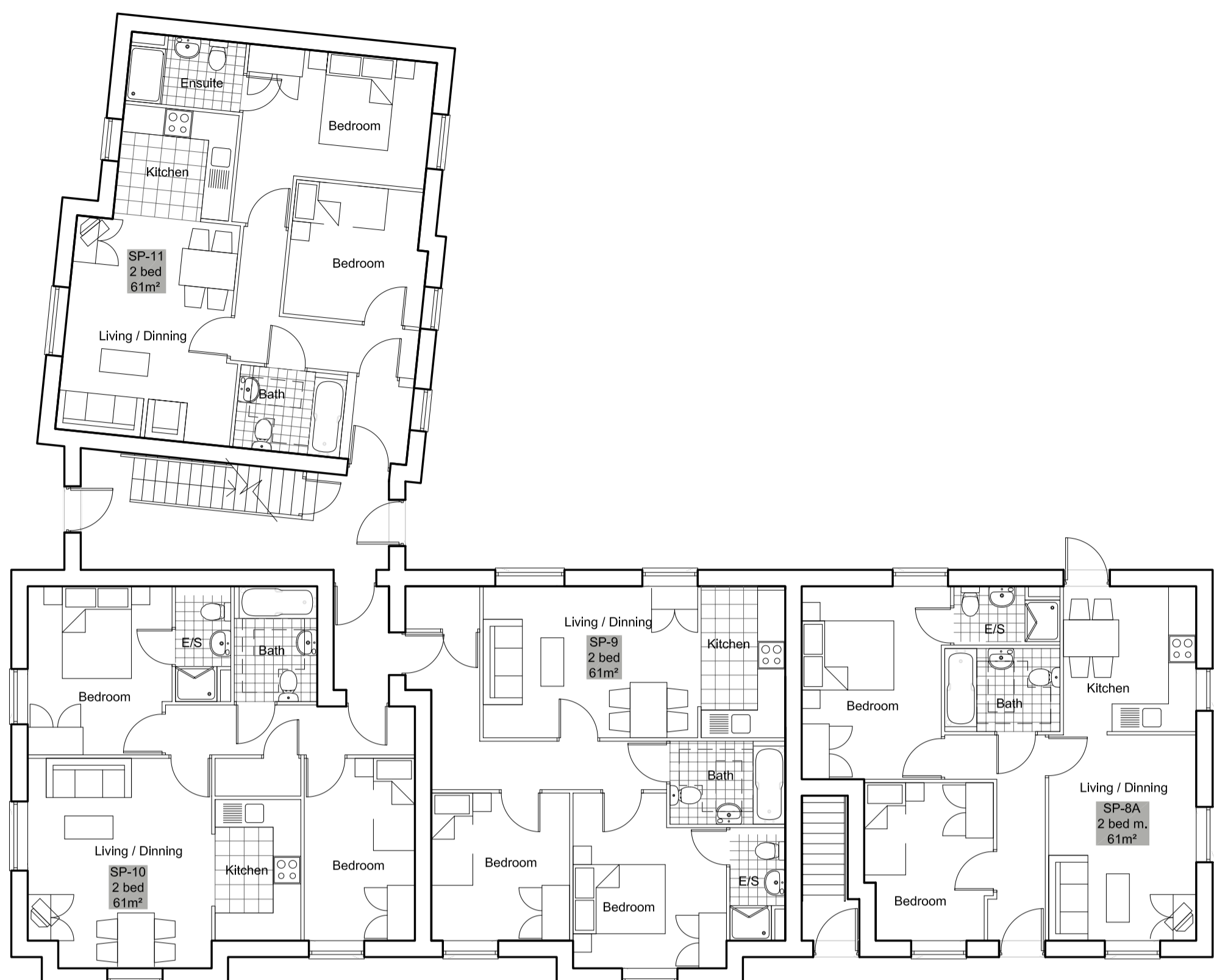


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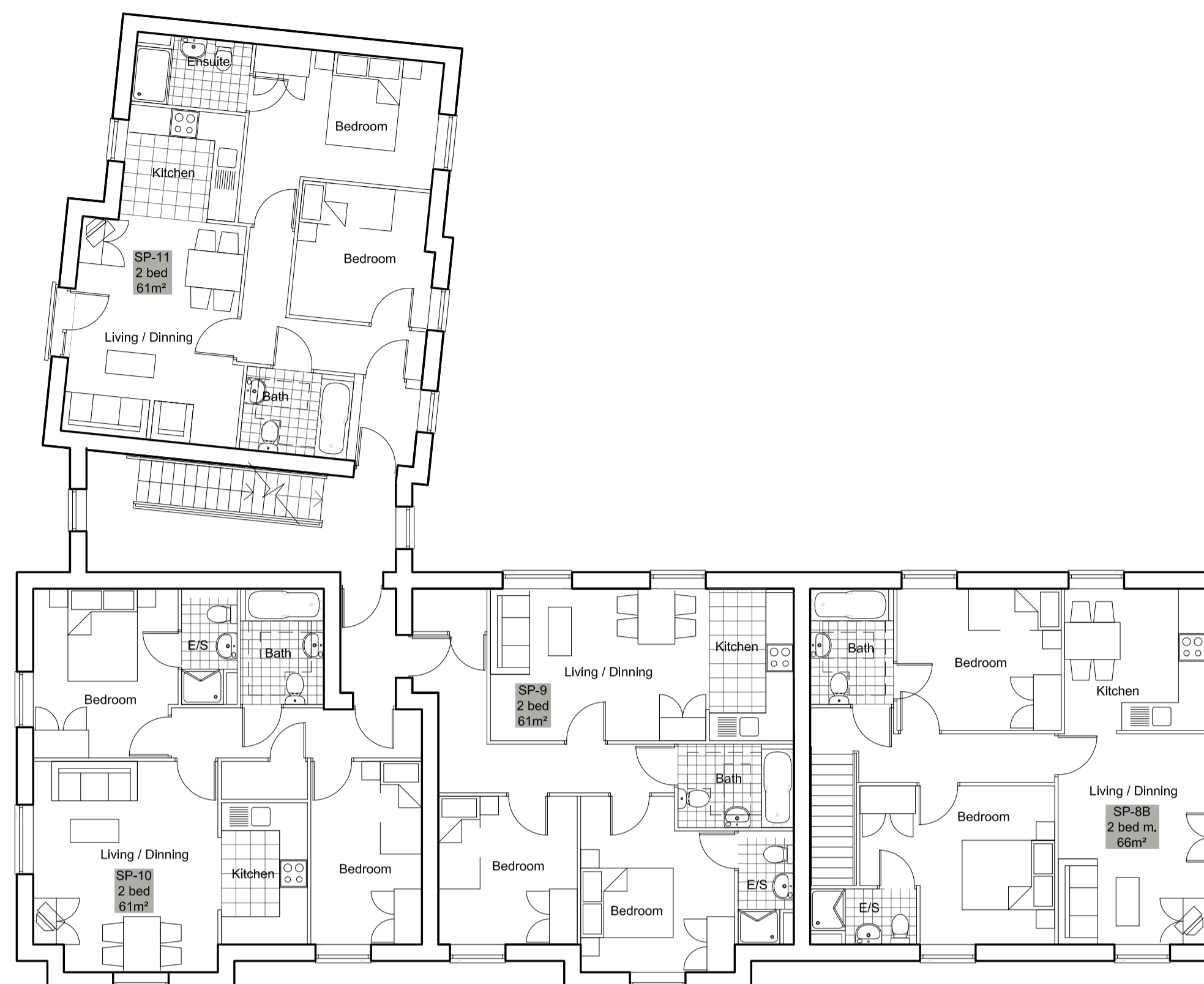
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Roof Plan - 1:500 @ A1, 1:1000 @ A3



Plots 1-11 Ground Floor Plan



Plots 1-11 First Floor Plan



Plots 1-11 Second Floor Plan

**MATERIALS:**

- Brick:
  - B1 - Brown Stock
  - B2 - Yellow Stock
- Reconstituted stone features
- Render:
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- Cladding: Eternit Weatherboard or similar
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- Refuse & Cycle stores: timber
- Pergola over parking: timber

Rev.B (12.03.2012) - block of flats revised, one unit removed, plot numbers revised to match  
 Rev.A (09.02.2012) - plans, footprint and elevations revised, building height reduced at eastern end.

**Fairview**  
**NEW HOMES Ltd.**

Moor Lane  
 Staines  
 Plots 1-11 plans

Scale 1:100 @ A1 / 1:200 @ A3

Date October 2011

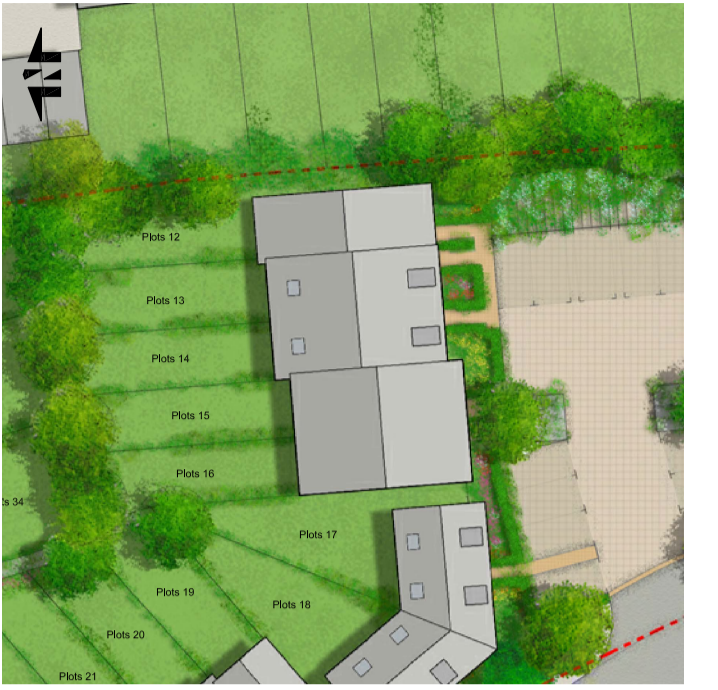
Drawn ML

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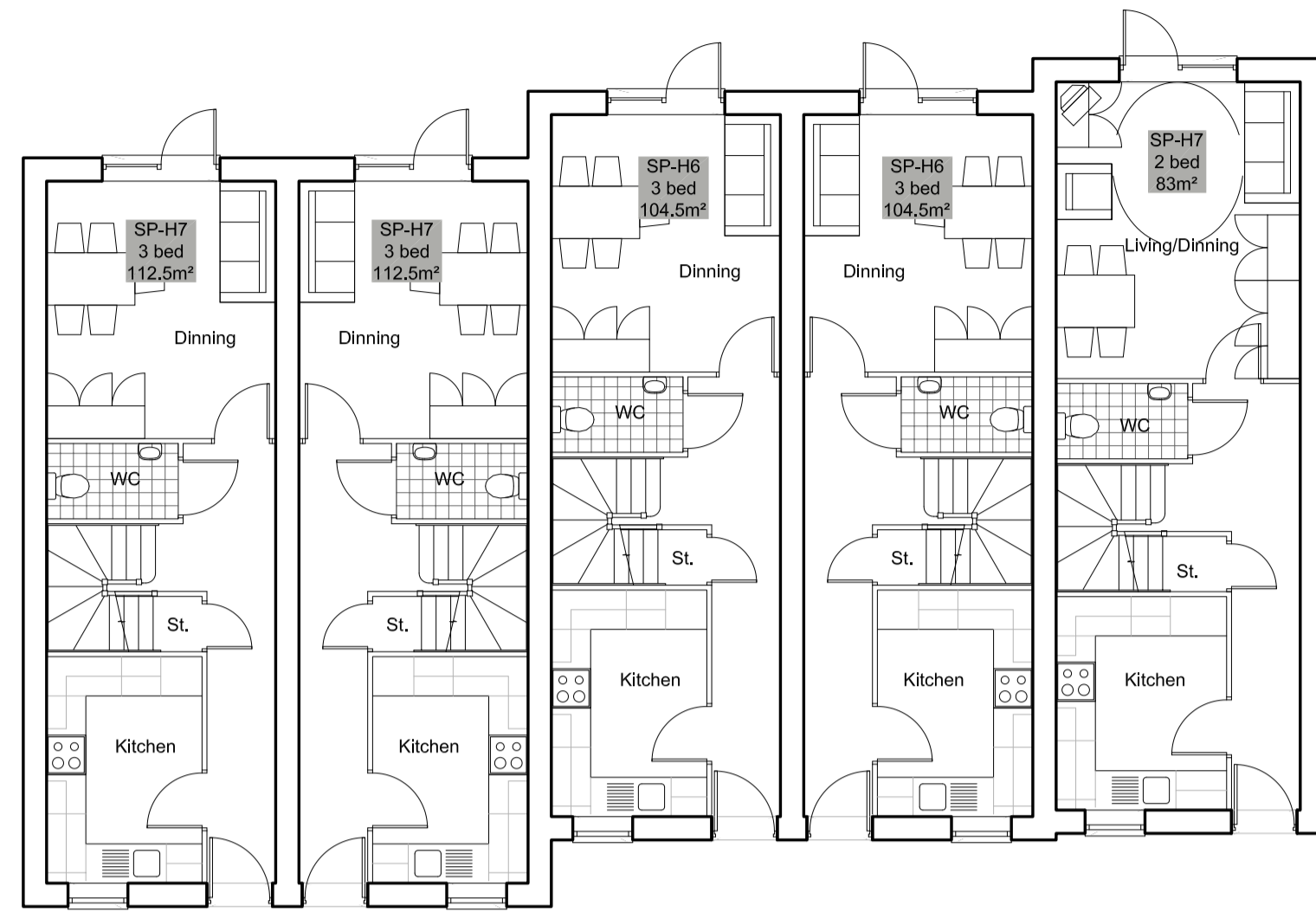
Drawing No. Revision

FNH392/P/310 B

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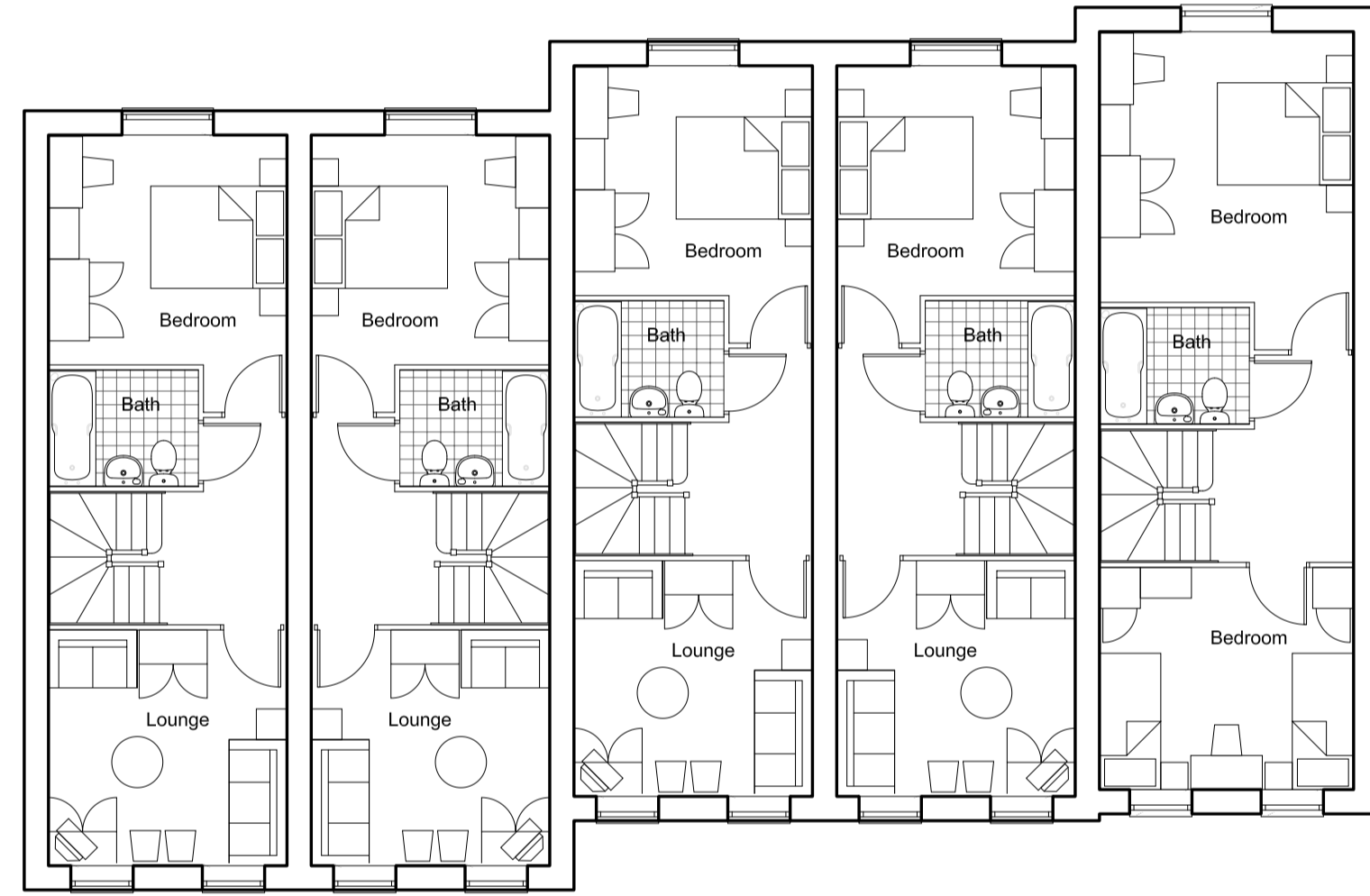
Roof Plan - 1:500 @ A1, 1:1000 @ A3



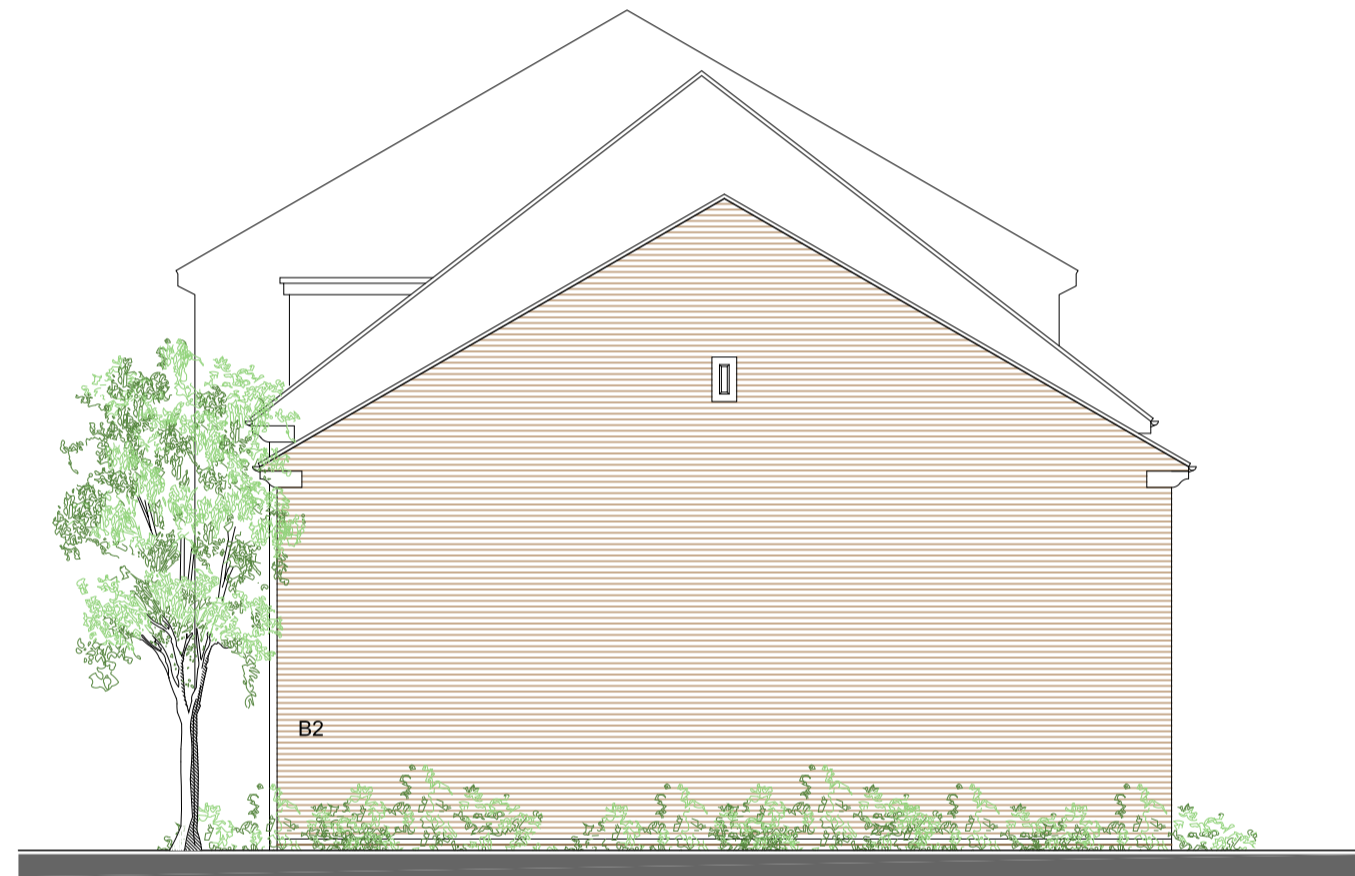
Ground Floor



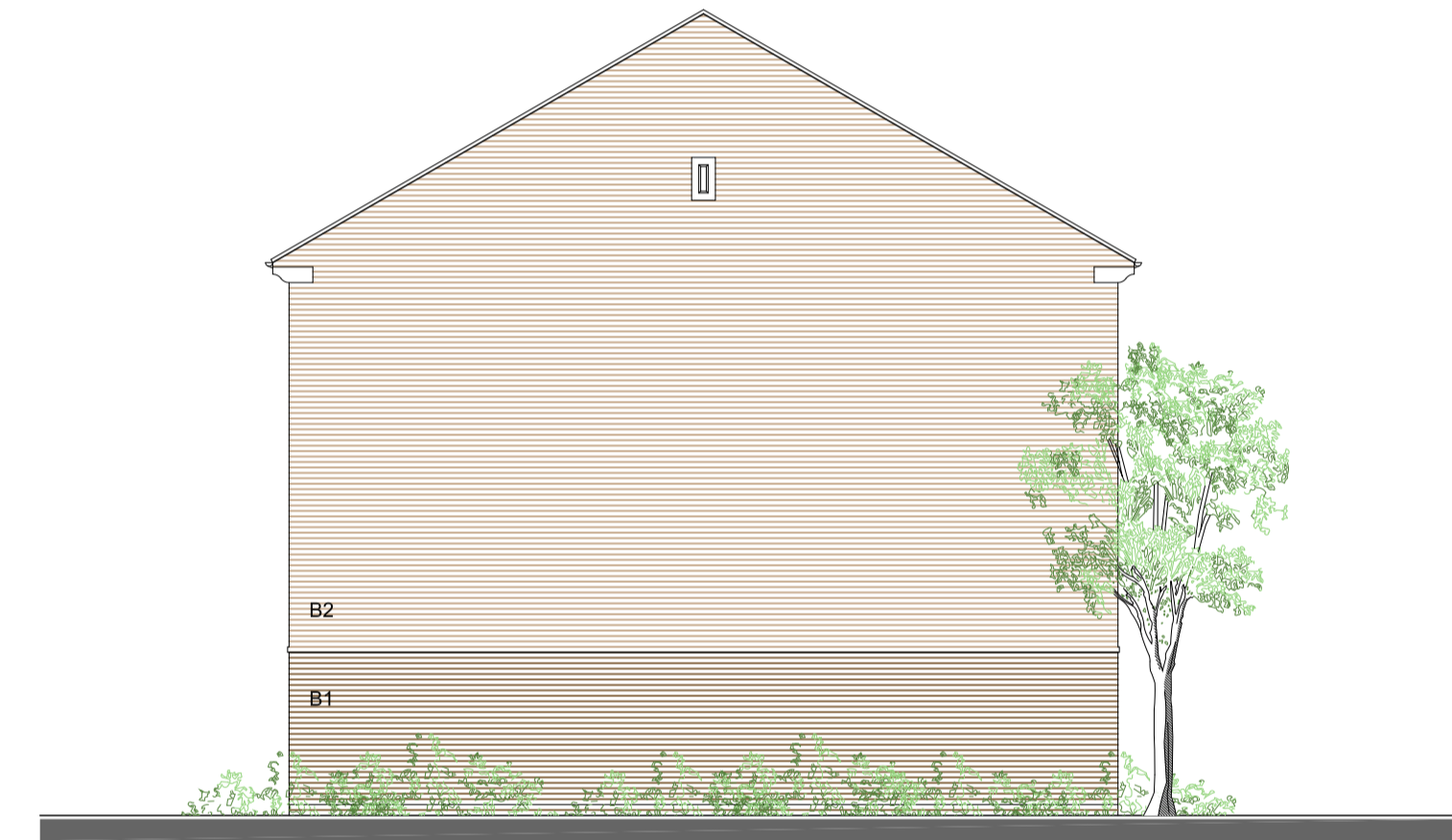
Front Elevation



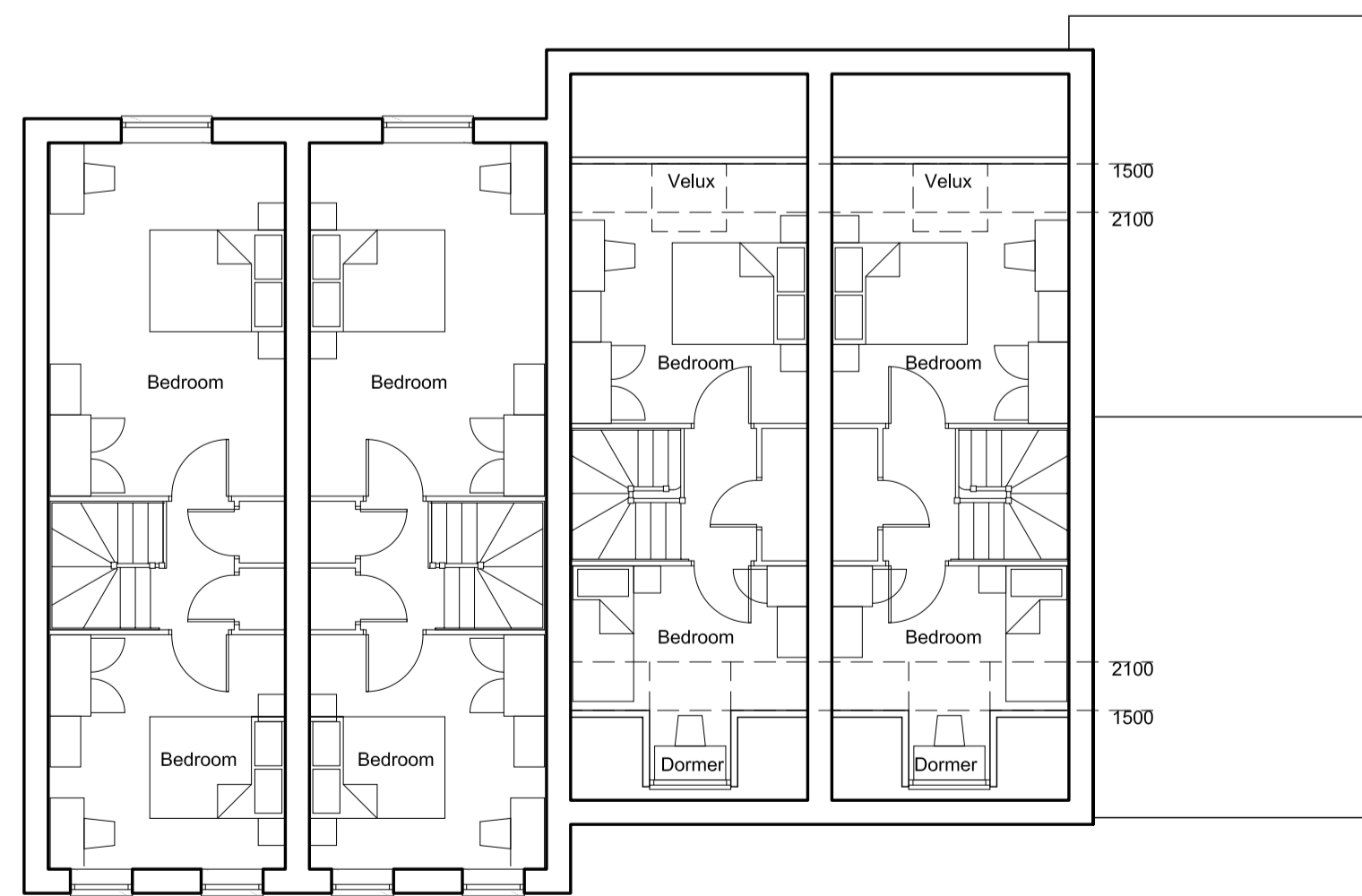
First Floor



Side Elevation - East



Side Elevation - West



Second Floor



Rear Elevation

**MATERIALS:**

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  - B1 - Brown Stock
  - B2 - Yellow Stock
- Reconstituted stone features
- Render:
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  - R2 - Rose
- Cladding: Eternit Weatherboard or similar
- C1 - Blue/Grey
- Roofs: Slate grey concrete tile
- Windows: White UPVC
- Juliette balconies - dark grey metal railing
- Refuse & Cycle stores: timber
- Pergola over parking: timber

Rev.B (12.03.2012) - one dwelling removed, plot numbers revised to match  
 Rev.A (09.02.2012) - plot 13 revised, front elevation revised to plots 14 and 15

**Fairview<sup>®</sup>**  
**NEW HOMES Ltd.**

Moor Lane  
 Staines  
 Plots 12-16

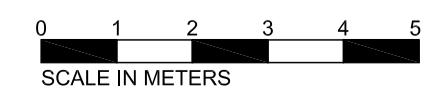
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Date October 2011

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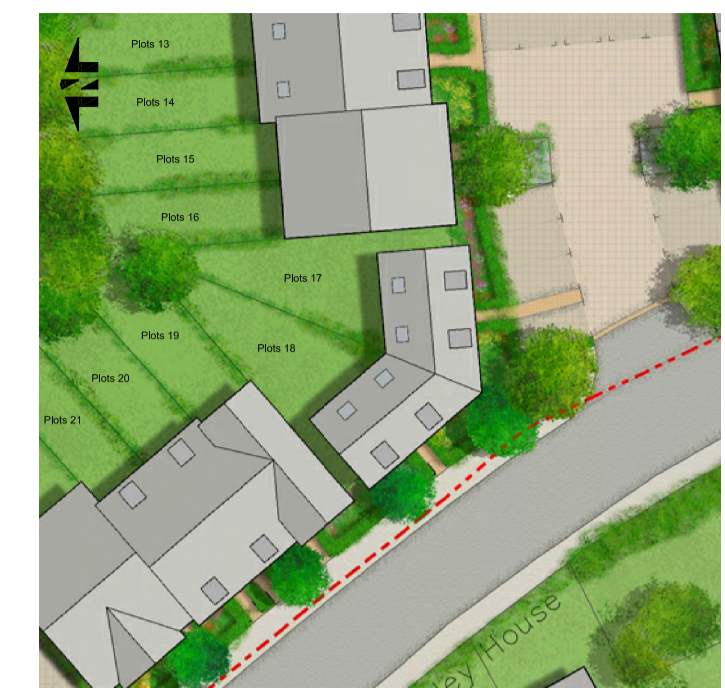
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 50 Lancaster Road Enfield Middx EN2 0BY  
 Telephone: 0208-366 1271 Fax: 0208-366 7219

Drawing No. FNN392/P/312 Revision B



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Roof Plan - 1:500 @ A1, 1:1000 @ A3



Roof Plan - 1:500 @ A1, 1:1000 @ A3

**MATERIALS:**

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- Refuse & Cycle stores: timber
- Pergola over parking: timber

Rev.B (12.03.2012) - one dwelling removed, plot numbers revised to match  
Rev.A (09.02.2012) - internal area increased, plans and elevations revised to match greater footprint

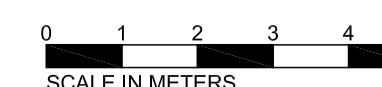
**Fairview**  
**NEW HOMES Ltd.**

Moor Lane  
Staines  
Plots 17-18 & 24-27

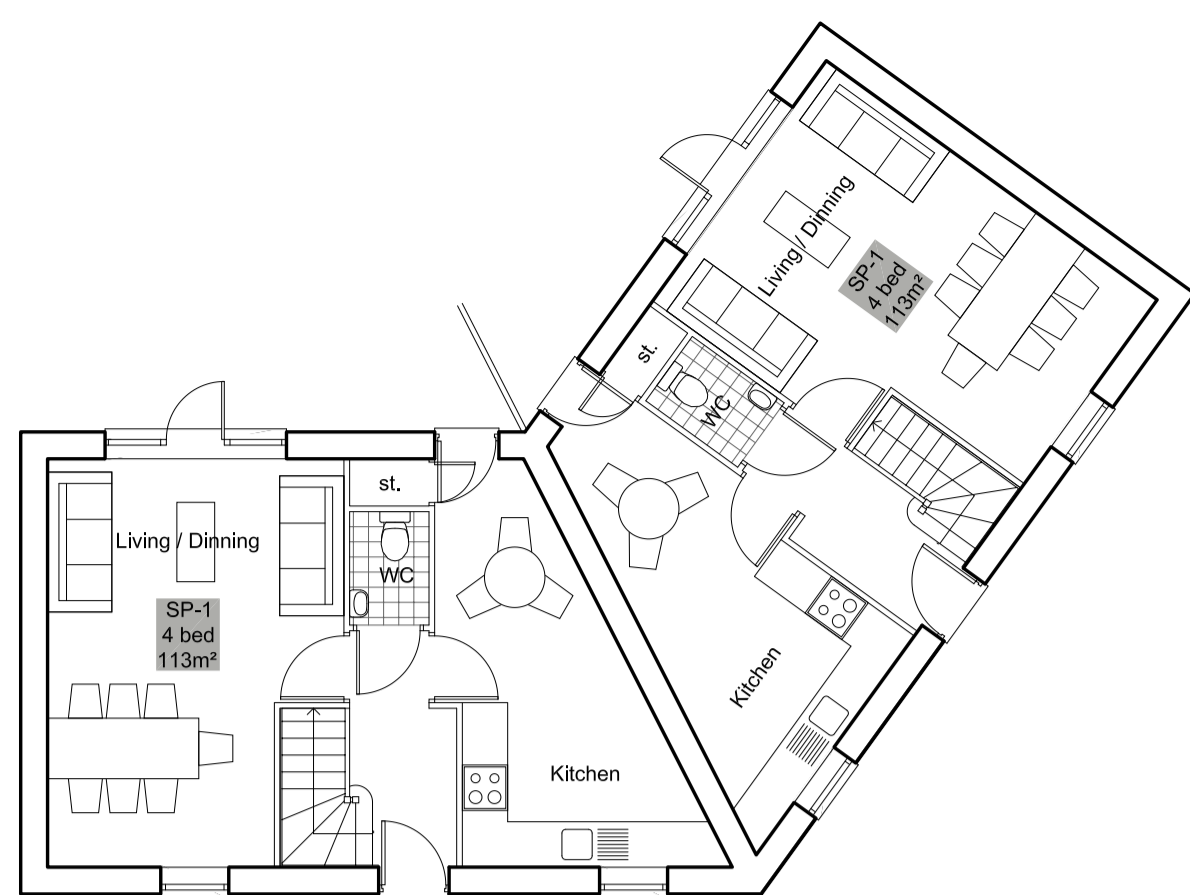
Scale 1:100 @ A1 / 1:200 @ A3  
Date October 2011  
Drawn ML

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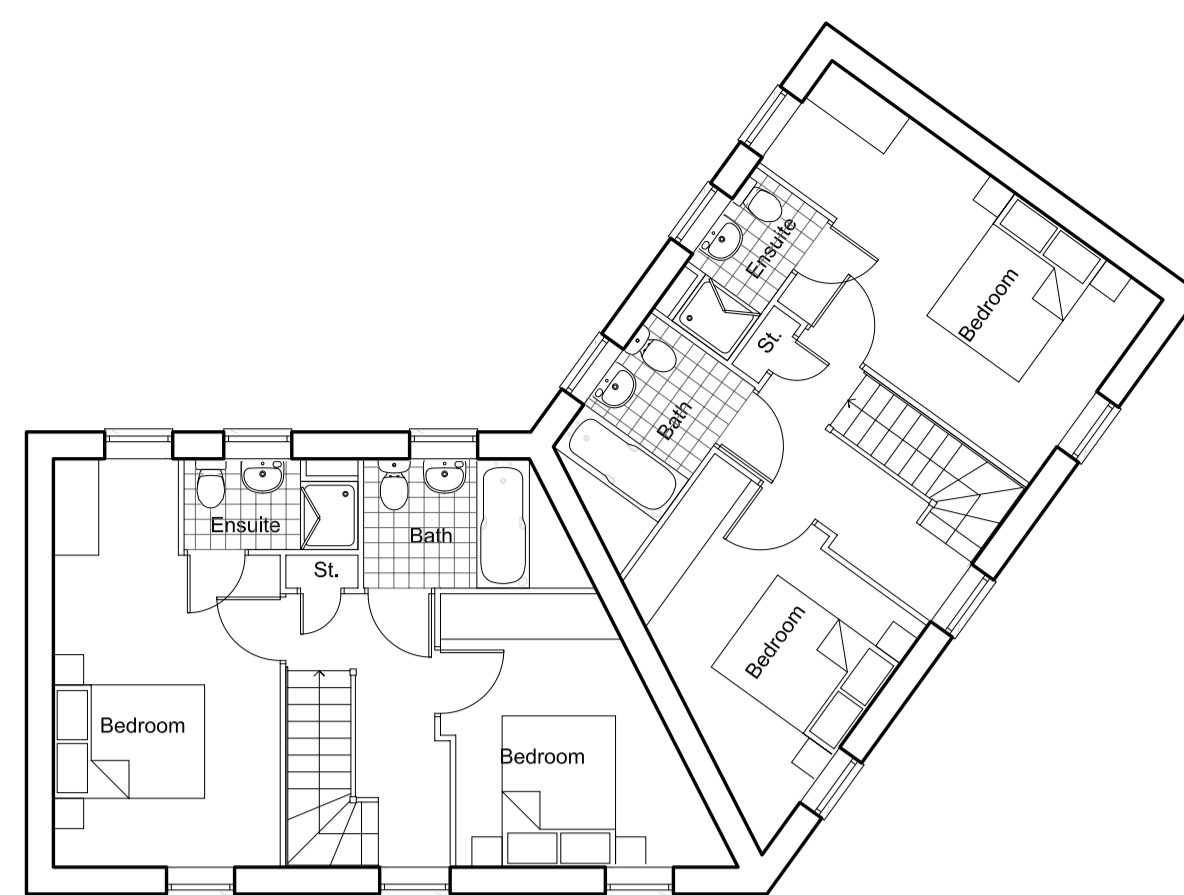
Drawing No. FNH392/P/313 Revision B



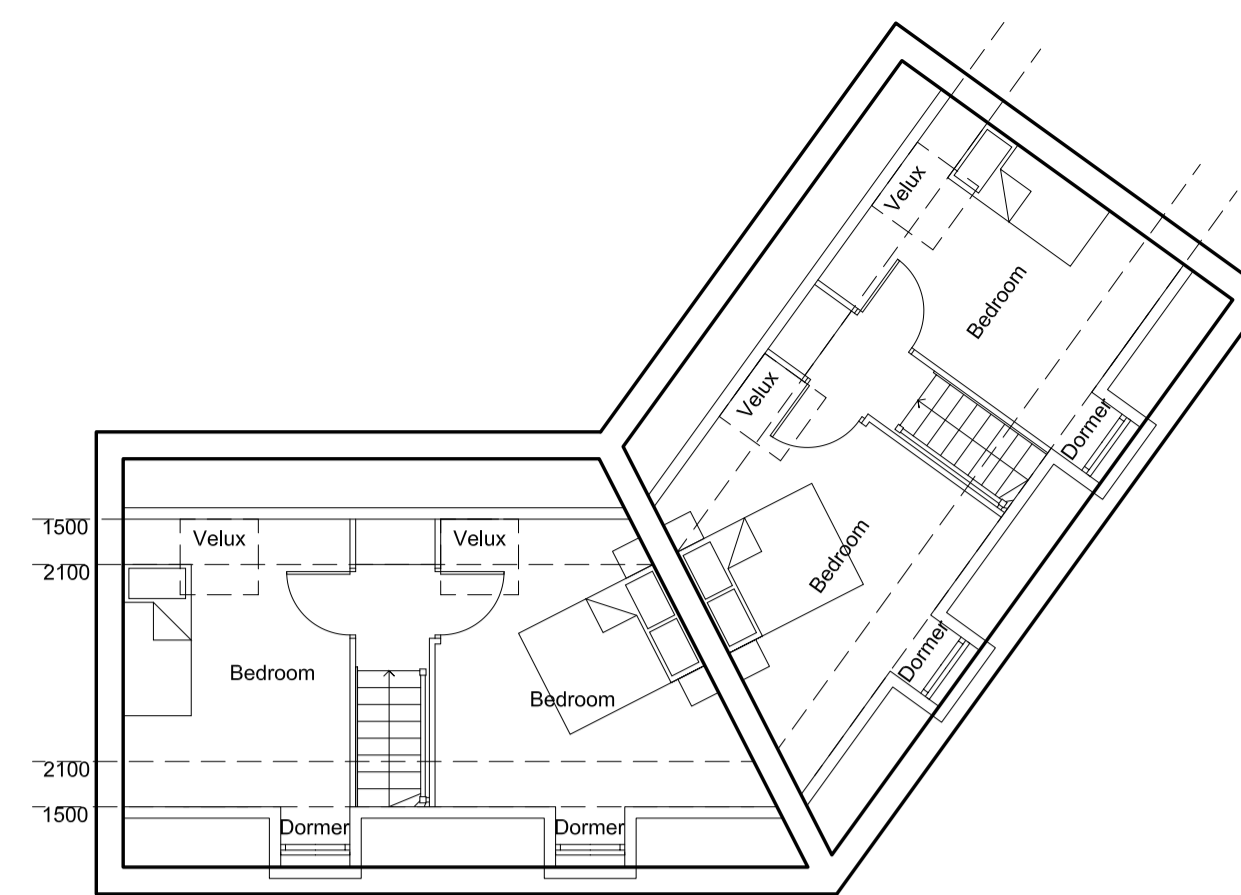
SCALE IN METERS



Ground Floor



First Floor



Second Floor



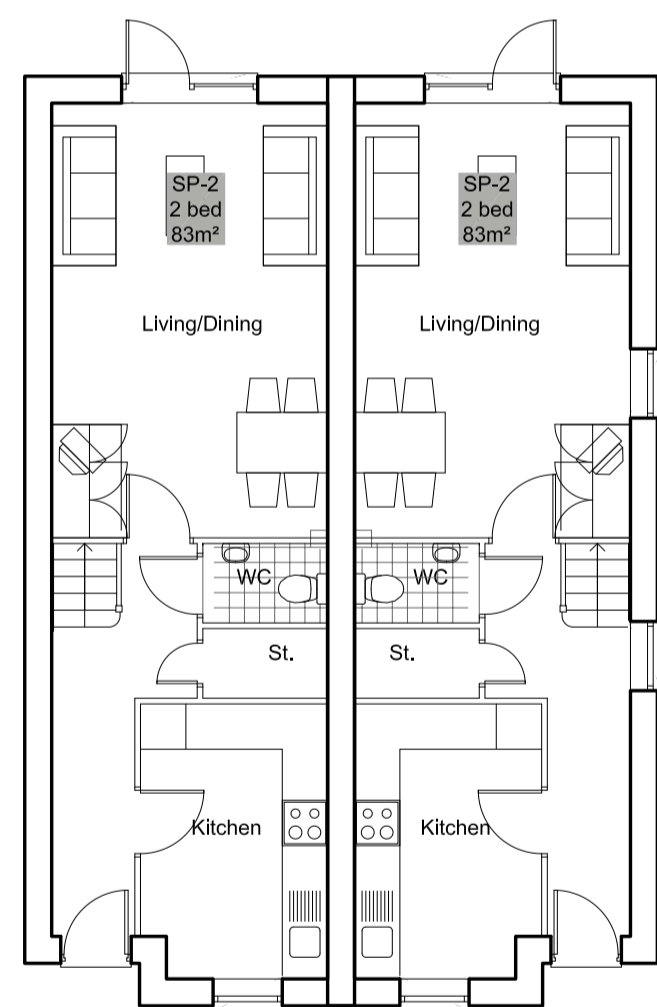
Front Elevation



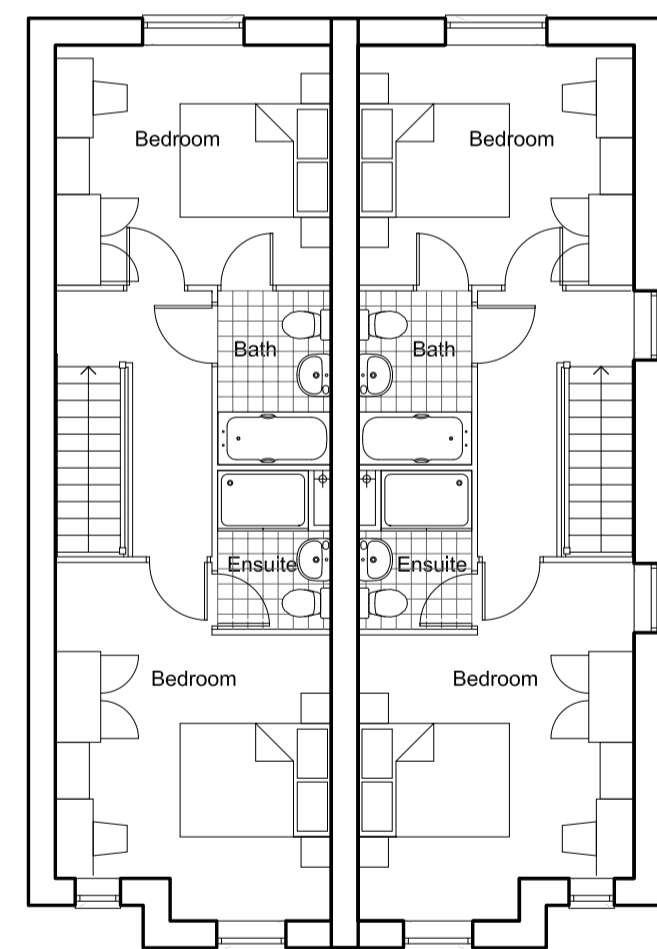
Side Elevation



Rear Elevation



Ground Floor



First Floor

\* side windows to plot 24 only

\* side windows to plot 24 only



Front Elevation  
plots 24, 25 - rose render R2  
plots 26, 27 - white render R1



Side Elevation - South  
\* windows to plot 25 only



Rear Elevation

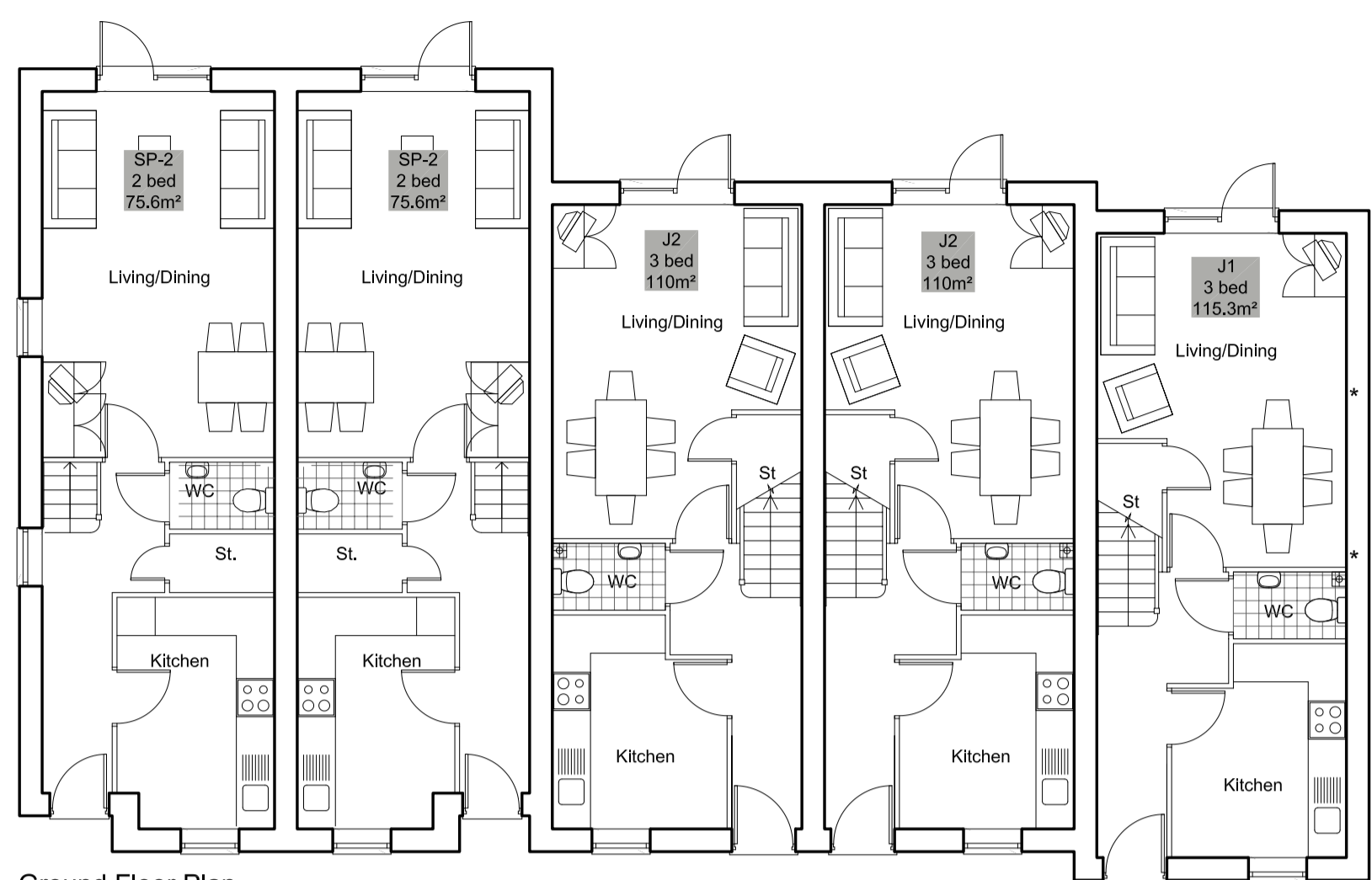


Side Elevation - North

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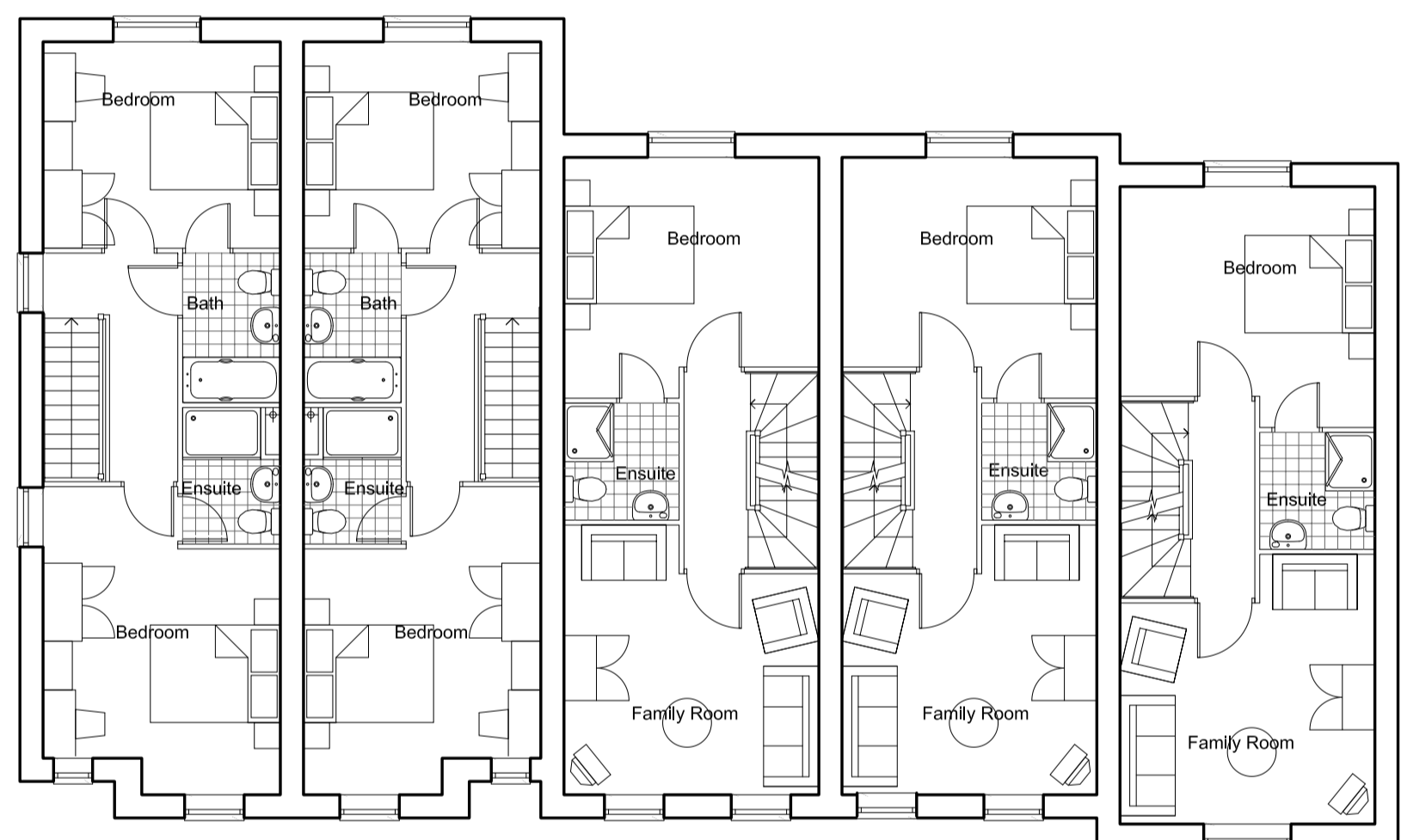
Roof Plan - 1:500 @ A1, 1:1000 @ A3



Ground Floor Plan



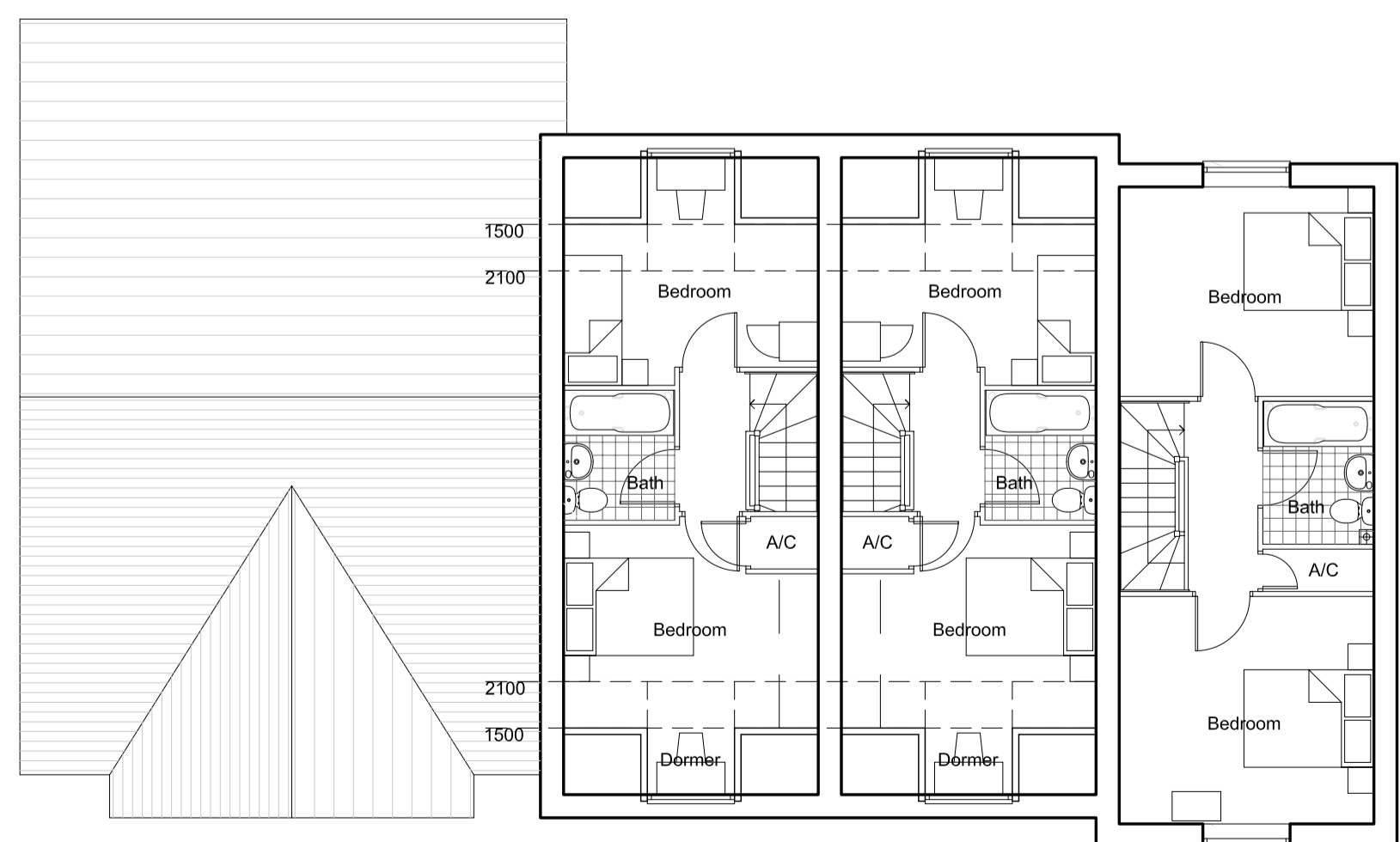
Front Elevation



First Floor Plan



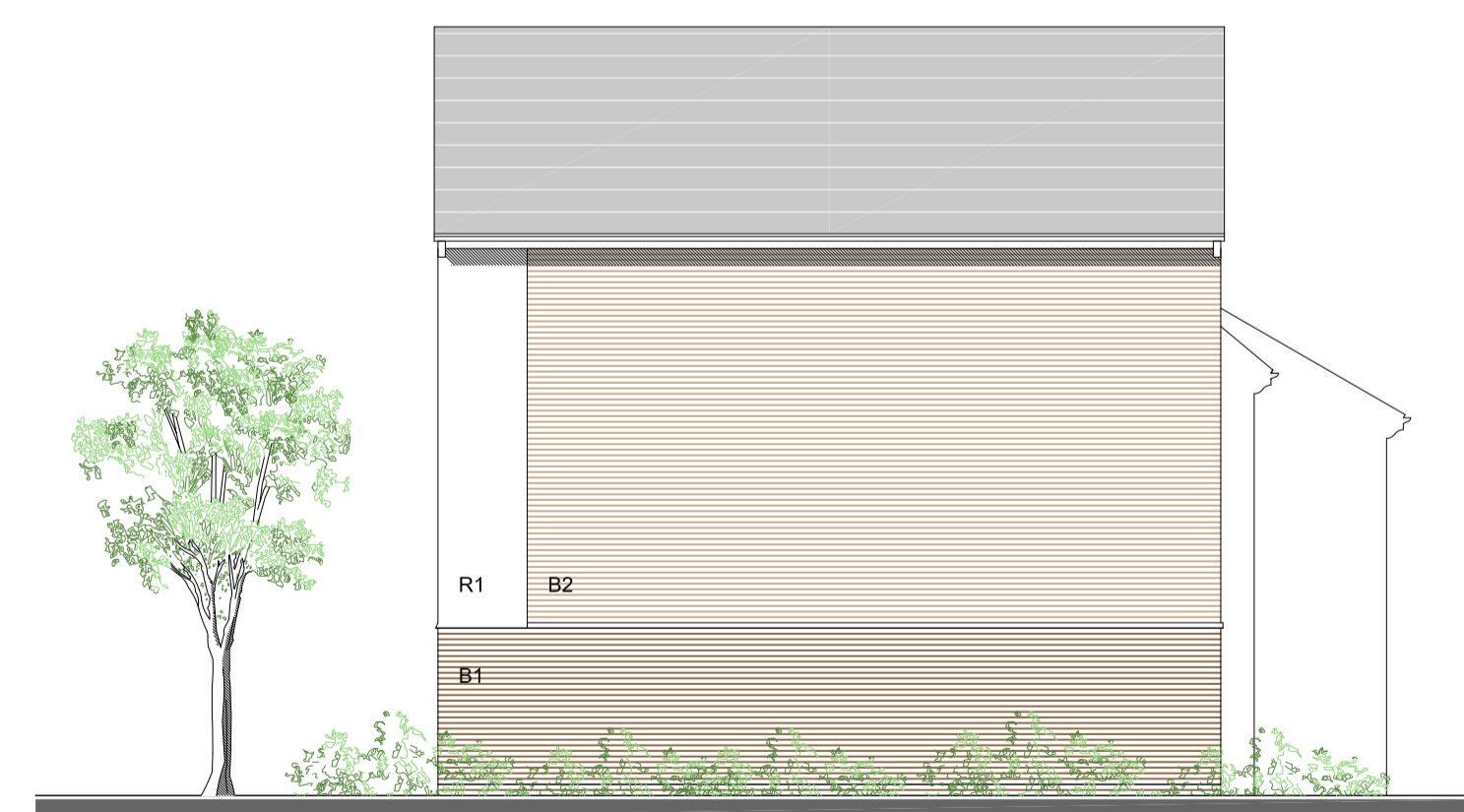
Rear Elevation



Second Floor Plan



Side Elevation - South



Side Elevation - North

**MATERIALS:**

- Brick:
  - B1 - Brown Stock
  - B2 - Yellow Stock
- Reconstituted stone features
- Render:
  - R1 - White
  - R2 - Rose
- Cladding: Eternit Weatherboard or similar
- C1 - Blue/Grey
- Roofs: Slate grey concrete tile
- Windows: White UPVC
- Juliette balconies - dark grey metal railing
- Refuse & Cycle stores: timber
- Pergola over parking: timber

Rev.B (12.03.2012) - one dwelling removed, plot numbers revised to match  
 Rev.A (09.02.2012) - plots 23 and 24: internal area increased, plans and elevations revised to match greater footprint

**Fairview**  
**NEW HOMES Ltd.**

Moor Lane  
 Staines  
 Plots 19-23

Scale 1:100 @ A1 / 1:200 @ A3

Date October 2011

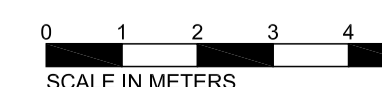
Drawn ML

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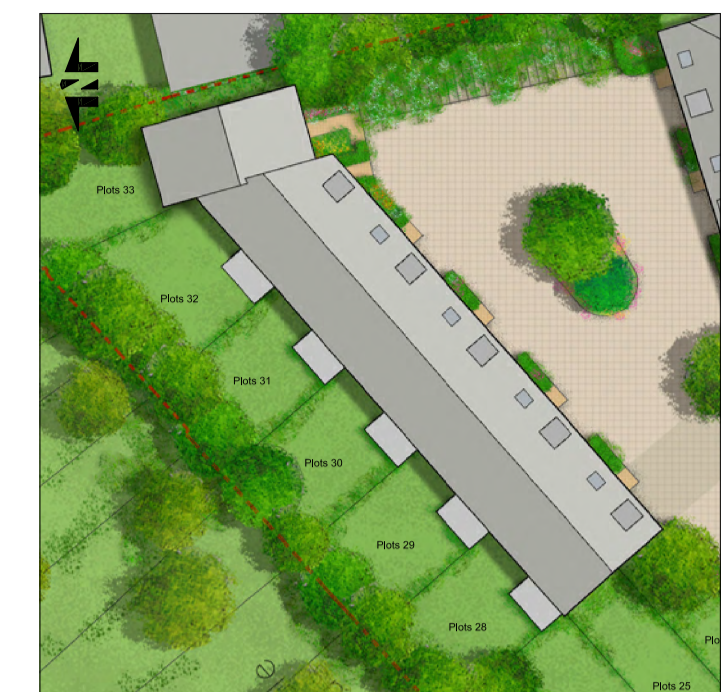
Drawing No. Revision

FNH392/P/314 B



SCALE IN METERS

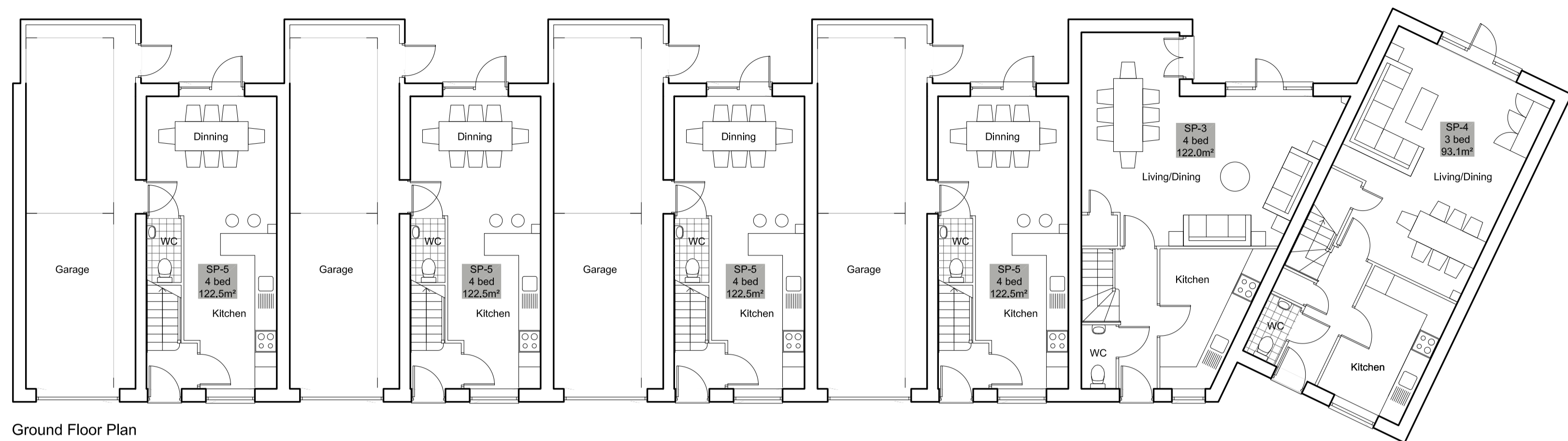
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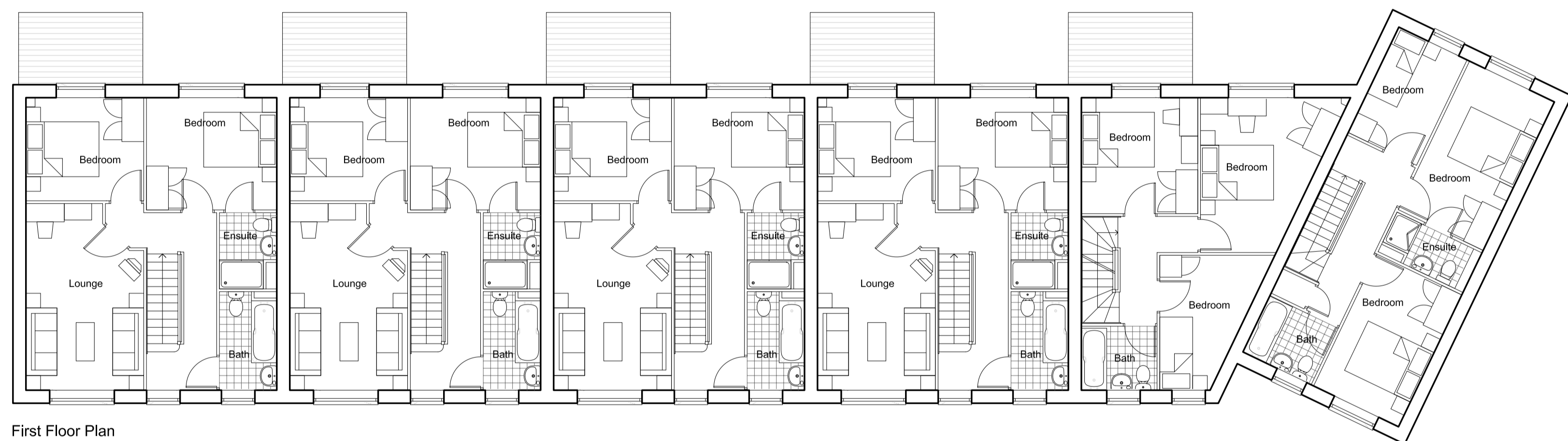
Roof Plan - 1:500 @ A1, 1:1000 @ A3

**MATERIALS:**

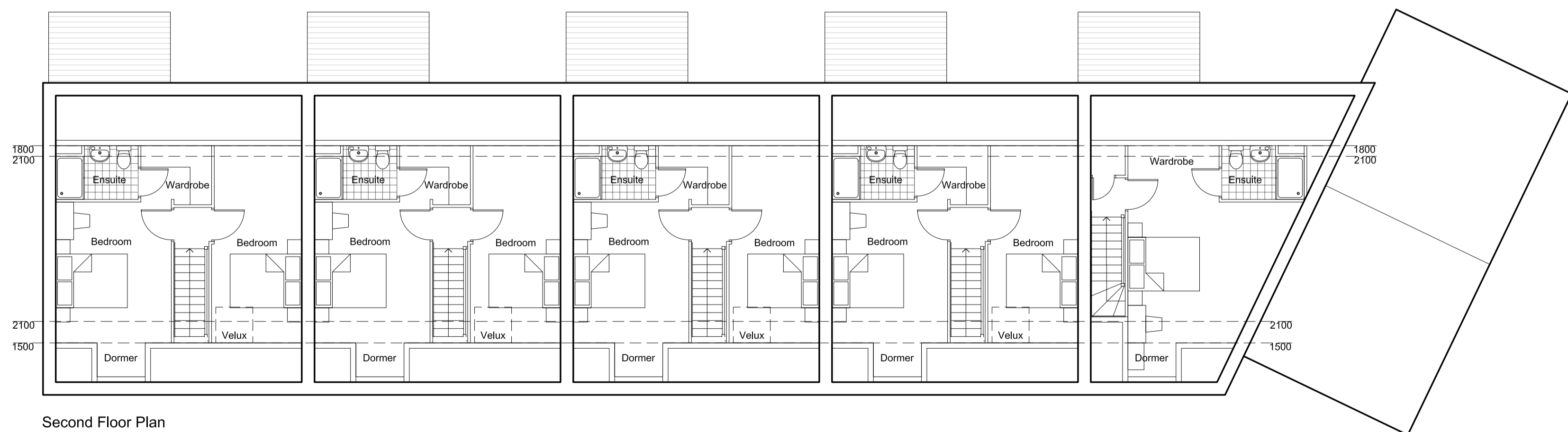
- Brick:
  - B1 - Brown Stock
  - B2 - Yellow Stock
- Reconstituted stone features
- Render:
  - R1 - White
  - R2 - Rose
- Cladding: Eternit Weatherboard or similar
- C1 - Blue/Grey
- Roofs: Slate grey concrete tile
- Windows: White UPVC
- Juliette balconies - dark grey metal railing
- Refuse & Cycle stores: timber
- Pergola over parking: timber



Ground Floor Plan



First Floor Plan



Second Floor Plan

Rev.B (12.03.2012) - one dwelling removed, plot numbers revised to match  
 Rev.A (09.02.2012) - plot 33 and 34 revised, elevations to plots 29-32 amended

**Fairview**  
 NEW HOMES Ltd.

Moor Lane  
 Staines  
 Plots 28-33 Plans

Scale 1:100 @ A1 / 1:200 @ A3

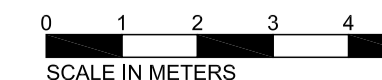
Date October 2011

Drawn ML

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Roof Plan - 1:500 @ A1, 1:1000 @ A3

**MATERIALS:**

- Brick:
  - B1 - Brown Stock
  - B2 - Yellow Stock
- Reconstituted stone features
- Render:
  - R1 - White
  - R2 - Rose
- Cladding: Eternit Weatherboard or similar
- C1 - Blue/Grey
- Roofs: Slate grey concrete tile
- Windows: White UPVC
- Juliette balconies - dark grey metal railing
- Refuse & Cycle stores: timber
- Pergola over parking: timber



Plots 28-32 Front Elevation

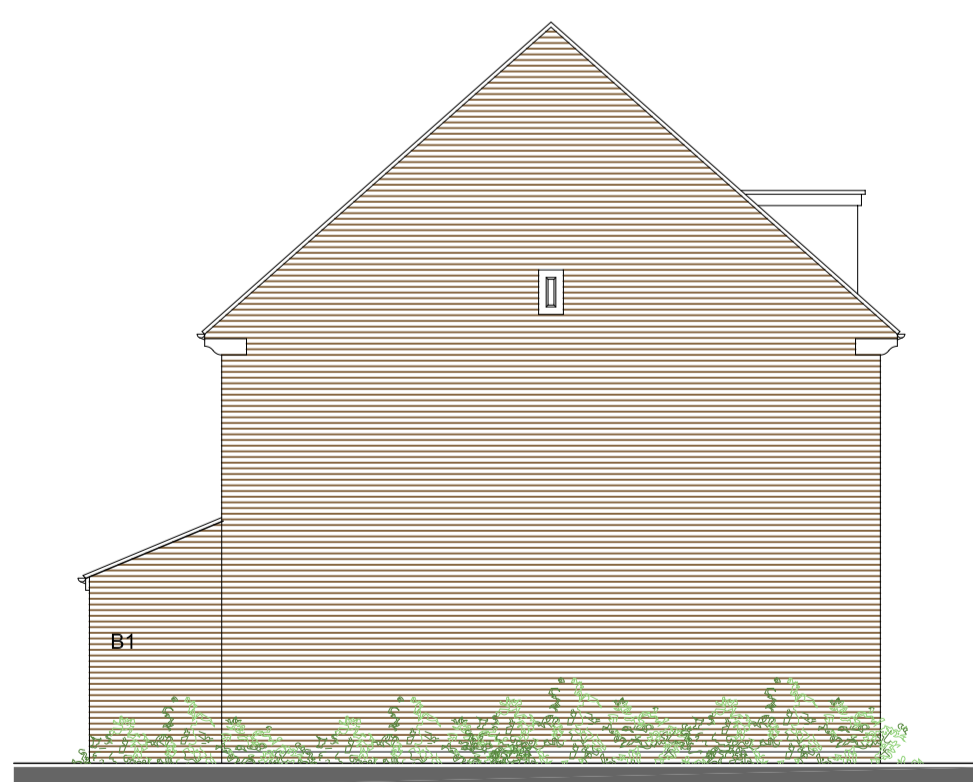


Plots 28-32 Rear Elevation

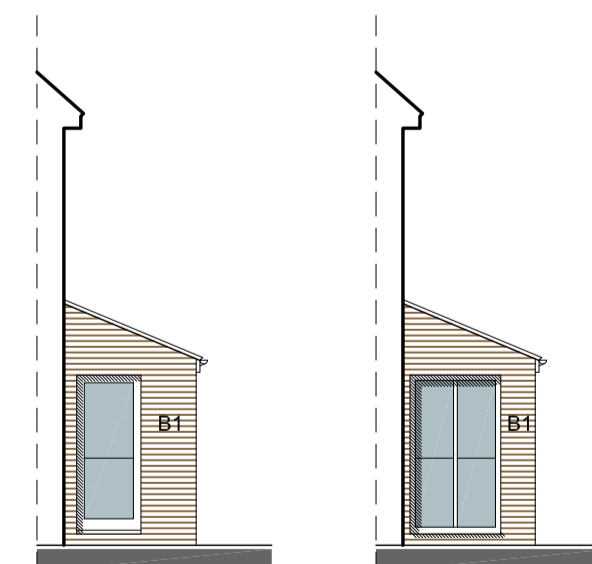


Plot 33 Front Elevation

Plot 33 Rear Elevation



Plots 28-32 Side Elevation



Plots 28-31 Side Elevation (Internal)

Plots 32 Side Elevation (Internal)



Plot 33 Side Elevation

Rev.B (12.03.2012) - one dwelling removed, plot numbers revised to match  
 Rev.A (09.02.2012) - plot 33 and 34 revised, elevations to plots 29-32 amended

**Fairview**  
 NEW HOMES Ltd.

Moor Lane  
 Staines  
 Plots 28-33 Elevation

Scale 1:100 @ A1 / 1:200 @ A3

Date October 2011

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Roof Plan - 1:500 @ A1, 1:1000 @ A3

**MATERIALS:**

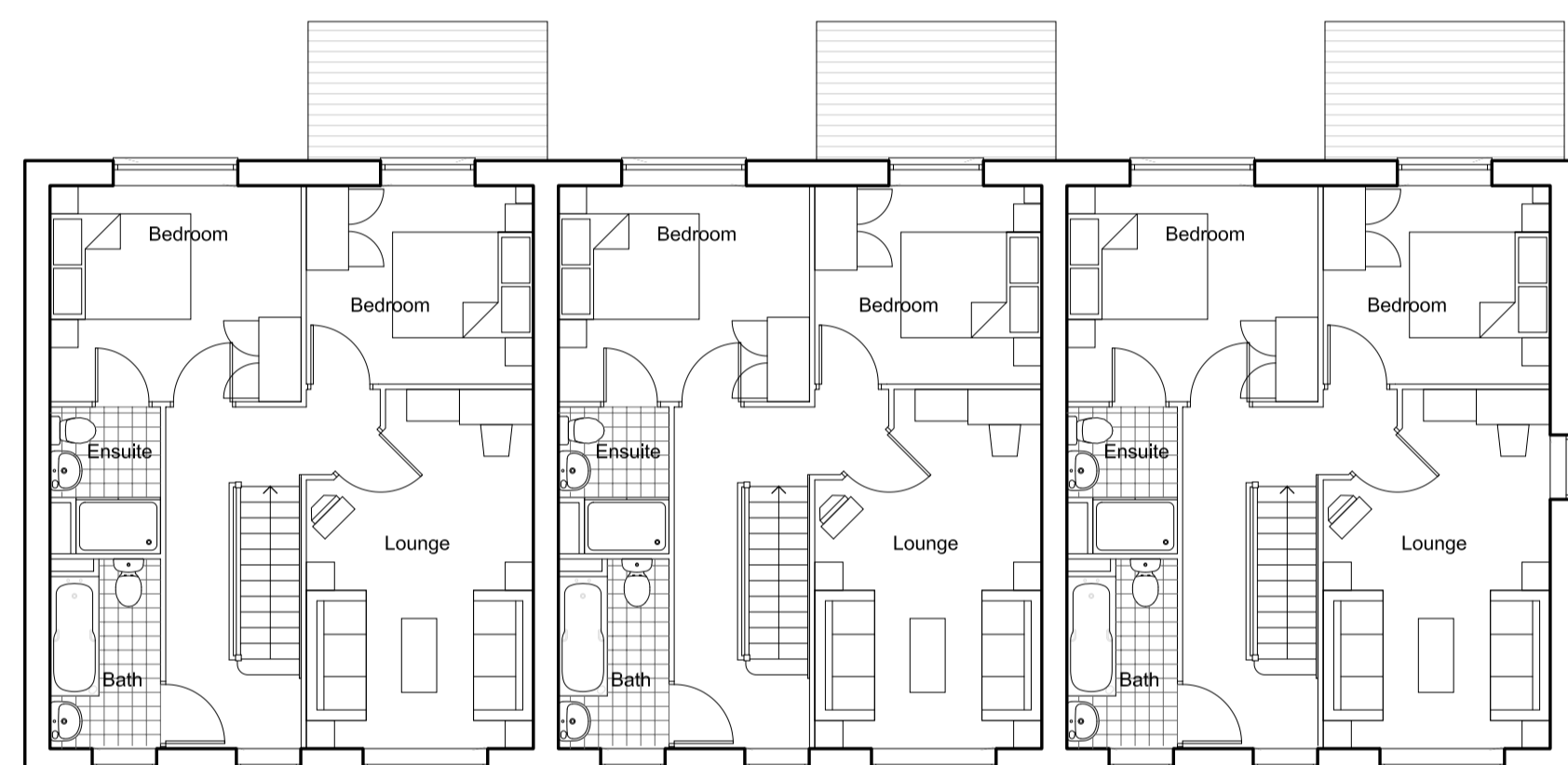
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- Reconstituted stone features
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  - R1 - White
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- Cladding: Eternit Weatherboard or similar
- C1 - Blue/Grey
- Roofs: Slate grey concrete tile
- Windows: White UPVC
- Juliette balconies - dark grey metal railing
- Refuse & Cycle stores: timber
- Pergola over parking: timber



Ground Floor Plan



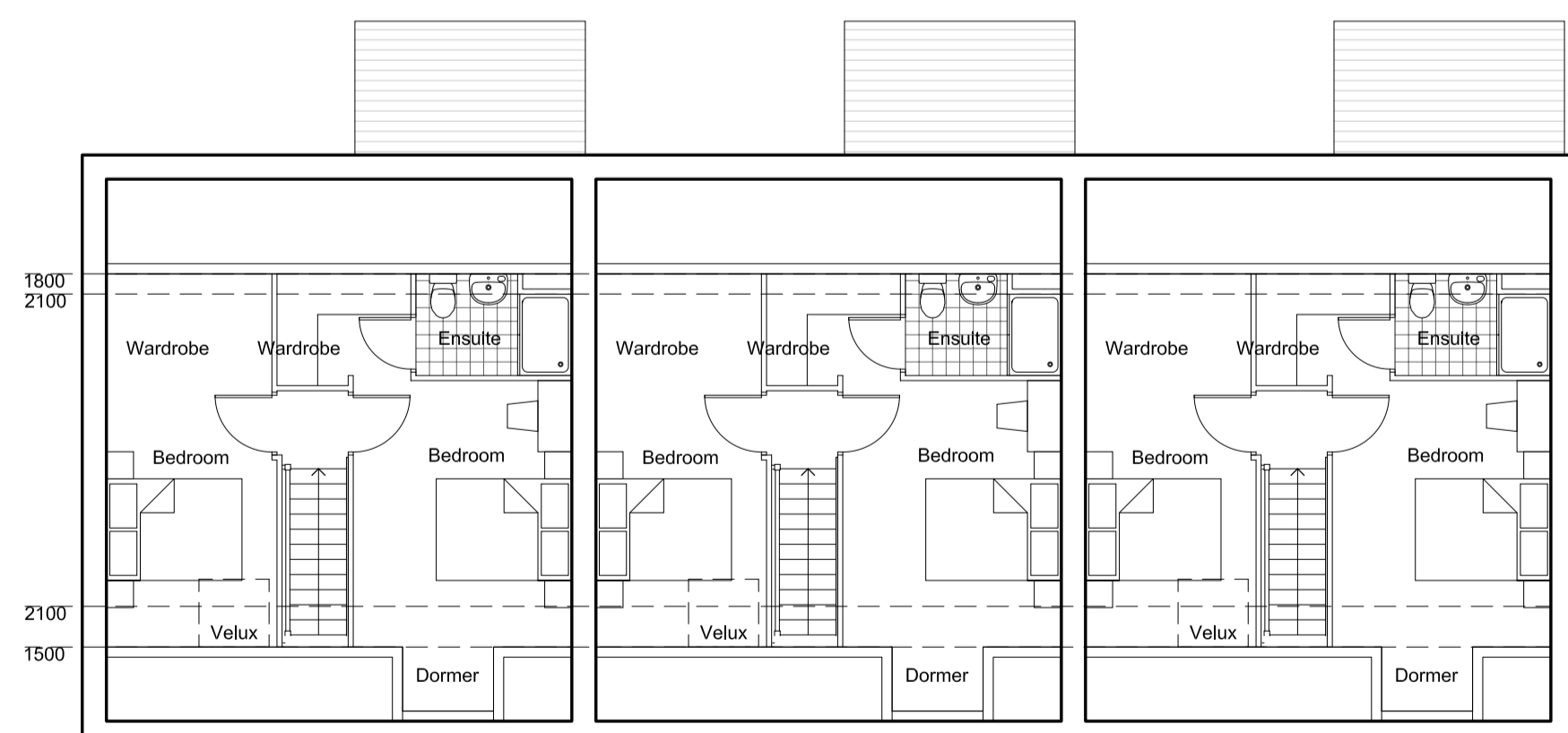
Front Elevation



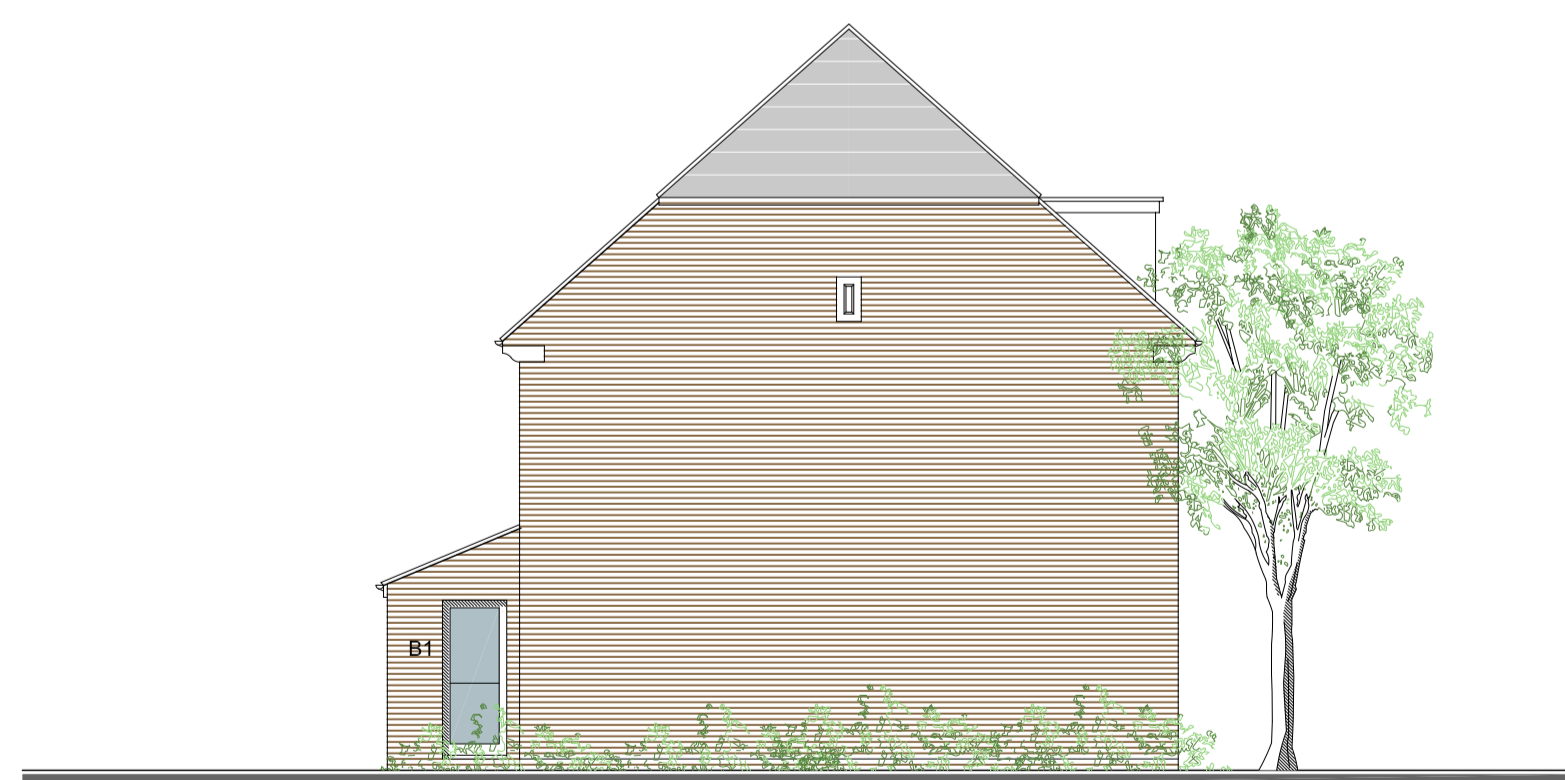
First Floor Plan



Rear Elevation



Second Floor Plan



Side Elevation - West



Side Elevation - East  
(frosted glass windows)

Rev.B (12.03.2012) - one dwelling removed, plot numbers revised to match  
Rev.A (09.02.2012) - half hipped roofs introduced, elevations amended

**Fairview**  
**NEW HOMES Ltd.**

Moor Lane  
Staines  
Plots 34-36

Scale 1:100 @ A1 / 1:200 @ A3

Date October 2011

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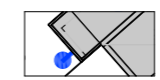
SCALE IN METERS



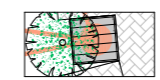
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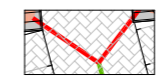
**KEY:**



Location of private bins and route for residents to put bins for collection (max.30m)



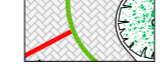
Location of communal refuse stores and route from associated dwellings (max. 30m)



Route for refuse collection (max.5m)



Route of refuse vehicle



No parking in this area to enable refuse vehicles to enter, turn and exit in forward gear.

**Refuse Strategy:**

2x 240 litres  
 1x 23 litres for food waste

Refuse storage points within 30m of associated dwelling entrance and/or refuse collection point.

Bins located in rear gardens to be placed within 5m of the refuse vehicle route on collection day.

Rev.A (12.03.2012) - plots 1-12 revised (block of flats one unit removed, plot numbers revised to match)

# Fairview<sup>®</sup> NEW HOMES Ltd.

Jewson Warehouse  
 Moor Lane, Staines  
 Refuse Strategy

Scale 1:500 @ A3  
 Date October 2011  
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Drawing No. **FNH392/P/340** Revision **A**

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# Planning Committee

9 January 2019



<b>Title</b>	Development Management Performance
<b>Purpose of the report</b>	The purpose of this report is to advise the Committee Members on the recent Planning Development Management (DM) performance.
<b>Report Author</b>	Esmé Spinks, Planning Development Manager
<b>Recommendations</b>	It is recommended that the Committee notes the report.
<b>Executive Summary</b>	<p>Successive governments have assessed Local Planning Authorities (LPA) performance on the speed with which they determine planning applications. The “designation regime” (introduced in 2013) was based on the speed and quality of decisions for major development over a rolling 2 year period. The threshold for speed was initially 30% and for quality, 20%. The speed threshold progressively increased and stood at 50% in 2015 whilst the quality target remained unchanged. Spelthorne has consistently exceeded these targets.</p> <p>The Department for Communities and Local Government (DCLG) has published three recent documents which have a bearing on DM. The threshold for speed has increased to 60% for majors and there is a 70% threshold for non-majors (new measure). The quality threshold for majors and non-majors (new measure) is 10%. Spelthorne has met and exceeded the targets for 2017 and 2018.</p> <p>Government policy announcements over the past couple of years aimed to boost the supply of housing, enable homes to be built faster and encourage higher housing densities within urban locations. These have been encapsulated into the revised National Planning Policy Framework, issued in July 2018 where a presumption in favour of sustainable development lies at its heart. Last year a greater emphasis on linking housing delivery with financial rewards or penalties was referred to in the 2018-19 Local Government Finance Settlement Technical Consultation Paper (September 2017). This matter is still subject to consultation and has not been finalised in the 2019-20 consultation paper.</p>

	<p>The quality of major development is a target which will be monitored closely due to the relatively few number of major applications received. There is a real risk, in terms of major applications, of exceeding the new 10% threshold. It is imperative the Council has sound reasons to refuse an application, and that these are capable of being defended successfully at appeal. Failure to do so could expose the Council to the real risk of “designation”.</p> <p>An up to date plan gives greater certainty to all those involved in the development process and the local community. Decisions based on an up to date plan and Supplementary guidance which is consistent with the NPPF are more easily defended at appeal. This in turn ensures that the risk designation based on appeals is minimised.</p> <p>Any request for an application to be called into Committee should be only if there is a <i>wider public interest</i>.</p> <p>DM Officers are working within a culture of continuous performance throughout the DM process. Further investment in IT software and hardware has been put forward to assist with performance management and the Council’s agile working policy.</p> <p>Officers and Councillors will benefit from an ongoing continuous training programme to assist with the quality of decision making.</p> <p>It is proposed to continue providing planning application performance statistics in future Planning Committee papers.</p>
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**1. Purpose**

- 1.1 To advise the Committee Members on Development Management (DM) performance over the past two years.

**2. Background**

- 2.1 Successive governments have sought to streamline the planning process by setting targets nationally for the speed that Local Planning Authorities (LPAs) determine planning applications. In the late 1990s and 2000s, financial incentives were paid to LPAs who met targets. More recently, the emphasis has been on identifying persistent poor performers, designating them as under performers and then intervening. The Government recently increased increase the performance targets and is consulting on ways to link housing delivery with financial incentives.

### 3. The Designation Criteria and Performance

3.1 As part of the Growth Agenda, the Growth and Infrastructure Act 2013 saw an introduction to the “designation regime” by measuring performance based on the speed and quality of decisions for major development over a rolling 2 year period. The Department for Communities and Local Government (DCLG) introduced two separate measures to assess the performance of LPAs:

- Speed of determining major planning applications; and
- The extent to which such decisions are overturned on appeal as an indicator of the quality of decisions made by LPAs.

3.2 Under the designation regime, no account was taken of the performance in respect of other types of planning applications. Where an LPA was designated as underperforming, applicants *could* submit applications for major applications directly to the Planning Inspectorate to determine, thereby removing the LPA from that decision making process.

Major development is defined as:

Major – More than 10 residential units, dwellings on a site with an area of 0.5 hectares or more, 1,000 sq. m or more of new commercial floorspace or sites with an area of more than 1 hectare.

The other two categories where LPAs are assessed on performance but which did not form part of the designation regime until recently are:

Minor – Up to 9 residential units, up to 999 sq. m of new floorspace, changes of use

Others – mainly householder schemes

LPAs have a requirement to deal with majors within 13 weeks from the date of receipt and 8 weeks for all other planning applications, unless an extension of time is agreed with the applicant.

3.3 The initial designation regime stated that LPAs achieving a determination of 30% or under of major planning applications within 13 weeks are at risk of being designated as under-performing. This has increased over the years to 40% in 2014 and 50% in 2015. The threshold for the quality of major decisions was 20%. Spelthorne has consistently exceeded these targets.

3.4 In addition to the designation regime, LPAs are measured on their performance based on the % of planning applications they determine within 8 or 13 weeks (or within an extension of time agreed with the applicant) as follows:

Majors – 60% within 13 weeks

Minors – 65% within 8 weeks

Others – 80% within 8 weeks

- 3.5 In the year ending September 2018, Spelthorne met all three performance measures as follows:

Table 1

<u>Majors</u>			<u>Minors</u>			<u>Others</u>		
Total	On Target	% on Target (i.e. 60%)	Total	On Target	% on Target (i.e. 65%)	Total	On Target	% on Target (i.e. 80%)
25	23	92	196	169	86	552	527	95

In addition to the above, Spelthorne LPA dealt with 563 other applications) making a total of 1336 decisions.

- 3.6 During the same year ending September 2018, the following decisions were made on other types of applications.

Table 2

Application Type	Total No Determined
Certificate of Lawful Development (Proposed)	169
Certificate of Lawful Development (Existing)	16
Prior Notifications	112
Discharge of Conditions	88
Amended Applications	36
Consultations from adjoining Boroughs	34
SCC Applications	18
SCC Discharge of Conditions	7
TPO Applications	48
TCA Applications (Trees in Conservation Areas)	34
Telecom applications	1
<b>TOTAL</b>	<b>563</b>

3.7 In addition, the LPA dealt with:

34 planning appeals,  
4 enforcement appeals,  
392 planning enquiries involving a written response and / or meetings  
317 enforcement cases

### **Current Designation Regime**

4.1 The Housing and Planning Act 2016 changed the designation regime to widen the definition of the applications to be included and to raise the bar on the thresholds LPAs would be required to meet with effect from 2017. A paper detailing the implementation of this; Improving Planning Performance: Criteria for Designation, was issued in 2016.

4.2 The performance of LPAs in determining major and non-major development are now assessed separately, meaning that an authority could be “designated” on the basis of its performance on major development, on non-major development, or both. These two categories are assessed against two separate measures of performance:

- The speed applications are dealt with measured by the proportion of applications that are determined within the statutory time or an agreed extended period; and,
- The quality of decisions measured by the proportion of decisions on applications that are subsequently overturned at appeal

4.3 Consequently, the performance of LPA’s are now assessed separately against:

- The **speed** of determining applications for **major** development
- The **quality** of decisions made by the authority on applications for **major** development;
- The **speed** of determining applications for **non-major** development;
- The **quality** of decisions made by the authority on applications for **non-major** development.

4.4 The Secretary of State will decide once a year whether any “designation” should be made or lifted. If an LPA is at risk of designation for one or more categories, the DCLG will write to the LPAs requesting any data corrections or exceptional circumstances that would make a “designation” unreasonable. Where an authority is “designated”, applicants may apply directly to the Planning

Inspectorate for the category of applications (major, non-major or both) for which the authority has been “designated”. The exception is where an authority is designated for non-major development, householder applications and retrospective applications. Applicants will not be able to submit these applications to the Planning Inspectorate as these are best dealt with locally. Soon after a designation is made the LPA is expected to prepare an “action plan” addressing areas of weakness that contributed to its under-performance. Appendix 1 contains a flow chart setting out the designation process.

4.5 The following table provides an overview of the thresholds and assessment period for 2017 and 2018 and Spelthorne’s performance.

Table 3

<b>Measure and type of Application</b>	<b>2018 Threshold and assessment period</b>	<b>Spelthorne’s Performance</b>	<b>2019 Threshold and assessment period</b>	<b>Spelthorne’s Performance</b>
<b>Speed of major Development</b>	<b>60%</b> (October 2015 to September 2017)	<b>85%</b>	<b>60%</b> (October 2016 to September 2018)	<b>89%</b>
<b>Quality of major Development</b>	<b>10%</b> (April 2015 to March 2017)	<b>4.2%</b>	<b>10%</b> (April 2016 to March 2018)	<b>5.3%</b>
<b>Speed of non-major Development</b>	<b>70%</b> (October 2015 to September 2017)	<b>82%</b>	<b>70%</b> (October 2016 to September 2018)	<b>88%</b>
<b>Quality of non-major Development</b>	<b>10%</b> (April 2015 to March 2017)	<b>1.7%</b>	<b>10%</b> (April 2016 to March 2018)	<b>1.07%</b>

It can be seen that Spelthorne has met and exceeded all four targets for the threshold periods.

Planning Appeals Decisions

4.6 The assessment of the quality of decision making by LPA’s is measured by the proportion of decisions on applications that are subsequently overturned at appeal. The current assessment for 2018 is based on planning applications decided between April 2016 to March



2018. The statistics allow for a period of 9 months elapsing following the end of the assessment period to allow time for an appeal to be lodged and decided.

- 4.7 The appeals relating to Spelthorne for the period in question are attached as Appendix 2. Also attached as Appendix 3, are the appeal decisions relating to enforcement cases although it should be noted that these are not currently used to measure the Council's performance. In summary:

There were 90 appeal decisions, 79 planning appeals and 11 enforcement appeals. Of these, 62 appeals were dismissed or had a split decision and 28 were allowed.

#### Planning Committee Overturns

- 4.8 Between April 2016 to March 2018 five planning applications were overturned by the Planning Committee. These are summarised in the following table:

Table 4

<b>Planning Application no.</b>	<b>Site</b>	<b>Proposal</b>	<b>Officer Rec</b>	<b>Cttee Decision Date</b>	<b>App eal</b>	<b>Appeal Decision</b>
16/01593/HOU	19 Clifford Grove Ashford	Erection of an outbuilding (retrospective)	Approve	Refused 17/11/16	Yes	Allowed on appeal
16/00972/FUL	Former Brooklands College Church Road Ashford	366 dwellings, Commercial and D1 floorspace, open space, parking	Approve	Refused 13/02/17	Yes	Appeal withdrawn. 17/01274/FUL approved on 20/12/17
16/01349/FUL	Land to west of 26/28 Peregrine Road & 181 Nursery Road Sunbury	Erection of a detached two-storey building for the purposes of special needs housing (Use Class C2) together with associated entrance gates, access, parking and landscaping.	Refuse	Approved 26/09/16	N/A	N/A
17/00130/HOU	104 Avondale Avenue Staines-upon-Thames	Erection of an outbuilding (retrospective)	Approve	Refused 08/03/17	Yes	Allowed on appeal

<b>Planning Application no.</b>	<b>Site</b>	<b>Proposal</b>	<b>Officer Rec</b>	<b>Cttee Decision Date</b>	<b>App eal</b>	<b>Appeal Decision</b>
16/01357/FUL	Former London Irish Rugby Football Club The Avenue Sunbury On Thames	Replacement of 4 no. detached 5 bedroom dwellings (approved) with 24 flats	Approve	Refused 05/04/18	Yes	Appeal allowed. Partial award of costs against the Council given.

4.9 From the table above, it can be seen that four applications were overturned and refused planning permission. Three of these were allowed on appeal. The appeal against the fourth refusal, 16/00972/FUL, was withdrawn when an amended application, 17/01274/FUL was approved. The application which was approved, was based on a decision that very special circumstances existed to justify development within the Green Belt.

#### Government Papers and Ministerial Statements

- 4.10 In the Planning DM performance report to Committee in December 2017, reference was made to three DCLG documents which had been recently published and which may have a bearing on the way DM performance is assessed. In addition, DM was referenced in the budget statement on 22 November 2017. The first of the documents, Improving Planning Performance: Criteria for Designation (Revised 2016) is referenced above.
- 4.11 The other two papers referred to in the previous Planning DM report; the White Paper, Fixing our Broken Housing Market (February 2017) and Planning for the Right Homes in the Right Places (Consultation Proposals (September 2017), aimed at boosting housing supply by increasing densities in urban areas and increasing the speed of delivery. These documents have been encapsulated within the revised NPPF which was issued in July 2018. At the heart of the NPPF is a presumption in favour of sustainable development.
- 4.12 In the Planning DM performance report last year, reference was made to the 2018-19 Local Government Finance Settlement Technical Consultation Paper (September 2017) which placed a greater emphasis on linking housing delivery with financial rewards or penalties. This matter has not been finalised in the 2019-20 consultation paper and Members will be updated on this in due course.

## 5 Implications, Risks and Actions for Spelthorne

- 5.1 The LPA has met and exceeded the new speed targets for both major and non-major developments in both assessment periods; 2018 and 2019. Officers will continue to work hard to ensure these targets are met in the future.
- 5.2 The LPA has also met the new quality targets for both major and non-major developments. However, the quality of major development is a target which officers are monitoring very closely because of the relatively few number of major applications the Council receives. There is a real risk of performance, in terms of major applications, exceeding the new 10% threshold. In the two year period April 2016 to March 2018, the Council determined 38 major planning applications, three of which went to appeal and two were allowed. Two appeals allowed out of 38 applications equates to a quality performance of 5.26%. However, if the third appeal had been allowed, the figure would be closer to the designation threshold of 10% at 7.9%. Continuous monitoring against this criterion is essential.
- 5.3 When refusing a planning application, it is imperative that the Council has sound reasons that are capable of being defended successfully at appeal. Failure to do so could expose the Council to the real risk of “designation”. The rigorous defence of appeals will continue to require appropriate resources.
- 5.4 An up to date plan gives greater certainty to all those involved in the development process and the local community. Decisions based on an up to date plan and Supplementary guidance which is consistent with the NPPF are more easily defended at appeal. This in turn ensures that the risk designation based on appeals is minimised.
- 5.5 DM Officers will continue to closely monitoring committee overturns, although the number of these has been relatively small. There have been four applications overturned and refused by the Planning Committee. Three of these were allowed on appeal, one of which was a major (the fourth had the appeal withdrawn). All Members have been reminded of the requirements of the Planning Code and in particular the “call in” procedure. The guiding principle of a “call-in” is that there is a “*wider public interest*” in the application being considered by the Committee.
- 5.6 The DM Officers are working within a culture of continuous performance throughout the Development Management process.
- 5.7 The DM Service uses Uniform for its computer software to manage the planning application process. It has invested in a software management package known as Enterprise to act as a management tool for planning officers. Further work is programmed early next year with iDox to enable officers to have an enhanced agile way of working,

to reduce paper, better manage the application process, and closely monitor the speed of determination (in particular any agreed extensions of time).

- 5.8 It has always been essential for officers and members to undergo regular planning training, including legislative changes and this is on-going requirement. At the time of writing this report, officers and members will have undertaken training on planning legal updates and design and density (especially on how this can be achieved in town centres) with further training planned in the New Year, including development within the Green Belt.

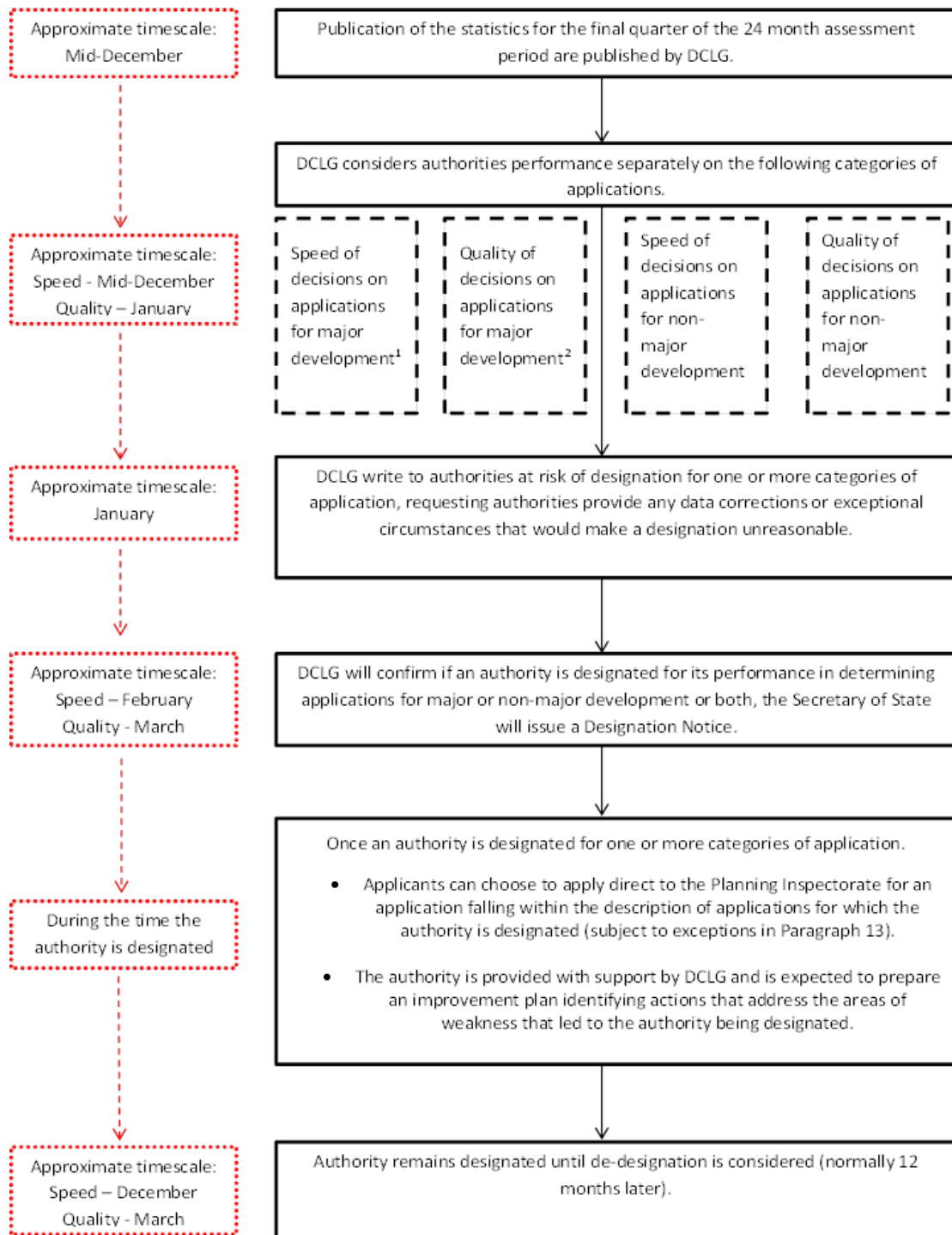
## **6 Recommendation**

- 6.1 It is recommended that the Committee notes the contents of this report.


### List of Appendices

- The Designation Process
- Planning Appeal Decisions for applications determined April 2016 – March 2018
- Planning Enforcement Appeal Decisions for appeals started April 2016 – March 2018.

## Designation Process



**Planning Appeal Decisions for Applications Determined April 2016 to March 2018**

Appeal Allowed	
Appeal Dismissed	

APP – Approve

REF – Refused

APPLN NO	ADDRESS	PROPOSAL	DATE DECN	DATE LODGED	DATE APPEAL DECN	DECN TYPE
16/00001/HOU	15 Stanwell Gardens Stanwell Staines-upon-Thames TW19 7JY	Hip to gable roof alteration with a rear dormer and installation of rooflights in front elevation, as well as erection of a part single, part two storey rear and side extension.	14/04/2016	27/07/2016	06/09/2016	DISMISSED
15/01198/FUL	194A Laleham Road Staines-upon-Thames TW18 2PA	Installation of 36 no. roof vents, solar panels on roof of single storey element to rear of property, change centre window on first floor on east (front) elevation to an opening door and installation of balustrade to allow existing flat roof to be used as a terrace.	22/04/2016	28/02/2017	19/05/2017	DISMISSED
16/00470/HOU	294 London Road Staines-upon-Thames TW18 4JQ	Erection of a single storey rear extension following demolition of existing single storey rear element.	17/05/2016	29/09/2016	24/11/2016	ALLOWED
16/00194/FUL	418 Staines Road West Ashford TW15 1RZ	Erection of a single storey dwelling house with basement	27/05/2016	26/10/2016	19/01/2017	DISMISSED
16/00444/FUL	132 Viola Avenue Stanwell Staines-upon-Thames TW19 7SE	Erection of part single storey/ part two storey rear extension to facilitate the change of use of existing dwelling house to two self-contained flats.	07/06/2016	26/10/2016	26/01/2017	DISMISSED
16/00638/FUL	103 London Road Staines-upon-Thames TW18 4HN	Erection of an additional floor level to the previously approved scheme (13/01021/FUL) to provide 1 no. two bedroom apartment.	17/06/2016	23/01/2017	01/06/2017	ALLOWED
16/00618/FUL	218 Stanwell Road Ashford TW15 3QU	Subdivision of existing dwelling to one 1 x bed dwelling and one 3 x bed dwelling.	27/06/2016	06/10/2016	12/12/2016	DISMISSED
16/00488/CPD	50 Hogarth Avenue Ashford TW15 1QA	Certificate of lawfulness for the proposed development of loft alterations including a hip to gable alteration, the installation of a rear facing dormer, a single storey rear extension and a detached outbuilding.	27/06/2016	11/01/2017	15/06/2017	DISMISSED
16/00460/FUL	81 Garrick Close Staines-upon-Thames TW18 2PH	Insertion of kitchen extraction system and change of use from Use Class A1 (Retail) to Use Class A5 (hot food takeaway)	28/06/2016	26/10/2016	03/02/2017	DISMISSED

APPLN NO	ADDRESS	PROPOSAL	DATE DECN	DATE LODGED	DATE APPEAL DECN	DECN TYPE
16/00746/HOU	57 Rosefield Road Staines-upon-Thames TW18 4NB	Proposed hip to gable roof alteration with a rear dormer and three rooflights in the front elevation to join up with a proposed first floor side extension above the existing side extension	06/07/2016	05/12/2016	27/01/2017	DISMISSED
16/00840/T56	Highway Verge Worple Road Adjacent To Corner Of Hurstdene Avenue Staines	Installation of a 12.5m telecommunications dual user replica telegraph pole and 1 no. equipment cabinet.	14/07/2016	17/10/2016	22/12/2016	ALLOWED
16/00783/FUL	Land Rear Of 59 Vicarage Road Sunbury On Thames	Erection of a two storey, one bedroom dwellinghouse following demolition of the existing garages	19/07/2016	20/01/2017	11/04/2017	DISMISSED
16/00904/FUL	Rear Of 52 Nursery Road Sunbury On Thames TW16 6LG	Proposed conversion of annex building to a two bedroomed two storey house	28/07/2016	26/10/2016	11/01/2017	DISMISSED
16/00579/FUL	Magnolia Ferry Lane Shepperton TW17 9LH	Retrospective application for the retention of an agricultural barn	01/08/2016	12/10/2016	17/01/2017	ALLOWED
16/00890/HOU	38 Vereker Drive Sunbury On Thames TW16 6HF	Erection of a two storey rear extension	03/08/2016	26/10/2016	13/01/2017	ALLOWED
16/00536/FUL	The Boatyard Clarks Wharf Thames Street Sunbury On Thames TW16 5QG	Retention of an open-sided boat and car parking area.	08/08/2016	04/01/2017	14/06/2017	ALLOWED
16/01002/FUL	24 Hannibal Road Stanwell Staines-upon-Thames TW19 7HH	Conversion of existing dwelling into 1 x three bed dwelling and 1 x two bed dwelling with associated parking and amenity space. (amended from previous refusal 15/00980/FUL)	16/08/2016	11/10/2016	14/12/2016	DISMISSED
16/00970/HOU	22 Broomfield Sunbury On Thames TW16 6SW	Erection of detached summer house/log cabin to rear.	19/08/2016	01/11/2016	02/12/2016	DISMISSED
16/01194/HOU	13 Montford Road Sunbury On Thames TW16 6EJ	Erection of two storey front extension following demolition of existing porch.	13/09/2016	02/11/2016	30/11/2016	DISMISSED
16/01333/T56	Grass Verge On Northern Side Of Staines Road	Installation of a 13.5m high T range column with 4 no. shrouded antennas along with associated	19/09/2016	04/01/2017	24/03/2017	ALLOWED

APPLN NO	ADDRESS	PROPOSAL	DATE DECN	DATE LODGED	DATE APPEAL DECN	DECN TYPE
	East Sunbury On Thames TW16 5PU	ancillary works.				
16/01264/HOU	81 Old Charlton Road Shepperton TW17 8BT	Erection of part two storey, part single storey rear extension and creation of pitched roof over existing flat roof of existing two storey extension.	21/09/2016	01/12/2016	13/01/2017	ALLOWED
16/01162/HOU	5 Cavendish Court Sunbury On Thames TW16 7SH	Erection of two storey side extension.	26/09/2016	04/01/2017	14/02/2017	DISMISSED
16/01641/LBC	Fresh Image Training 13 - 15 High Street Staines-upon-Thames TW18 4QY	Display of advertisement for gym (retrospective) on side wall	21/10/2016	24/07/2017	16/10/2017	DISMISSED
16/01326/FUL	8 - 12 Clarendon Road Ashford TW15 2QE	Demolition of existing buildings and erection of two no. 2 storey blocks comprising 10 flats (4 no. 1 bed and 6 no. 2 bed) together with associated parking and amenity space (amendment to PP ref 15/01106/OUT)	07/11/2016	01/03/2017	26/05/2017	ALLOWED
16/00730/HOU	95 Worpel Avenue Staines-upon-Thames TW18 1HY	Erection of a first floor rear extension above the existing extension	16/11/2016	20/10/2016	13/01/2017	DISMISSED
16/01529/HOU	77 Thames Side Staines-upon-Thames TW18 2HF	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	16/11/2016	29/11/2016	21/02/2017	ALLOWED
16/01593/HOU	19 Clifford Grove Ashford TW15 2JS	Erection of an outbuilding (retrospective)	17/11/2016	11/01/2017	13/02/2017	ALLOWED COMMITTEE OVERTURN
16/01790/HOU	84 Groveley Road Sunbury On Thames TW16 7LB	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 windows	15/12/2016	08/02/2017	21/03/2017	DISMISSED
16/01803/FUL	31 Glebeland Gardens Shepperton TW17 9DH	Erection of two storey side extension to existing dwelling to create a one bedroom maisonette.	16/12/2016	25/04/2017	27/07/2017	DISMISSED
16/01818/RVC	72 Charles Road Laleham Staines-upon-Thames TW18 1JX	Variation of Condition 3 of PA ref 14/01091/HOU to reword the condition regarding the use of the existing outbuilding, to allow it to be used ancillary, (including a bedroom) to the domestic enjoyment of the main house by a family member	21/12/2016	29/03/2017	29/06/2017	ALLOWED



APPLN NO	ADDRESS	PROPOSAL	DATE DECN	DATE LODGED	DATE APPEAL DECN	DECN TYPE
16/00799/FUL	The Wendy Hut 57 Lower Hampton Road Sunbury On Thames TW16 5PR	Erection of building for recreational purposes, following demolition of 3 existing buildings.	03/01/2017	10/03/2017	05/06/2017	DISMISSED
16/01741/CPD	10 Gloucester Crescent Laleham Staines-upon-Thames TW18 1PS	Certificate of Lawfulness for proposed hip to gable roof alteration, rear facing dormer and 4 no. roof lights in front elevation.	11/01/2017	22/02/2017	11/08/2017	DISMISSED
16/01933/HOU	13 Hallows Grove Sunbury On Thames TW16 7LP	Erection of 3 dormer windows in the side elevation in connection with the conversion of the roof space into habitable accommodation.	16/01/2017	05/04/2017	17/05/2017	DISMISSED
16/01940/T56	Petersfield Road Junction With Fenton Avenue Staines-upon-Thames TW18 1DE	Removal of the existing 8m telegraph pole and installation of 10m alpha tower and pogona cabinet and associated development.	24/01/2017	30/05/2017	05/09/2017	ALLOWED
16/01953/T56	Communication Station adjacent to 2 Worples Avenue Staines-upon-Thames	Replacement of existing 8m monopole and the installation of a 10m Alpha 26 monopole and installation of pogona cabinet and associated development.	25/01/2017	16/05/2017	14/07/2017	ALLOWED
16/01941/FUL	Dockett Cottage Towpath Shepperton TW17 9LL	Erection of a replacement 2 storey dwelling containing 3 bedrooms and a study together with associated alterations (existing dwelling, ancillary guesthouse and garage to be demolished)	30/01/2017	30/05/2017	05/09/2017	ALLOWED
16/01991/ADV	Land Adjacent To Sunbury Shopping Centre Staines Road West Sunbury On Thames	Display of a free-standing double sided digital advertisement display and associated logo boxes with a maximum height of 17.15m	23/02/2017	12/06/2017	14/07/2017	DISMISSED
17/00130/HOU	104 Avondale Avenue Staines-upon-Thames TW18 2NF	Erection of an outbuilding (retrospective application).	13/03/2017	18/05/2017	23/06/2017	ALLOWED COMMITTEE OVERTURN
17/00086/ADV	Magna House 18 - 32 London Road Staines-upon-Thames TW18 4BP	Retention of illuminated freestanding totem sign.	21/03/2017	24/05/2017	07/07/2017	DISMISSED
17/00255/FUL	99 School Road Ashford	Erection of rear dormer window. (Amended from Householder to Full Application).	20/04/17	20/06/2017	09/10/2017	DISMISSED
17/00288/HOU	11 Springfield Grove Sunbury On Thames	Erection of a first floor front extension	13/04/17	21/06/17	20/07/17	ALLOWED

APPLN NO	ADDRESS	PROPOSAL	DATE DECN	DATE LODGED	DATE APPEAL DECN	DECN TYPE
16/00959/FUL	5 Sunbury Court Island Sunbury On Thames	Demolition of existing dwelling and erection of new 3 bed chalet style dwelling with first floor terrace and external staircase.	03/04/17	22/06/17	26/09/17	DISMISSED
16/00370/FUL	London Irish Rugby Football Club The Avenue Sunbury On Thames	(Replacement of 4 no. detached 5 bedroom dwellings and) construction of 24 no. flatted residential units, parking, landscaping and associated works.	05/04/17	14/07/17	03/11/18	ALLOWED  COMMITTEE OVERTURN
17/00412/HOU	Willowmead Dunally Park Shepperton TW17 8LJ	Erection of a part two storey part single storey front extension.	11/05/17	21/07/17	19/09/17	ALLOWED
16/00370/COU	Lookrite, 13 Broadway, Kingston Rd/Staines	Change of use from hairdresser (class A1) and part of first floor flat (class C3) to a hot food takeaway (class A5) and external alterations including installation of extraction and ventilation equipment. (Appeal against condition restricting hours of opening).	08/03/17	25/07/17	27/10/17	ALLOWED
17/00020/HOU	14 Birch Grove Shepperton	Erection of a pitched roof over the existing single storey side extension to create additional habitable accommodation with in the roof.	31/03/17	04/09/17	17/10/17	ALLOWED
17/00546/FUL	217 Staines Road West Sunbury On Thames	Erection of 1 bed detached bungalow, with associated parking and amenity space.	16/06/17		08/12/17	DISMISSED
17/00201/HOU	5 Upper Halliford Road Shepperton	Creation of vehicle access	06/07/17		20/12/17	DISMISSED
17/00696/HOU	3 Corsair Road Stanwell	Erection of single storey side extension.	26/07/17	24/10/17	06/12/17	DISMISSED
17/00976/HOU	19 Commercial Road Staines-upon-Thames	Erection of roof alterations to include two side facing dormers.	14/08/17		20/12/17	DISMISSED
17/01156/PDH	17 Hannibal Road Stanwell	Single storey rear extension measuring 6 metres beyond the rear wall of the original dwellinghouse measuring a maximum height of 2.975 and a height to the eaves of 2.825 metres.	22/08/17	15/02/18	22/03/18	ALLOWED
17/00365/FUL	Hamiltons Pitch Sheep Walk Shepperton	Retention of existing hardstanding, temporary standing of two residential caravans, associated vehicles and equipment, and tipping of top soil to enable landscaping	Non determination		14/02/18	DISMISSED

APPLN NO	ADDRESS	PROPOSAL	DATE DECN	DATE LODGED	DATE APPEAL DECN	DECN TYPE
17/00813/HOU	Willow Hayne Pharaohs Island Shepperton	Erection of a two storey side extension including veranda and associated terrace above, the erection of a single storey detached outbuilding, decking, swimming pool and associated works.	26/07/17		27/03/18	DISMISSED
17/00752/FUL	243 Thames Side	Erection of a detached two storey dwelling and associated wheelchair access (following division of plot).	23/08/17	20/12/17		DISMISSED
17/00976/HOU	19 Commercial Road, Staines	Erection of roof alterations to include two side facing dormers.	14.08.17	09/11/2017	20.12.17	DISMISSED
17/00485/FUL	4 Ethel Road, Ashford	Erection of a part single storey, part two storey rear extension and a first floor side extension over the existing garage. Conversion of the garage to habitable room and associated internal alterations to create 2 no. self-contained semi-detached dwellings.	18.05.17		28/03/18	ALLOWED
17/00463/FUL	55 Cherry Orchard Staines-upon-Thames	Demolition of existing building, store and garage and the erection of a replacement three storey building comprising 4 no. 2 bed apartments, with car parking, amenity space and landscaping.	22/06/17		05/02/18	ALLOWED
17/01344/FUL	Workshop adjacent 3 Avondale Rd Ashford	Erection of detached residential unit - studio flat with parking following demolition of existing workshop	03.11.17	17/01/2018	03/05/18	DISMISSED
17/01373/FUL	41 Ruggles Brise Road, Ashford	Two storey side extension and a single storey rear extension and the sub-division of the dwelling to form 1 no. 3 bedroom dwelling and 1 no. 2 bedroom dwelling	07/11/18	01/03/18	26/04/18	DISMISSED
17/00511/FUL	Land Adjacent 24 Ashgrove Road Ashford	Erection of single storey detached dwelling 1 no. bedroom and 1 parking space.	11.07.17		03/05/18	DISMISSED
17/01175/FUL	49 Heathcroft Avenue Sunbury On Thames	Retention of single storey 1 no. 1 bedroom detached dwelling, including the erection of single storey rear extension, and associated parking and amenity space.	14/09/17	09/05/18	21/08/18	DISMISSED
17/01201/FUL	93 Village Way Ashford	Erection of a 2-storey house with associated access, parking and amenity space following demolition of existing annexe. Alterations to existing house	25/09/17	22/01/2018	23/03/18	DISMISSED
17/00997/FUL	218 Stanwell Road Ashford	Subdivision of existing 4 no. bedroom dwelling into 1 no. 1 bedroom dwelling and 1 no. 3	04.09.17	22/01/2018	23/03/18	DISMISSED

APPLN NO	ADDRESS	PROPOSAL	DATE DECN	DATE LODGED	DATE APPEAL DECN	DECN TYPE
		bedroom dwelling (including removal of conservatory).				
17/01321/FUL	217 Staines Road West Sunbury On Thames	Erection of 2 bed detached bungalow with associated parking and amenity space following demolition of existing garage.	25.10/17	22/01/2018	19/10/17	DISMISSED
16/02113/FUL	Halliford Studios Ltd. Manygate Lane Shepperton	Redevelopment of the site to provide 28 residential units – flats and houses, 50 car parking spaces / garages, amenity space, landscaping and associated alterations.	06/04/17	22/01/2018	15/05/18	DISMISSED
17/01545/FUL	101 Long Lane Stanwell	Conversion of existing dwelling into pair of semi-detached dwellings, demolition of existing ground floor element and garage & erection of two storey side extension.	29.11.17	30/04/18	20/08/18	DISMISSED
17/01395/FUL	Oakwood 2 Ferry Lane Laleham	Demolition of existing dwelling, erection of 2 no. detached two storey dwelling, parking & amenity space.	27.10.17		09/05/18	DISMISSED
17/01374/HOU	18 Longford Avenue, Stanwell	Roof extension including the raising of ridge height, hip to gable roof alterations and rear facing dormer to create accommodation in roof space with roof lights in front elevation.	25/10/17	01/02/2018	27.02.18	DISMISSED
17/01265/HOU	34 Guildford Street Staines-upon-Thames	Construction of a roof extension changing the hipped roof end to a gable, the construction of a rear mansard extension, the addition of two roof lights in the front roof slope, the removal of the rear chimney stack and the construction of a part two storey, part single storey rear extension.	27/09/18	01/02/18	09/05/18	DISMISSED
17/01156/PDH	17 Hannibal Road Stanwell	Single storey rear extension measuring 6 metres beyond the rear wall of the original dwellinghouse measuring a maximum height of 2.975 and a height to the eaves of 2.825 metres	22.08.17	15/02/2018	23/03/18	ALLOWED
17/01898/FUL	18 Greeno Crescent, Shepperton	Conversion of existing dwelling into 2 no. 1 bedroom self-contained flats, including the erection of a single storey rear extension.	06.02.18		26/04/18	DISMISSED
17/01344/FUL	Workshop Adjacent to 3 Avondale Road, Ashford	Erection of detached residential unit consisting of a studio flat with associated parking following demolition of existing workshop.	16.10.17		03.05.18	DISMISSED
17/01758/HOU	34 Guildford Street, Staines-upon-Thames	Construction of a roof extension changing the hipped roof to a gable end, the construction of a rear mansard dormer, the addition of two roof	09/01/18	08.05.18	06/12/18	DISMISSED

APPLN NO	ADDRESS	PROPOSAL	DATE DECN	DATE LODGED	DATE APPEAL DECN	DECN TYPE
		lights in the front roof slope, the removal of the rear chimney stack and the construction of a part two storey part single storey rear extension.				
17/01483/FUL	Manor Farm Cottage, 126 Green Street, Sunbury On Thames	Demolition of existing residential bungalow to be replaced with a 2.5 storey building providing 7 no apartments with communal parking and landscaping	13.11.17		10/05/18	DISMISSED
17/01778/HOU	80 Edgell Road Staines-upon-Thames	Single storey rear extension and roof alteration including side facing dormer to facilitate accommodation in roofspace	16.01.18	10/05/18	12/06/18	SPLIT DECISION Loft conversion with roof alterations and dormers dismissed. Single Storey rear extension allowed.
17/01861/HOU	24 Darby Crescent, Sunbury On Thames	Erection of a single storey side extension, loft conversion and extension to create a habitable first floor, including two dormers in the front and rear elevations, hip-to-gable alteration and the raising of the ridge, and alterations to openings in the northern flank elevation.	06/02/18	03/07/18	15/08/18	DISMISSED
18/00025/HOU	Cockaigne Sandhills Meadow Shepperton	Conversion of roofspace at rear of property to form habitable accommodation to include a hip to gable extension and the installation of roof lights in the western roof slope.	01/03/18	06/08/18	29/09/18	DISMISSED
16/01979/FUL	50, 52 and 54 High Street Staines-upon-Thames	Erection of a roof extension to create three residential flats	03/10/17	09/07/18	03/10/18	ALLOWED
17/01322/FUL	Sans Souci 35 Hamhaugh Island Shepperton	Erection of replacement dwelling following demolition of existing.	10/10/17	11/06/18	05/10/18	DISMISSED

APPEAL NO	ADDRESS	PROPOSAL	PROCEDURE	START DATE	DATE DECN	DECN TYPE
17/00021/ENF	2 Wolsey Road Ashford TW15 2RB	Appeal against serving of an Enforcement Notice for the unauthorised erection of a building which is used as a separate dwelling without planning permission.	Written Representation	02/05/17	13/12/17	Appeal Dismissed
17/00019/ENF	Stanwell Farm Bedfont Road Stanwell Staines-upon-Thames TW19 7LY	Appeal against serving of an enforcement notice for the making of a material change of use of the land comprising (1) the use of the site for airport car parking (2) lawful garden land laid with hardstanding and incorporated into the existing yard and (3) a boundary fence erected along the western end of the yard.	Written Representation	13/04/17	30/10/17	Appeal Dismissed
17/00016/HEAR	124 Hawthorn Way Shepperton	Appeal against serving of an Enforcement Notice for the unauthorised erection of a rear extension including balcony.	Hearing	06/03/17	06/07/17	SPLIT - Appeal Part Allowed/Part Dismissed
17/00009/ENF	22 Thames Meadow Shepperton TW17 8LT	Appeal against serving of an Enforcement Notice for the making of a material change of use of the land and mooring to a mixed use comprising (1) the continuous mooring of a boat for the purpose of permanent residential accommodation (2) the stationing of a caravan on the land for the purpose of human habitation, and (3) storage purposes including but not limited to the storage of motor vehicles, building materials and other paraphernalia.	Written Representation	26/01/17	23/10/17	Appeal Dismissed
17/00001/ENF	The Boatyard Clarks Wharf Thames Street Sunbury On Thames TW16 5QG	Appeal against serving of an Enforcement Notice for the unauthorised development of boat/car store on the land without the benefit of planning permission.	Written Representation	04/01/17	14/06/17	Appeal Allowed
16/00021/WR	Bramble Farm, Land West Of Sheep Walk Sheep Walk Shepperton	Appeal against serving of an Enforcement Notice for Unauthorised development on the land, in particular a metal framework, metal fence panels and gate constructed on previously erected and enforced against metal posts.	Written Representations	25/07/16	21/03/17	Appeal Dismissed
16/00020/WR	Open Field At Junction Of Chertsey Road And Sheep Walk Shepperton	Appeal against serving of an Enforcement Notice for Unauthorised development on the land, in particular (a) Two large metal posts concreted into the ground close to the boundary with Sheep Walk, these were large RSJ type posts of a height, strength and distance apart to form and support a gate. (b) Surface material being scraped back for a distance of approx. 200 metres to a width of approx. 5 metres, resulting in a wide flat surface	Written Representation	14/07/16	21/03/17	Appeal Dismissed

APPEAL NO	ADDRESS	PROPOSAL	PROCEDURE	START DATE	DATE DECN	DECN TYPE
		commensurate with a prepared route for a roadway (c) the resultant vegetation, soils and other debris were piled to the sides of the scraped area.				
16/00019/ENF	The Paddocks Rear Of 237 - 245 Hithermoor Road Stanwell Moor Staines-upon- Thames TW19 6AZ	Appeal against serving of an Enforcement Notice for The unauthorised siting of a static mobile home for residential purposes.	Hearing	17/06/16	27/09/17	Appeal Allowed for a temporary period.
16/00014/ENF	7 Bruce Avenue Shepperton TW17 9DP	Appeal against serving of an Enforcement Notice for the unauthorised siting of a large shipping container situated at the front of the property.	Written Representation	05/05/16	01/09/16	Appeal Dismissed
18/00013/ENF	Heathrow Fencing, Gleneagles Close, Stanwell	The material change of use of the Land from agricultural land to a timber and fencing builder's merchants/business with associated storage of materials in connection with that use.	Public Inquiry	13/10/17	29/06/18	Appeal Dismissed
17/00038/ENF	Land And Premises Known As Gleneagles Farm Rear Of Gleneagles Close Stanwell Staines- upon-Thames TW19 7PB	Appeal against serving of an Enforcement Notice for the material change of use of the land from agricultural land to a timber and fencing builder's merchants/business with associated storage of materials in connection with that use	Public Inquiry	13/10/17	29/06/18	Appeal Dismissed

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**PLANNING APPEALS**

**LIST OF APPEALS SUBMITTED BETWEEN 2 NOVEMBER AND 18 DECEMBER 2018**

<b>Planning Application Number</b>	<b>Inspector Ref.</b>	<b>Address</b>	<b>Description</b>	<b>Appeal Start Date</b>
18/00472/FUL	APP/Z3635/W/18/3214726	Land to the rear of Grandera House, 61 - 73 Staines Road West. Sunbury On Thames	Erection of a two and three storey development to provide 3 no. two bedroom maisonettes and 2 no. one bedroom maisonettes with associated parking.	23/11/18
18/00625/ADV	APP/Z3635/Z/18/3208274	Two Rivers Retail Park, Mustard Mill Road, Staines-upon-Thames	Application for advertisement consent for the display of 2 no internally illuminated fascia signs to the roof canopy (3.29 x 1.190 x 0.10), 1no internally illuminated sign to the front (0.59 x 0.99 x 0.10), 1no non-illuminated fascia sign on the rear elevation above the roller shutter to the warehouse (0.52 x 2.60) and 2no freestanding partially illuminated signs adjacent to Mustard Mill Road (1.50 x 0.83 x 0.17).	

**APPEAL DECISIONS RECEIVED BETWEEN 2 NOVEMBER AND 18 DECEMBER 2018**

<b>Site</b>	28 Hadrian Way, Stanwell
<b>Planning Application No.:</b>	18/00804/HOU
<b>Proposed Development:</b>	Erection of part two storey part single storey side and rear extension.
<b>Reasons for Refusal</b>	The proposed two storey side and rear extension, by reason of its design, location and scale would result in an over dominant extension which pays little regard to the host building, it would close gaps between the buildings and would not make a positive contribution to the street

	<p>scene of Hadrian Way contrary to the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011, and policy EN1 of the Core Strategy and Policies DPD 2009.</p> <p>The proposed development will have a poor relationship with neighbouring properties resulting in a loss of amenity including a loss of light, loss of privacy and being overbearing, contrary to the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011, and Policy EN1 of the Core Strategy and Policies DPD 2009.</p>
<b>Appeal Reference:</b>	APP/Z3635/D/18/3210997
<b>Appeal Decision Date:</b>	05/12/2018
<b>Inspector's Decision</b>	The appeal is dismissed.
<b>Inspector's Comments:</b>	<p>The Inspector considered the main issues to be the impact on the character and appearance of the area and on the living conditions of neighbours and future occupants of the extension.</p> <p>In terms of design he noted that, the front elevation of the side extension was shown to immediately abut the plot's front boundary and in turn the single-storey side extension to No 30. He noted that, <i>'...The two dwellings would effectively conjoin but in an awkward and unrelated manner. Furthermore, the natural gap between both properties would be lost and each would appear cramped and inharmonious in relation to each other'</i>. He considered that it would, <i>'...fail to sympathetically fit in with the pattern and grain of development within its surroundings.'</i> He also noted that it would fail to display a high standard of design and would neither respect nor contribute positively to the street scene or character of the area contrary to Supplementary Planning Document (SPD) and Policy EN1.</p> <p>In terms of living conditions the Inspector noted that the proposed side extension would obliterate any daylight to the neighbouring properties windows. Also the proposed side extension would have a forward-facing window at ground floor level that would serve a newly created habitable space but there would be no gap between Nos 28 and 30 and therefore no light or outlook from this window. He concluded that this was unneighbourly, resulting in a loss of light to part of the neighbour's property. It would also result in poor living conditions within the extended part of No 28.</p> <p>The proposal would introduce first floor windows at closer quarters to existing ones, facing the rear. These would have the potential to result</p>

	in a greater degree of privacy loss for the occupiers at No 24. The Inspector states that , <i>'the failure to safeguard the existing living conditions of neighbouring occupiers or to provide satisfactory living conditions within No 28 would be further evidence of poor design and conflict with Policy EN1'.</i>
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<b>Site</b>	7 Squires Road, Shepperton
<b>Planning Application No.:</b>	18/00788/HOU
<b>Proposed Development:</b>	Erection of part single, part two storey side/rear extension.
<b>Reason for Refusal</b>	The proposed part single storey part two storey side/rear extension, would by reason of design have an unacceptable impact upon the character of the area and visual amenity, and would be of a scale and size that is over-dominant of the host building. The roof form over the extension would also not 'tie in' and integrate with the roof form over the host dwelling and would have a contrived and awkward relationship with the existing dormer. The proposal would also have a terracing effect upon no.5 Squires Road and would therefore be contrary to Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) and the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).
<b>Appeal Reference:</b>	APP/Z3635/D/18/3211326
<b>Appeal Decision Date:</b>	05/12/18
<b>Inspector's Decision</b>	The appeal is dismissed
<b>Inspector's Comments:</b>	<p>The Inspector identified that the main issue was the effect of the proposal upon the character and appearance of the area.</p> <p>The Inspector noted that the appeal property is a two storey semi-detached dwelling, which has been amended in various ways including the addition of a single storey rear extension and a rear facing dormer. It was also noted that no.5 Squires Road immediately abuts the boundary.</p>

	<p>The Inspector commented that the crown roof over the extension would have an awkward and uncomfortable relationship with the rear dormer and would appear wholly unrelated to the roof form over the main dwelling. When seen as a whole, the extension would not appear integrated or subordinate and would be an obvious and dominant addition that would clearly be distinguishable from the existing dwelling. This would conflict with the Council's SPD on design.</p> <p>The Inspector also commented that the addition would close the obvious gap with no.5 Squires Road, creating an unnatural terrace effect between both buildings. The works would also be visible from the street scene adding to the Inspectors concerns.</p> <p>The Inspectors overall impression was that the proposal would appear as an incongruous and ill-conceived addition that would fail to harmonise with the architecture of the host dwelling. The proposal would therefore conflict with policy EN1 and the appeal was dismissed. However, the Inspector commented that he did not have concerns over the single storey element of the scheme.</p>
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<b>Site</b>	34 Guildford Street, Staines-upon-Thames
<b>Planning Application No.:</b>	17/01758/HOU
<b>Proposed Development:</b>	Construction of a roof extension changing the hipped roof to a gable end, the construction of a rear mansard dormer, the addition of two roof lights in the front roof slope, the removal of the rear chimney stack and the construction of a part two storey part single storey rear extension.
<b>Reason for Refusal</b>	The proposed roof extension, by reason of its scale, design and location would result in an unacceptable dominant feature of the roof, which would be visually obtrusive and detrimental to the character of the area contrary to policies SP6 and EN1 of the Spelthorne Local Development Framework Core Strategy and Policies Development Plan Document February 2009 and the Supplementary Planning Document Design of Residential Extensions and New Residential Development April 2011.
<b>Appeal Reference:</b>	APP/Z3635/D/18/3198001
<b>Appeal Decision Date:</b>	0612/18
<b>Inspector's Decision</b>	The appeal is dismissed

<b>Inspector's Comments:</b>	<p>The Inspector noted that the proposal would result in alterations to the flank wall and to the existing rear dormer but whilst this would create some space around the dormer, it would be very limited. He therefore considered that the proposal would still result in a dormer which was over dominant and out of proportion with the host property. Moreover he considered that whilst the views of the dormer from Guildford Street are restricted due to the limited gaps between properties, when viewed from the rear gardens of the surrounding properties the dormer would be visually prominent particularly given the relatively unaltered nature of the surrounding roof scape.</p> <p>He noted the comments received with regards to the size of the dormer which could be constructed under permitted development. However the Inspector stated that whilst a Certificate of Lawfulness for a hip to gable roof alteration and rear facing dormer had been granted, it would have required the works to have been completed prior to the implementation of the part single storey part two storey rear extension. As the rear extension has already been built he gave the fact that the Certificate of Lawfulness had been granted very little weight.</p> <p>The Inspector also noted that planning permission 17/01264/HOU had been granted, which incorporates a flat roof dormer. However he observed the differences in design in comparison with current scheme and therefore considered that it was materially different.</p> <p>It was concluded by the Inspector that the alterations to the roof and the rear dormer would result in an extension which would be out of proportion with the host property and the character and appearance of the surrounding area contrary to policies EN1 and SP6 of the Core Strategy DPD and the guidance contained within the SPD.</p>
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<b>Site</b>	Willow Hayne, Pharaohs Island, Shepperton
<b>Planning Application No.:</b>	18/00961/HOU
<b>Proposed Development:</b>	Erection of a two storey side extension and associated veranda.
<b>Reasons for Refusal</b>	The proposed two storey side extension would represent inappropriate development within the Green Belt, and would have a detrimental impact upon the openness. The impact upon openness is by reason of mass, scale and height, would be greater than the Certificate of Lawfulness at the site (16/01977/CPD) and this would not constitute 'very special circumstances' that would clearly outweigh this harm. The proposal is therefore contrary to policy GB1 of the Spelthorne Local Plan 2001

	<p>Saved Polices and Proposals (as updated December 2009), Policy EN2 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009), and the National Planning Policy Framework (July 2018).</p> <p>The proposed two storey side extension would by reason of size, width, height and bulk, have an unacceptable impact upon the character of the area, and the character of the designated Plotlands Area. The scheme would introduce an incongruous, over dominant feature into the landscape contrary to Policies EN1 and EN2 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) and the Design of Residential Extensions and New Residential Development Supplementary Planning Document (April 2011).</p>
<b>Appeal Reference:</b>	APP/Z3635/D/18/3211066
<b>Appeal Decision Date:</b>	06/12/18
<b>Inspector's Decision</b>	The appeal is dismissed
<b>Inspector's Comments:</b>	<p>The Inspector identified that the main issues were:</p> <ul style="list-style-type: none"> <li>- Whether the proposal would be inappropriate in the Green Belt with regards to the NPPF and development plan policies.</li> <li>- The effect on the openness of the Green Belt.</li> <li>- The effect on the character and appearance of the area.</li> <li>- If inappropriate development, whether the harms is clearly outweighed by other considerations that amount to very special circumstances.</li> </ul> <p>The Inspector noted that the extension would add a wing to one side of the dwelling, with a mansard style roof and eaves slightly higher than the original. It was also noted that the scheme would include a first floor veranda that would project towards the river.</p> <p>The Inspector commented that the extension would more than double the width of the dwelling and the increased floor space would represent a substantial uplift on the original dwelling. The size and bulk of the proposal would noticeably alter and enlarge the appearance and proportions of the original dwelling. The Inspector concluded that the extension was a disproportionate addition over and above the size of the original dwelling and was by definition harmful to the Green Belt. It was also considered that the extension would have harm to the openness of the site contrary to the NPPF and Saved Policy GB1.</p> <p>In terms of the character of the area, the Inspector considered that the side extension would significantly change the proportions and character</p>

	<p>of the existing dwelling. The building would also appear uncharacteristically large against other buildings and would be especially noticeable on views across the river. It was noted the extension would conflict with policy EN2, which deals specifically with Plotland Areas and would also conflict with policy EN1 and the Council's SPD on design as it would not integrate itself positively with the character of the locality.</p> <p>The Inspector acknowledged a Certificate of Lawfulness granted at the site for a number of extensions and outbuildings. The Inspector commented that there was no reason to doubt that some, if not all of the works in the Certificate of Lawfulness would be constructed as a 'fall back' position, although it was considered that the appeal scheme would have a greater impact due to its height mass and visibility.</p> <p>The Inspector concluded on balance that there was insufficient weight to clearly outweigh the harm to the Green Belt and conflict with the development plans. As such no 'very special circumstances' existed and the appeal was dismissed.</p>
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#### FUTURE HEARING / INQUIRY DATES

Council Ref.	Type of Appeal	Site	Proposal	Case Officers	Date
18/00733 /TPO	Hearing	3 The Mallards Laleham Staines-upon-Thames	TPO25/STA - G3 - 1x Lime Tree (shown on received plan) - crown branches reduction to 1 metre, and reduce height leaving the tree with a height of at least 10 metres.	Vanya Popova / Stewart Bee	15/01/19
18/00019 /COU	Hearing	Former Nursery Site Rear of 37 – 51 Hithermoor Road, Stanwell Moor	Change of use of site from former nursery site to fencing manufacture and supply business	Paul Tomson	TBC

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