



Please reply to:

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Date: 8 October 2019

Notice of meeting

Planning Committee

Date: Wednesday, 16 October 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)	S. Buttar	L. Nichols
H. Harvey (Vice-Chairman)	R. Chandler	R.W. Sider BEM
C. Barnard	S.A. Dunn	V. Siva
R.O. Barratt	M. Gibson	B.B. Spoor
A. Brar	T. Lagden	J. Vinson

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

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 18 September 2019.
- 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.

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.
- 4. Application No: 19/01029/FUL Harper House, 29-31 Fordbridge Road, Ashford** **15 - 36**

Ward
Ashford Town.

Proposal
Demolition of the existing buildings and erection of a new building to provide 20 units of emergency temporary accommodation for homeless households.

Officer Recommendation
To approve the Application, subject to conditions and a legal agreement as set out in Paragraph 8 of the Report.
- 5. Application No: 19/01069/FUL Shepperton House, 2-4 Green Lane, Shepperton** **37 - 64**

Ward
Shepperton Town

Proposal
To provide 13 additional residential dwellings, with alterations to the ground floor retail units to include flexible Use and 45 sq. m. of additional floor space along with external alterations to the entire building façade.

Officer Recommendation
To approve the Application, subject to conditions.

6. Planning Appeals Report

65 - 76

To note details of the Planning appeals submitted and decisions received between 9 August and 3 October 2019.

7. Urgent Items

To consider any items which the Chairman considers as urgent.

**Minutes of the Planning Committee
18 September 2019**

Present:

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

Councillors:

R.O. Barratt	S.A. Dunn	V. Siva
C. Barnard	M. Gibson	B.B. Spoor
A. Brar	T. Lagden	J. Vinson
S. Buttar	L. Nichols	
R. Chandler	R.W. Sider BEM	

Apologies:

Councillor C. Barnard apologised for his late arrival during item 5 (Minute 239/19 below refers).

In Attendance:

The following Councillors, who are not members of the Committee, attended the meeting to observe proceedings:-

I.T.E. Harvey, M.M. Attewell, J.H.J. Doerfel, J.T.F. Doran and R.D. Dunn

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 C. Bateson – Application No: 19/00815/FUL - White House, Kingston Road, Ashford, TW15 3SE.

Councillor S. Doran - Application No. 19/00956/FUL - Land at Northumberland Close, Bedfont Road, Stanwell.

237/19 Minutes

The minutes of the meeting held on 21 August 2019 were approved as a correct record.

238/19 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

Application No. 19/00815/FUL - White House, Kingston Road, Ashford, TW15 3SE.

As this was a Knowle Green Estate (KGE) application, the Chairman declared on behalf of all Committee Members that they had received correspondence in relation to the application, but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors H. Harvey, A. Brar, R.W. Sider BEM and B. Spoor reported that they had visited the site and had maintained an impartial role, had not expressed any views and had kept an open mind.

Application No. 19/00956/FUL - Land at Northumberland Close, Bedfont Road, Stanwell.

As this was a Knowle Green Estate (KGE) application, the Chairman declared on behalf of all Committee Members that they had received correspondence in relation to the application, but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors H. Harvey and R. W. Sider BEM reported that they had visited the site and had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor H. Harvey also reported that she had spoken with a resident of Cleveland Park and had maintained an impartial role, had not expressed any views and had kept an open mind.

Application No. 19/01051/FUL - 15 London Road, Staines upon Thames, TW18 4EX.

Councillors R.A. Smith-Ainsley, H. Harvey, R. Chandler, S. Dunn, R.W. Sider BEM and V. Siva recorded that they had received correspondence in relation to the application, but had maintained an impartial role, had not expressed any views and had kept an open mind.

239/19 Application No. 19/00815/FUL - White House, Kingston Road, Ashford, TW15 3SE

Description:

The application sought the provision of a 31 bed homeless hostel for single people on the site of the former White House, adjacent to the Council depot, on Kingston Road. The building is to be managed for Spelthorne Borough Council by the Salvation Army.

The proposed hostel use is a *sui generis* use meaning it does not fall within a specific use class of the Town and Country Planning (Use Classes) Order 1987 (as amended), and specifically is not considered to be a residential use. As such the Council's policies that apply to residential development were not applicable to this specific development.

Additional Information:

The Planning Development Manager gave the following updates:

- 11 additional letters of objection were received.
- 2 additional letters of support were received.
- 1 additional complaint letter was received.

Para 7.45, page 30 should read:-

The block plan also shows that the closest window within the proposed development, ~~for the units on the north west corner,~~ would be 38m **36m** to the front side boundary ~~from the park boundary~~ and over 40m from the rear side boundary to **364** in Kingston Road.

Replacement Condition

Condition 9 should be replaced with the following condition:

- 1.)The rated noise level from the plant hereby approved shall be at least 10 dB(A) below the background noise level at the nearest noise sensitive property as assessed using the guidance contained within BS4142 (2014).

Reason: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery.

Informative

The applicant is advised that machinery, plant/equipment and extract/ventilation system and ducting should be are mounted with proprietary anti-vibration isolators and fan motors should be vibration isolated from the casing and adequately silenced. The reason for this is to ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by vibration.

Condition Amendment

Condition 2 to be amended to include the Acoustic Planning Report, June 2019.

Public Speaking:

In accordance with the public speaking procedures, Martin Shortland spoke against the proposal raising the following comments:

- He is speaking for 500 residents
- The application submission is inaccurate
- The Statement of Community Involvement on consultation has been ignored

- The planning guidelines have been ignored
- A judicial review will be successful
- The site is unsuitable for the proposal
- The road is an accident blackspot
- No pedestrian crossing is provided
- There is limited bus access
- The site is remote
- Overbearing development
- Overdevelopment of the site
- Will set a precedent
- Harmful to residential amenity
- Concern over the proposed

In accordance with the public speaking procedures, Ian Anderson spoke for the proposal raising the following comments:

- The application is in response to the Homeless Reduction Act - ambitious targets have been set
- It is a *Sui Generis* use and will have no permitted development rights
- The Council agreed in 2018 to build a hostel
- Building is orientated to minimise overlooking
- Many issues raised in the representations are not planning matters
- The Council has a duty of care

In accordance with the public speaking procedures, Ward Councillor C. Bateson spoke on the proposal raising the following comments:

- The Council has not fully engaged with the residents
- The location is unsuitable
- The height of the building is excessive
- The building is located too close to the residents
- Road / pedestrian safety concerns
- The site is located too far to local amenities

Debate:

During the debate, the following key issues were raised:

- The Planning Committee report addresses all the planning issues
- Concern over pedestrian safety
- Query over disabled access
- Query over the possible use of the adjoining land
- Will be managed by the Salvation Army who has immeasurable experience
- Query over *Sui Generis* use
- Concern over the height of the building
- Proximity to residents
- The Council has a duty of care to rehouse homeless people
- Query over whether the site is appropriate next to the Depot

Decision:

The application was **approved** subject to conditions, as recommended in the Planning Committee report, and as amended above.

Councillor C. Barnard took no part in the debate or vote on this item, due to his late arrival.

240/19 Application No. 19/00956/FUL - Land at Northumberland Close, Bedfont Road, Stanwell,

Description:

This application sought the erection of a building comprising 8,241 square metres to provide warehousing and distribution/logistics (Class B8) and associated offices together with associated access, loading/uploading, car parking, servicing and landscaping.

Additional Information:

The Planning Development Manager gave the following updates:

1. A response was received from Highways England raising no objection.
2. An Addendum to the revised Air Quality Assessment was submitted. The Council's Pollution Control Officer had since responded by removing her objection to the proposal on air quality grounds subject to conditions relating to dust and electric vehicle charging. Consequently reason for refusal 6 on Section 9 (Recommendation) of the committee report was removed.
3. A revised noise impact assessment was submitted. However, the Council's Environmental Health Officer responded by maintaining her objection on noise impact grounds.
4. The Heathrow consultation (para 8.75, page 87) expired on the 13/09/2019. Spelthorne Council had sent a consultation response to this.
5. A late response from the applicant was received commenting on the objections raised by local residents under paragraph 6.2 of the report. Most of the points raised had been covered in the committee report. Of the other issues, many did not relate to the application or were not planning matters. With regard to 'overlooking/loss of privacy' and 'noise and dust during construction', these issues could be addressed by conditions if the application was approved. With regard to 'open space', there was no planning designation on the site for open space in the current Local Plan.
6. Two late letters were received from the applicant. The first letter was confirming an interest from an operator JAS (Jet Air Service) who had expressed interest in occupying the building subject to planning permission. The second letter was from Heathrow Airport Limited (HAL) dated December 2018 to the owner of the land indicating HAL's potential interest in acquiring the land.

7. Amendment to paragraph 3.1 of the committee report:

3.1 The site has the following planning history:

FUL/90/346

Erection of 1,692 sq m (18,212 sq ft) of Class B8 storage and distribution warehousing with ancillary office accommodation, and provision of car and lorry parking.

Approved

19/09/1990

8. Amendment to paragraph 8.6 of the committee report:

8.6 The GBA identified two tiers of land parcels: Strategic Green Belt Areas ('Strategic Areas') and Local Green Belt Areas ('Local Areas'). The assessment divided Spelthorne into two strategic areas that were consistent with the areas adopted by Elmbridge Borough Council for its GBA. The application site lies within 'Strategic Area B A' which is described in paragraph 4.3.1 of the GBA as ~~"a band of Green Belt maintaining separation between a number of settlements including Ashford / Sunbury-on-Thames / Stanwell, Staines-upon-Thames / Shepperton / Walton-on-Thames, and Chertsey, Addlestone, and Egham.~~ **a north-eastern band of Green Belt at the very edge of London which separates the London fringe settlements (e.g. Bedfont, Feltham, Sunbury-on-Thames and Hampton) from settlements to the south-west."** In its conclusion (section 7), the assessment affirms that this area "plays an important role in meeting the fundamental aim of the Green Belt through preventing sprawl from settlements in Surrey by keeping land permanently open".

9. Amendment to paragraphs 8.27 and 8.29 of the committee report:

8.27 The site is adjacent to existing residential properties on the western side (Clare Road) and to the north east (Cleveland Park). The proposed building will be almost 38 metres away from the 222 Clare Road's rear elevation which is the nearest dwelling and some 21 metres from the neighbouring rear boundaries. The proposed building at this point slopes to a lower height of 14 metres at the eaves. The overall height is 16.19 metres (roof apex). The proposed development on its western elevation presents a continuous wall of development of ~~164~~ **165** metres.

Whilst it is noted that the proposal would be further set in from the adjacent residential properties along Clare Road compared to the refused scheme, the proposed building would be greater in height. The proposed development would still present a continuous mass of the ~~164~~ **165** metre western elevation and due to its height, form and bulk would appear visually obtrusive and dominating, particularly for the neighbouring occupiers when using their gardens. Whilst some degree of screening has been proposed by the applicant in the form of tree planting, the Council's Tree Officer is of a view that the proposed trees along the western side would not be large enough to facilitate adequate screening.

Public Speaking:

In accordance with the public speaking procedures, Jemma Brown spoke against the proposal raising the following comments:

- Overbearing
- Overbearing and loss of privacy
- The use will take place 19-20 hours per day – 4am – midnight
- Noise concerns
- Light concerns
- Concerns over vibrations
- Concerns over fumes
- Adverse impact on residents
- Will affect the mental health well-being of residents

In accordance with the public speaking procedures, Ian Anderson spoke for the proposal raising the following comments:

- Heathrow is the only Airport in the country for logistics
- The use needs to be close to the airport
- The site has been assessed as weakly performing green belt
- Will provide an off-site cargo handling facility
- There is a clear need for significant cargo space
- This site will get developed
- The applicant has a potential operator
- Very special circumstance exist as the proposal is linked to the operation of Heathrow

In accordance with the public speaking procedures, Ward Councillor S.M. Doran spoke on the proposal raising the following comments:

- The site is designated as Green Belt
- The proposal does not meet the requirements in the NPPF
- Very special circumstance have not been met
- There are bats on the site
- It is already a highly polluted area
- The building will be dominant
- Loss of privacy
- The mental health well-being of residents will be affected
- Light pollution.

Debate:

During the debate the following key issues were raised:

- The site is assessed as weakly performing green belt
- The site is allocated within the proposed Development Consent Order
- Concern that the officers have not worked positively and proactively with the applicant
- It is very similar to that refused in 2015

- A satisfactory relationship with residential properties has to be achieved as required by policy EN1b – concern over impact on residents and is contrary to this policy
- Is greater in height compared with the refused scheme
- The building has a continuous mass which is visually obtrusive
- A 6m high acoustic fence does not solve the noise objection and will have an overbearing impact
- The site will be developed in the future
- Proposal is contrary to policy SP6
- Who has to demonstrate very special circumstances
- Could set a precedent for other development on the green belt
- Is an appalling layout in relation to the existing dwellings
- Will result in the removal of trees and replanting
- It is not necessary to use the entrance in Northumberland Close
- There is insufficient land for housing
- Will provide jobs at Heathrow

Decision:

The application was **refused** as recommended and for the reasons set out at paragraph 9. in the Planning Committee report, subject to the deletion of reason 6.

241/19 Application No. 19/01051/FUL - 15 London Road, Staines upon Thames, TW18 4EX

Description:

This application was for the erection of two buildings to provide 173 residential homes (Class C3) and flexible commercial space at ground and first floors (Class A1, A2, A3, B1, D1 or D2), with landscaping and associated works, to be delivered as an extension to the wider redevelopment of 17-51 London Road under application 19/00290/FUL, comprising an additional 22 homes above those within application 19/00290/FUL.

Additional Information:

The Planning Development Manager gave the following updates:

Due to the way the legal agreements were to be linked, the Planning Committee should be aware that this application had been considered as an amendment to the existing planning approval 19/00290/FUL. The finance considerations in para. 7.118 (page 131) and recommendation to grant in s9 (A) 1 and 2 (page 132) therefore reflected the variation to the existing s106 to account for the existing requirements and the additional 20 units at 15 London Road and 2 additional affordable housing units to Block E, resulting from this application.

The conditions at s9 (B) (page 134 onwards) also reflected those attached to the existing planning approval 19/00290/FUL with appropriate amendments to incorporate the additional 20 units at 15 London Road and 2 additional affordable housing units to Block E, resulting from this application.

Additional Condition

An additional condition was recommended, as requested by the County Archaeology Officer:

Condition: No development, with the exception of demolition to slab level, shall take place within plot 15 London Road until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

In the interests of the Staines Area of High Archaeological Potential, in accordance with Saved Policy BE25.

Public Speaking:

There were no public speakers for this item.

Debate:

During the debate the following key issues were raised:

- The principle of high development has already been accepted
- 15 London Road should have been demolished a long time ago
- Will assist with our housing need
- Will improve the appearance of London Road
- Concern over traffic signals nearby
- Concerns that CHP is not renewable energy

Decision:

The application was **approved** as set out in the Planning Committee Report, subject to the prior completion of a S106 agreement.

242/19 Application No. 19/00933/FUL - The Greeno Centre and Shepperton Recreation Ground, 45 Glebeland Gardens, Shepperton, TW17 9DH

Description:

This Application was for the erection of an enclosed patio area to provide an external seating area for visitors to the Greeno Centre including erection of railing boundary enclosure of 1.8m in height.

Additional Information:

Consultation response from the Council's Pollution Control Officer raising no objection was reported.

Public Speaking:

There were no public speakers for this item.

Debate:

During the debate, the following key issues were raised:

- The facility is a great asset
- The facility is well used

Decision:

The application was **approved** as set out in the Planning Committee Report.

243/19 Tree Preservation Order TPO 263/2019 - Front verge at entrance to Shaftesbury Crescent, adjacent to 283 Ashford Road, Laleham, TW18 1QR

Description:

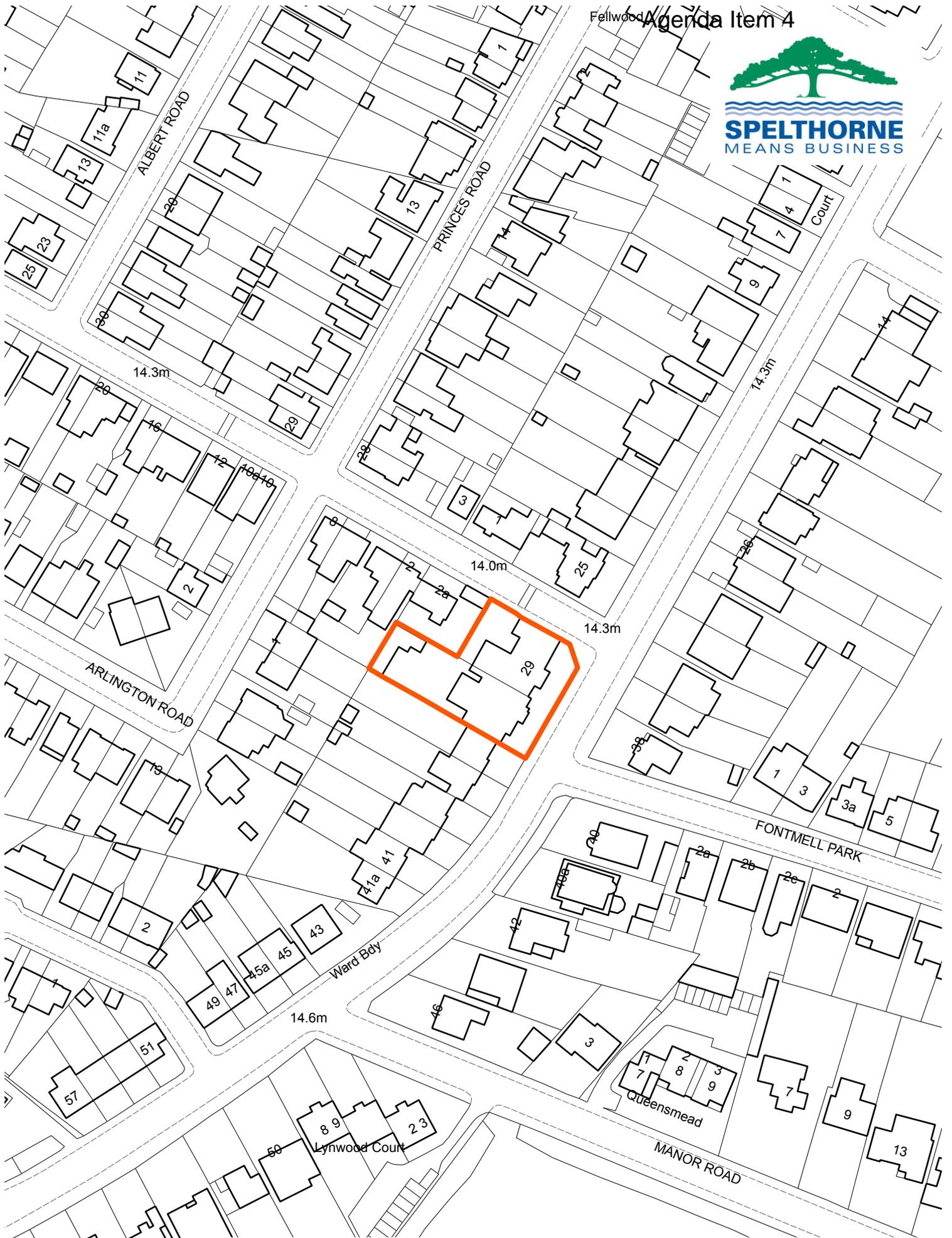
This Item sought the confirmation of Tree Preservation Order 263/2019, Front verge at entrance to Shaftesbury Crescent, adjacent to 283 Ashford Road, to protect one multi-stemmed tree on this site.

Decision:

The Tree Preservation Order 263/2019 was **confirmed** without modification.

244/19 Urgent Items

There were none.



Harper House, Fordbridge Road, Ashford (19/01029/FUL)

Scale: 1:1,250

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Planning Committee

16 October 2019



Application No.	19/01029/FUL		
Site Address	Harper House, 29 – 31 Fordbridge Road, Ashford		
Applicant	Knowle Green Estates		
Proposal	Demolition of existing buildings and erection of a new building with 3 floors of accommodation to provide 20 units of emergency temporary accommodation for homeless households, together with associated plant room, car parking, bin store, and other associated facilities.		
Case Officer	Paul Tomson		
Ward	Ashford Town		
Called-in	N/A		
Application Dates	Valid: 24/07/2019	Expiry: 23/10/2019	Target: Under 13 weeks
Executive Summary	<p>The proposal involves the demolition of the existing buildings and the erection of a new building to provide 20 no. units of emergency temporary accommodation for homeless households. The building will front Fordbridge Road and flank onto Chesterfield Road. The proposed use and the number of units on the site will be the same as existing. However, the proposed facilities will be much improved on the existing situation and will accord with modern standards. The current outbuildings located towards the rear of the site which are used as two self-contained units will be removed and replaced with amenity space</p> <p>It is considered that the proposed building in terms of its design, scale and location, will have sufficient regard to the character of the area and meets the requirements of Policy EN1 of the Core Strategy and Policies DPD. The new building will be in a similar location to the existing one and it is considered that the relationship with neighbouring residential properties will be acceptable. The removal of the existing outbuilding at the rear will be an improvement. The proposed parking provision will be slightly greater than existing (7 proposed compared to 5 existing). The County Highway Authority has raised no objection to the proposed parking provision or the impact on the adjacent highways.</p>		
Recommended Decision	This planning application is recommended for approval subject to conditions and a legal agreement set out at Paragraph 8 of the Report.		

MAIN REPORT

1. Development Plan

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

- LO1 (Flooding)
- HO1 (Providing for New Housing Development)
- HO3 (Affordable Housing)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

2. Relevant Planning History

2.1 The site has the following planning history:

99/00680/FUL	Change of use from residential care home to 10 no. self-contained flats for homeless persons comprising 2 no. 1-bedroom, 6 no. 2-bedroom and 2 no. 3-bedroom flats. Provision of 17 parking spaces	Refused 02/02/2000
00/00127/FUL	Change of use from residential care home to 10 no. self-contained flats for homeless persons comprising 2 no. 1-bedroom, 6 no. 2-bedroom and 2 no. 3-bedroom flats. Provision of 10 parking spaces. (Officer Note: this scheme was not implemented)	Appeal Against Non-deter- mination Allowed 02/11/2000
00/00840/FUL	Change of use of premises from elderly persons care home to a hostel for the homeless together with ancillary parking spaces at the front and rear for 11 cars.	Refused 31/01/2001 Appeal Allowed 07/08/2001
16/01120/CLD	Application for a Certificate of Lawfulness for the existing use as 20 no. self-contained residential units, including 2 units within a single storey building located to the rear of site	Certificate Granted 21/10/2016

3. Description of Current Proposal

3.1 The application relates to Harper Home, 29 – 31 Fordbridge Road in Ashford, which is a site located on the corner of Fordbridge Road and Chesterfield

Road. It comprises a part 2-storey/part 2 ½ storey building fronting Fordbridge Road. It also includes a single storey building at the western end of the site, to the rear of 2A and 2 Chesterfield Road. There is a parking area at the front of the site. There is also a vehicular access off Chesterfield Road. The surrounding area is residential in character.

- 3.2 In 2001 planning permission was granted on appeal for the change of use from an elderly care home to a hostel for the homeless (00/00840/FUL). A condition was imposed on that planning permission restricting the number of residents to a maximum of 51. Whilst the site continues to be occupied by homeless persons including families the internal layout has been altered over the last 15 years to make the individual accommodation units more self-contained. Furthermore, 2 self-contained residential units exist in the single storey building located at the rear of the site. Consequently, the site comprises 20 self-contained residential units and none of the hostel facilities (e.g. shared rooms) exist. An application for a Certificate of Lawfulness for the existing use of the property as 20 no. self-contained residential units was granted on the 21 October 2016.
- 3.3 The proposal involves the demolition of the existing buildings and the erection of a new building with 3 floors of accommodation to provide 20 no. units of emergency temporary accommodation for homeless households, together with associated plant room, car parking, bin store and other associated facilities. The new building will measure 29.4m in width, between 11.7m – 18m in depth, and up to 10.66m in height. Its exterior will be faced in a mix of brickwork, coloured render and clay roof tiles. The second floor units will appear as accommodation within the roof space with the rooms served by dormers and windows in the gables. A total of 7 no. off-street parking spaces will be provided (2 at the front and 5 at the rear). The existing outbuilding located at the rear will be demolished and this part of the site will be laid out as amenity space.
- 3.4 The proposed number of units will be the same as existing (20). Moreover, the proposed use of the building will be the same. In terms of the unit mix, there will be 2 no. 2-bed x 4 person, 10 no. 2-bed x 3 person, and 8 no. 1 bed x 2 person units. The applicant states that the existing building requires a high level of ongoing maintenance in its existing state and the layout of the building presents access issues to residents with mobility needs. Additionally, there is not enough space within the existing building for welfare facilities or on-site staff to be based there for more than a couple of hours at a time. As a result, they have to have ‘floating’ management and support arrangements in place, where the provider is based elsewhere. The proposed development will provide a purpose built staff office with toilet, together with parking. They want to ensure that they are offering homeless families a temporary home which is safe, secure and provides the best opportunity for them to move-on to settled accommodation.
- 3.5 The proposed site layout plan and Fordbridge Road street scene elevation are attached as an Appendix.

4. Consultations

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

Consultee	Comment
County Highway Authority	No objection subject to conditions.
Environmental Health (Pollution)	No objection subject to conditions.
Environmental Health (Noise)	No objection subject to conditions.
Crime Prevention Officer	Has made various security related comments. Requests a condition to be imposed requiring the development to achieve the 'Secured by Design' award. (Officer note: an informative is usually added to any acceptable scheme)
Environment Agency	No comments
Lead Local Flood Authority (Surrey County Council)	No objection subject to conditions
Sustainability Officer	No objection to the renewable energy facilities (photovoltaic solar panels)
Group Head – Neighbourhood Services	No objection
Surrey Wildlife Trust	No objection
Thames Water	No objection subject to an informative.

5. Public Consultation

5.1 17 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 15 letters of representations have been received, including a response from Spelthorne Committee for Access Now (SCAN). Reasons for objecting include:-

- Insufficient consultation
- Overdevelopment of the site
- The proposed building is too close to neighbouring properties
- Overcrowding of the neighbourhood. Concentration of homeless people.
- Concern about the amenity space and play area for children.
- Concern about how the site will be managed.
- Parking
- The design is out of character
- Noise
- Loss of privacy/overlooking
- Disruption during construction
- Concern about rubbish in the street
- Concern about security and safety.
- Disabled access issues
- Impact on local services
- Air quality
- Impact on highway safety

6. Planning Issues

- Principle
- Design and appearance
- Impact on neighbouring properties
- Amenity for future occupiers of the development
- Amenity space
- Parking provision/highway issues
- Flooding
- Ecology

7. Planning Considerations

Principle

- 7.1 The site is located within the urban area and comprises 20 no. units of emergency temporary accommodation for homeless households. The proposal to demolish the existing buildings and erect a new building providing the same number of units, and the same type of accommodation, is considered acceptable in principle.

Design and Appearance

- 7.2 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.
- 7.3 This area of Fordbridge Road and Chesterfield Road is characterised mainly by semi-detached and detached two-storey dwellings. Many of the houses have hipped roof designs with gable features fronting the road. They are faced in a mix of brickwork, painted render or pebbledash, and most have clay roof tiles. Some of the properties have mock-Tudor timber detailing. With regard to Harper House itself, viewed from Fordbridge Road the existing building is part two-storey and part “2 ½ storey” in scale. It is mainly faced in white render with clay roof tiles.
- 7.4 It is considered that the proposed building has sufficient regard to the character of the area and complies with the requirements of Policy EN1. Viewed from the street, the new development will be 2 ½ storeys in scale with the windows of the second floor accommodation provided within a number of gables. The proposed height will be similar to the existing building, and only slightly higher than the existing two-storey houses in the street. Whilst the proposed building will have a large central flat roof area, this will be recessed down from the ridge, will be screened by the sloping roof, and will not be readily visible from outside the site. The building will be faced in a mix of brickwork, coloured render and clay roof tiles, which will reflect the character of existing materials in the area. The front elevation will be set back from

Fordbridge Road by a similar distance to the neighbouring houses and therefore respect the existing building line.

Impact on Neighbouring Properties

- 7.5 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.
- 7.6 It is considered that the proposal will have an acceptable relationship with neighbouring residential properties and meets the requirements of Policy EN1b. The scale and location of the new building will be similar to the existing building, and consequently the impact on neighbouring properties will be similar. With regard to 33 Fordbridge Road, the proposed south-western side elevation of the new building will be set-in from the side boundary by 1.2 metres and the roof will slope away from the neighbouring property. It is relevant to note that the existing building is built on the boundary with No. 33 and consequently, the proposed 1.2 metre set-in represents an improvement. The proposal will not break a 45 degree horizontal or vertical line as stipulated in the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development 2011 in relation to surrounding properties. Accordingly, it is not considered the proposal will be overbearing or cause a harmful loss of light in relation 33 Fordbridge Road. With regard to 2 Chesterfield Road, there will be a separation distance of at least 29 metres between the proposed main rear elevation and the rear boundary, which is well in excess of the minimum 'back to boundary' separation distance stipulated in the SPD.
- 7.7 With regard to 2A Chesterfield Road, there will be a gap of 4.35 metres between the north-western elevation of the proposed rear wing and the boundary with the neighbouring property. The distance between the rear wing and the south-eastern side elevation of No. 2A is 11.5 metres. The proposed north-western elevation of the rear wing has been designed so that there are no main windows (only high level roof lights), with the principal windows to the habitable rooms provided in the north-eastern Chesterfield Road elevation, or in the south-western side elevation. In terms of the main rear elevation, the proposed first floor windows will be set back from the side boundary of 2A Chesterfield Road by 11m which complies with the minimum back to boundary distance of 10.5m in the Design SPD. The proposed second floor dormer windows in the main rear elevation are set back 11.4m from the side boundary of 2A. However, given that the dwelling of 2A is set back from its side boundary by some 7.5m and that there are two existing dormers in the rear elevation (albeit further to the south), it is considered that the relationship is acceptable. Consequently, it is considered that the proposed building will not have an overbearing impact, nor cause adverse overlooking, and the relationship with No. 2A is considered acceptable. It is also considered that the relationship with 25 Fordbridge Road, and the properties located on the other side of Fordbridge Road will be acceptable.

Unit Size

- 7.8 The National Technical Housing Standards - nationally described space standards (NTHS) provides for internal space within new dwellings at a defined level of occupancy. The Council also has its own standards, detailed in Appendix 4 of the Design of Residential Extensions and New Residential Development SPD, which reflect the NTHS.
- 7.9 The proposed unit sizes vary between 23 square metres for some of the 1-bed 2 person units, to 54 square metres for the largest of the 2-bed 4 person units. In comparison, the NTHS stipulates a minimum dwelling size of 50 square metres for a 1-bed 2 person unit, whilst the minimum standard for a 2-bed 4 person unit is 70 square metres.
- 7.10 Although the proposed unit sizes are substantially below the minimum dwelling size standard in the NTHS (and SPD), it is considered that there are clear planning reasons for justifying their sizes in this particular case. It is important to recognise that the proposed units are not dwellings to be occupied on a permanent basis and consequently, the standards in the NTHS and SPD are not directly relevant to this proposal. Rather, the units will be occupied as emergency temporary accommodation for homeless households. The occupants stay for a relatively short period of time (the average stay is 14 weeks) before moving on to longer term accommodation on a more permanent basis. Given the temporary nature of the occupants and the units are not be used as a permanent place of residence, it is considered that the proposed unit sizes are acceptable. The applicant has confirmed that the units comply with Spelthorne's House in Multiple Occupation (HMO) standards, which is considered to be a more suitable criteria in this particular case, although it should be noted that the proposal is not an HMO. Moreover, the proposal will provide the same number and type of units as existing, but will be of a modern and substantially better standard. In 2016 a Certificate of Lawfulness was granted for the existing use of the building as 20 dwellings (Use Class C3). It is considered that the Certificate of Lawfulness is a material consideration in favour of the current planning application. It is recommended that planning permission is granted subject to a legal agreement to ensure that the development is used for emergency temporary accommodation for homeless households in perpetuity.

Amenity Space

- 7.11 In terms of amenity space, an area of communal garden space is to be provided towards the rear of the site, behind the new parking area. Further areas of amenity space are to be provided immediately to the rear of the building. Whilst the proposed development is not for permanent dwellings, the proposed amenity space will nevertheless comply with the Council's minimum amenity space standards (275 square metres) for a scheme of 20 dwellings. The size and standard of amenity space is considered to be a substantial improvement on the existing arrangement at the site, which comprises a hard-surfaced patio area between the rear of the building and the existing outbuilding. Accordingly, the proposed amenity space is considered acceptable

Parking Provision/Highway Issues

- 7.12 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards. 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).
- 7.13 The Council's Parking Standards do not have a specific minimum standard for this particular type of use (emergency temporary accommodation units for homeless households). However, as a guide, the minimum standard for affordable housing units is 1 space per 1-bed and 1.25 spaces per 2-bed units, which would constitute an overall minimum standard of 23 spaces for a scheme of this size. It is relevant to note that there are only 5 car parking spaces on the existing site which serves the existing 20 units.
- 7.14 The proposed parking provision is 7 spaces, which includes 2 no. disabled parking spaces. Whilst this represents a shortfall of 16 spaces compared to the parking standard for affordable units, it is not considered a refusal could be justified on parking grounds. The proposed use and number of units is the same as existing and the demand for parking will therefore be similar. The proposed development will have 2 more spaces on the site compared to the existing, which is a slight improvement. Moreover, the site is located a short walk (250 metres away) from Ashford town centre and its shops and services. It is also within walking distance of the train station, which provides regular connections to London, Weybridge and Windsor. In addition, the site is close to local bus routes. The County Highway Authority was consulted and has responded raising no objection on parking grounds.
- 7.15 With regard to highway safety issues, the County Highway Authority has raised no objection subject to the imposition of conditions. It is relevant to note that the vehicle entrance to the front of the site will be similar in location and size to the existing one. The access onto Chesterfield Road will be in the same location as the existing access.

Flooding

- 7.16 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 1,000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA).
- 7.17 The application site is located in Flood Zone 1, which has a low probability with less than 1 in 100 year chance of flooding. The applicant has submitted a FRA, which includes details of a sustainable drainage scheme (SuDS). It is relevant to note that virtually the entire existing site is covered with buildings and hardstanding, whilst the proposed development will involve the creation of

new areas of soft landscaping to the front and rear of the building. Whilst the Environment Agency was consulted on the application, they have declined to comment on the scheme given its location in Zone 1. The Lead Local Flood Authority (Surrey County Council) was separately consulted and has raised no objection to the proposal subject to the imposition of conditions. Accordingly, the proposed impact on flooding is considered acceptable.

Ecology

- 7.18 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.
- 7.19 A bat survey has been submitted with the planning application. The survey revealed that a single Common Pipistrelle bat was present within the hanging tiles on a former lift shaft in the centre of the roofs of the building. As the proposal involves the demolition of the existing building, the applicant will need to separately apply for a licence from Natural England guided by a licensed bat worker. This together with the proposed mitigation measures are recommended in the bat survey. The Surrey Wildlife Trust was consulted and has raised no objection. A condition is to be imposed requiring the applicant to carry out the necessary mitigation measures. A condition is also to be imposed requiring the provision of new bat and bird boxes to be installed to encourage wildlife on the site. Subject to these conditions, the impact on ecology is considered acceptable.

Other Matters

- 7.20 The applicant is proposing a bin store to be located in the south-western corner of the site on the Fordbridge Road frontage. The bin store will be capable of holding a total of 8 no. communal 1,100 litre bins, which is considered sufficient for a scheme of this size. Accordingly, the proposed bin store is considered acceptable.
- 7.21 The Council's Sustainability Officer has raised no objection to the renewable energy facilities (photovoltaic solar panels).
- 7.22 With regard to the Crime Prevention Officer's comments, I do not consider it is appropriate to impose a condition, as requested, relating to "Secured by Design". Many of the requirements are very detailed (e.g. type of laminated glazing), elements which are not normally covered and enforced under the planning regulations. However, a copy of the officer's response has been forwarded to the applicant and it is proposed to add a relevant informative to the decision notice (see below). In addition, a condition is to be imposed requiring an external lighting scheme to be implemented, partly for security purposes
- 7.23 With regard to the comments by SCAN about disabled access, the applicant states that the principal entrance to the development will be level and have a minimum opening width of 1 metre. The rear entrances accessing the amenity space will also be level entry. Two dedicated accessible parking spaces will

be provided at the front of the site. Two of the units on the ground floor will be accessible units comprising a shower and WC suitable for wheelchair users. The proposal will have to comply with the Building Regulations.

- 7.24 The 3 tests set out in paragraph 56 of the NPPF (and Regulation 122-2 & 123 of the CIL Regulations) require legal agreements to be: a) necessary to make the development acceptable in planning terms; b) directly related to the development ; and c) fairly and reasonably related in scale and kind to the development. It is considered that the legal agreement will ensure that the development is used for emergency temporary accommodation for homeless households in perpetuity.
- 7.25 Accordingly, the application is recommended for approval.

8. Recommendation

- 8.1 (A) Subject to the applicant first entering into an appropriate legal agreement to restrict the development use to emergency temporary accommodation for homeless households.

In the event that the legal agreement is not completed

In the event that the legal 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 proposed development is considered to provide substandard size of accommodation that would be harmful to the future occupiers of the building, contrary to Policy EN1 of the Core Strategy and Policies DPD, the Supplementary Planning Document on the Design of New Residential Extensions and New Residential Development 2011, and the Government's Technical Housing Standards – Nationally Described Space Standard March 2015.
- 8.2 (B) 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:
 - 1713-MEB-XX-00-DR-A-3-100; /101; /106 received 24 July 2019.
 - 1713-MEB-XX-01-DR-A-3-101 received 24 July 2019.
 - 1713-MEB-XX-XX-DR-A-3-103; /300; /301; /302; /303; /304; /305; /400 received 24 July 2019.

- 1713-MEB-XX-02-DR-A-3-202 Rev. A received 30 July 2019.
- 1713-MEB-XX-00-DR-A-3-105 Rev. C & 1713-MEB-XX-00-DR-A-4-200 Rev. C received 01 October 2019.

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" proving guidance can also be downloaded from Spelthorne's website at www.spelthorne.gov.uk.

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

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

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

6. 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. No part of the development shall be first occupied unless and until the proposed modified vehicular access to Fordbridge Road has been constructed in accordance with the approved plans, and the redundant dropped kerbs fully reinstated with full height kerbs and footway.

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 2019 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

9. The development hereby approved shall not be first occupied until space has been laid out within the site in accordance with the approved plans for

cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with the National Planning Policy Framework 2019 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

10. The development hereby approved shall not be first occupied unless and until facilities for the secure storage of bicycles have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed prior to the occupation of the building and thereafter retained.

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

11. That within 3 months of the commencement of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

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

12. 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.

13. 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.

14. 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.

15. 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

16. The development hereby permitted shall not commence 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) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development (Pre, Post and during).
- b) 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.).
- c) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- d) 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.

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.

17. 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. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or

detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

18. The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises.

Reason: - To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery.

19. The proposed demolition and construction works shall be carried out in accordance with the Mitigation, Compensation and Enhancements measures set out in the Species Ecological Consultancy Bat Emergence/Re-Entry Surveys & Mitigation Strategy Report July 2019, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interest of preventing harm to wildlife.

20. Prior to the occupation of the building, details of a scheme for external CCTV to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved CCTV shall be implemented before the occupation of the building and thereafter maintained.

Reason:- In the interest of security.

INFORMATIVES

1. 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.
2. 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.
3. 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 Highways 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 developer's expense.

4. 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).
5. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
7. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - a) Work 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).

8. 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.

9. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

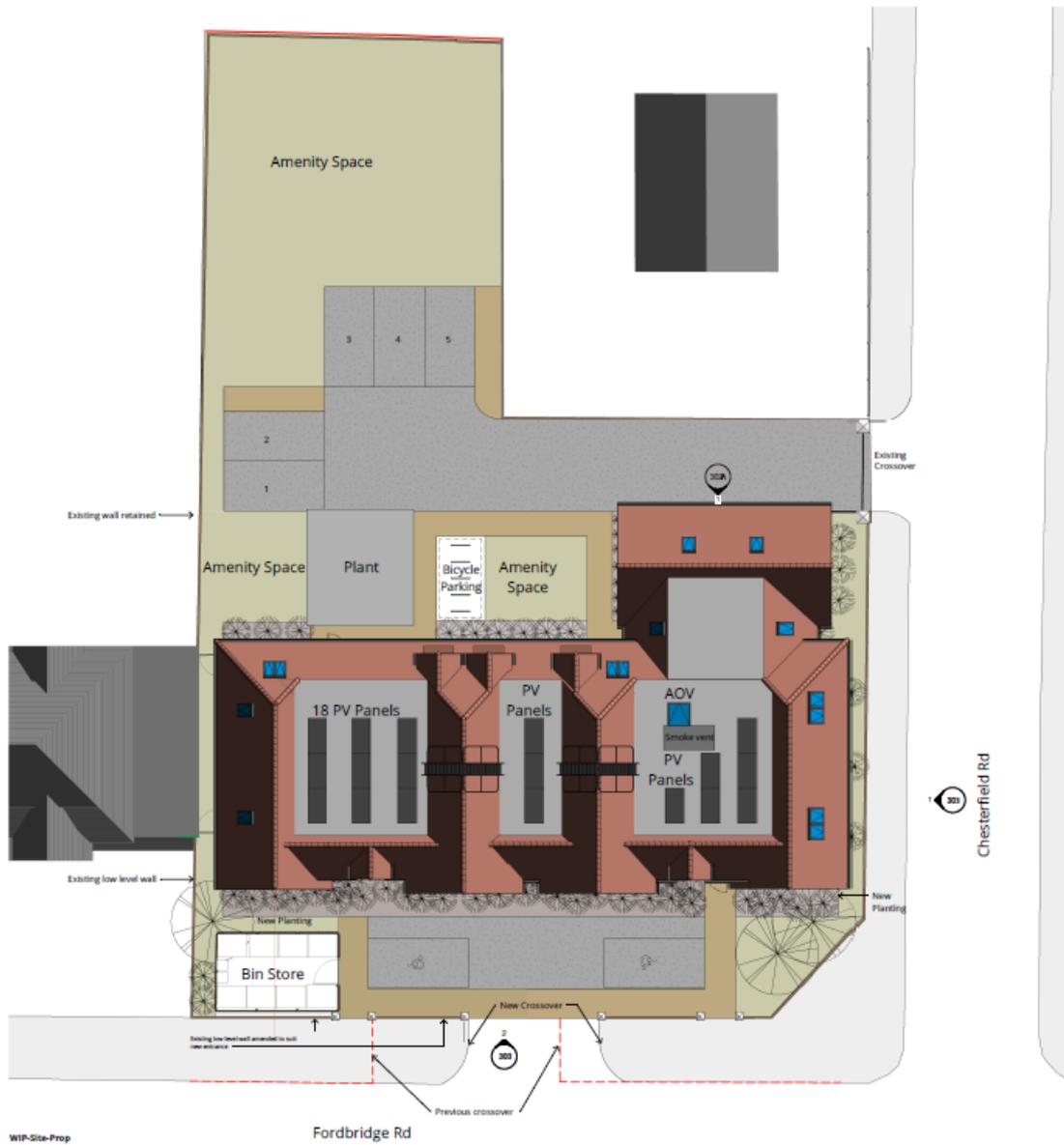
If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

10. The applicant should be mindful to follow best practice when selecting gas-fired boilers. A minimum standard of less than 40mgNO_x/kWh should be met and exhaust gas should be emitted at roof level.
11. The applicant should be mindful to follow best practice dust control measures during demolition, earthworks, and construction to prevent excessive dust emissions.
12. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into the public sewer Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

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.

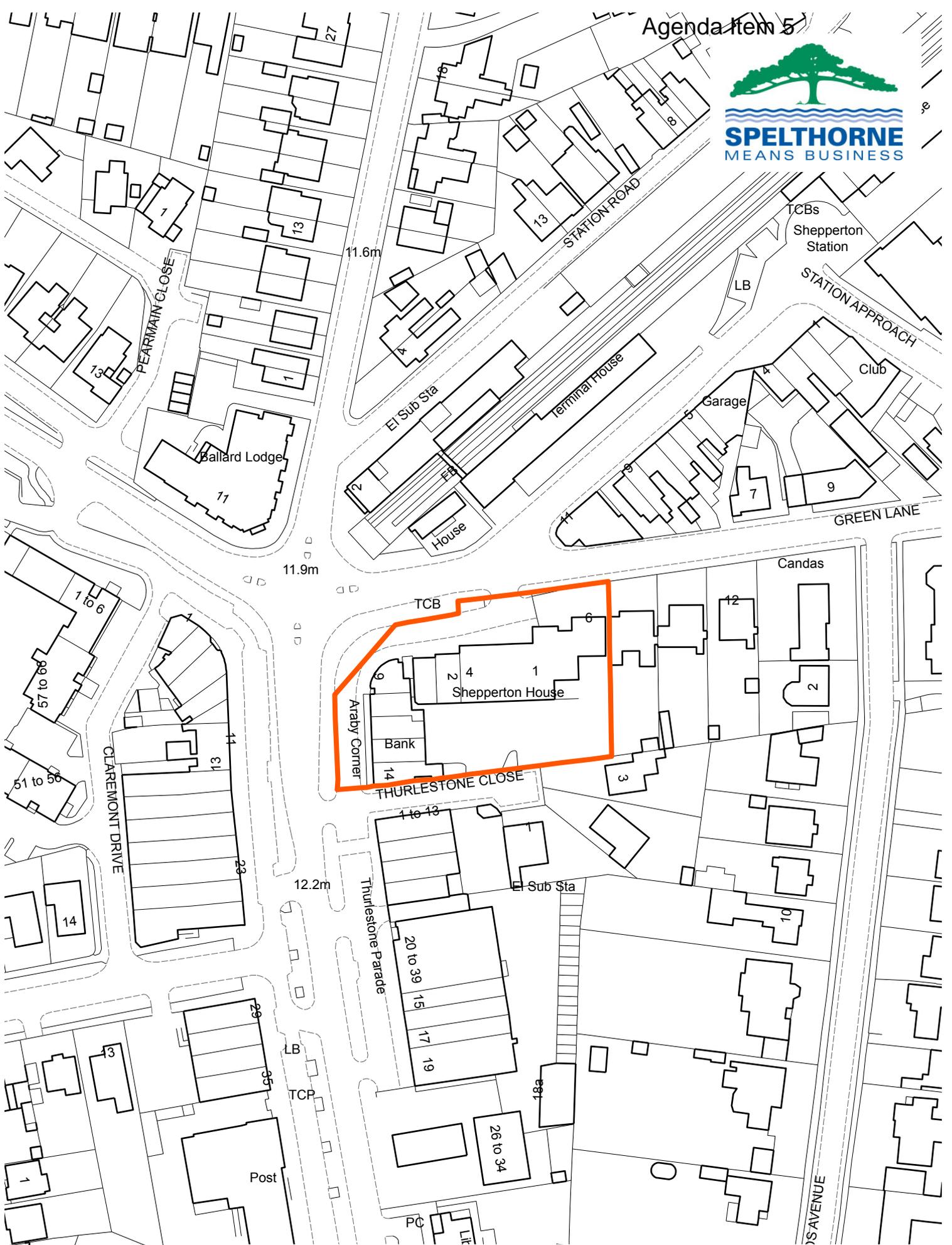


Proposed Site Layout



Proposed Fordbridge Road Elevation

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Shepperton House, 2 – 4 Green Lane, Shepperton (19/01069/FUL)

Scale: 1:1,250

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Planning Committee

16 October 2019



Application No.	19/01069/FUL
Site Address	Shepperton House, 2 - 4 Green Lane, Shepperton, TW17 8DN
Applicant	Shepperton Properties Ltd
Proposal	Proposed redevelopment of existing building to include three storey rear extension and additional storey at roof level across existing building to provide 13 additional residential dwellings together with alterations to ground floor retail units to include flexible Use Class A1, A2, A3 and A4 and 45 sq. m of additional floor space and external alterations to the entire building facade.
Ward	Shepperton Town
Call in details	N/A
Officers	Kelly Walker/Vanya Popova

Application Dates	Valid: 31/07/2019	Expiry: 30/10/2019	Target: under 13 weeks
Executive Summary	<p>This planning application seeks permission for the building to provide 13 additional residential dwellings together with alterations to ground floor retail units to include flexible Use class A1, A2, A3 and A4 and 45 sq. m of additional floor space and external alterations to the entire building façade in order to refurbish and modernise the currently undistinguished 1960s building. The ground floor shops will remain unchanged apart from improvements to their external appearance and internal alterations. In order to accommodate the additional flats, the proposal also includes the erection of a three storey rear extension and additional storey at roof level across the entire building. The proposal is considered to pay due regard to the design and scale of the host building and will be in keeping with the character of the area, making a positive contribution to the street scene. It will be a sustainable form of development, meeting a need for housing on a brownfield site. Although no additional parking is provided and there is a shortfall in amenity space provision, given the town centre location and based on appeal decisions at adjacent sites, it is considered to be acceptable. As such there are no adverse impacts that would significantly and demonstrably outweigh the benefits when taking the 'tilted balance' into account. The application is considered to be acceptable and is recommended for approval</p>		
Recommended Decision	The application is recommended for approval, subject to conditions		

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)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (Development and Noise)

- 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 2011
- SPG on Parking Standards Updated 2011
- SPD on Housing Size and Type 2012.

1.3 The advice contained within the National Planning Policy Framework (NPPF) 2019 is also relevant.

2. Relevant Planning History

14/00853/FUL	Change of use of 4 no. retail/office units to one large retail unit with single storey rear extension and other associated alterations including to the parking layout.	Granted 16.02.2015
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17/01714/FUL	Change of use of 4 no. retail/office units to one large unit with single storey rear extension including increased depth of first floor balcony /access area above and erection of bin store at rear (amendments to PA ref 14/00853/FUL)	Granted 08.01.2018
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Former 6 Green Lane which forms part of the application site

15/00427/FUL	Demolition of property and erection of a part three storey/part two storey block of 6 flats, comprising of 4 no. 1 bed and 2 no.2 bed units with associated hard and soft landscaping.	Refused 08.10.2015 Appeal Allowed
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Also relevant application at adjacent site (1-12 Thurlestone Parade, High Street)

12/01188/FUL	Renovation and reconfiguration of existing residential accommodation and part first floor / part second floor and roof extensions to provide 5 no. new 1 and 2 bed flats and creation of refuse and cycle stores to rear	Refused 14.11.2012 Appeal Allowed
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3. Description of Current Proposal

Location of the site

- 3.1 The site is located on the corner of Green Lane and Shepperton High Street and is a large irregular shaped plot occupied by a 3 storey brick built building, with retail units (most of which are vacant) at ground floor level and offices and residential above. There is a car park to the rear accessed via Thurlestone Close, to the south and which is a short cul-de-sac also servicing 3 no chalet bungalows. The site is located within an Employment Area and within Shepperton Shopping Area as defined in the Local Plan. High Street is a wide street and has servicing/parking lanes either side of and parallel to the main carriageway. To the east are a number of detached dwellings along Green Lane, including no. 8 adjacent. To the south of the site is nos. 1-12 Thurlestone Parade which has been extended from 3 storey building to 4 storey building with the incorporation of flats above ground floor level following a permission granted on appeal in 2012.
- 3.2 The application site includes an extension to the building to the north east (formerly on the site of 6 Green Lane) which has recently been completed. This comprises 6 flats and garden area to the rear. The existing building has commercial uses at ground floor and residential flats and a small office above.

Proposal

- 3.3 This planning application seeks permission for the building to provide 13 additional residential dwellings together with alterations to ground floor retail units to include flexible Use class A1, A2, A3 and A4 and 45 sq. m of additional floor space and external alterations to the entire building façade in order to refurbish and modernise the currently uninspiring 1960s building. The

ground floor shops will remain unchanged apart from improvements to their external appearance and internal alterations. In order to accommodate the additional flats, the proposal also includes the erection of a three storey rear extension and additional storey at roof level across the entire building.

- 3.4 The proposed 13 units comprise 3 no. 1 bed flats and 10 no. 2 bed flats with associated cycle and bin storage at the rear. The existing vehicular access and parking provision are retained with some minor adjustments. The upper floors are separated by an access walkway.
- 3.5 The proposed renovation and extension will consist of a brick finish with a new grey render façade at the roof level and covered metal overhanging roof which will be of similar materials to those used in Thurlestone Parade. Exact samples can be conditioned if the application is approved. The proposed plans show that the proposed 3 storey rear extension would have a depth measuring some 12 m and extending across that elevation by 18m. Together with the addition 4th floor, the building would have a maximum height of 12.5m (similar in height to the adjacent Thurlestone Parade).
- 3.6 In terms of separation distances from adjacent neighbouring properties, the proposed building would be some 40m from the eastern rear boundary with the side of no. 8 Green Lane.
- 3.7 The proposed indicative site layout is provided as an Appendix.

4 Consultations

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

Consultee	Comment
County Highway Authority	No objections, subjects to conditions.
Environment Agency	Makes no comments.
Group Head- Neighbourhood Services	No objections
Sustainability Officer	No objections. The renewable requirements will be met.
Local Lead Flood Authority (Surrey County Council)	No objections, subjects to conditions
Tree Officer	No objections.
Environmental Health (Noise)	No objections, subjects to conditions.
Thames Water	No comments
Environmental Health (Contaminated land)	No objections.
Environmental Health (Air Quality)	No objections.

5. Public Consultation

5.1 A total of 25 properties were notified of the planning application. Furthermore, a statutory site notice was displayed and the application was advertised in the local press. Two letters of representation have been received, including one on behalf of Shepperton Residents Association, raising the following concerns:-

- Over-development
- Encroachment of private/personal space
- Overlooking
- The building will be higher than other buildings
- No extreme demand for expensive flats (*Officer's note: this is not a material planning consideration*)
- Pressure on parking provision
- Impact on the character of the area/overbearing

6. Planning Issues

- Principle of the development
- Need for housing
- Housing density
- Design and appearance.
- Residential amenity
- Highway issues
- Parking provision
- Dwelling mix
- Flooding
- Landscaping
- Air quality

7. Planning Considerations

Need for housing

7.1 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).

7.2 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 (SHMA) – Runnymede and Spelthorne – Nov 2015). On 20th February 2019, the government updated its guidance in respect of Housing and Economic needs assessment 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 This figure of 590 based on the 2014 household formation projections has also been suggested by the Government in its latest consultation (Oct – Dec 2018). Following recent analysis, the figure has been revised to 603. Despite recent uncertainties, the standard methodology provides the most recent calculation of local housing need in the Borough and is consistent with the range of need identified by the Council in their SHMA. It is therefore appropriate for the Council to use the 603 dwellings per annum figure as their local housing need figure that comprises the basis for calculating the five-year supply of deliverable sites.

- 7.3 The sites identified in the Strategic Land Availability Assessment (SLAA) as being deliverable within the first five years have been used as the basis for a revised 5-year housing land supply figure. Whilst this has shown that notionally we have identified sufficient sites to demonstrate that we have a five year supply of housing sites we have recently been advised that we need to apply an additional 20% buffer rather than the previously used 5%. This is because Government guidance (NPPF para 74) requires the application of a 20% buffer “where there has been significant under delivery of housing over the previous three years”. It therefore has no choice now but to apply the additional buffer for the five year period from 1 April 2019 to 31 March 2024. A 20% buffer applied to 603 results in a figure of 724 dwellings per annum which is our current figure. The effect of this increased requirement is that the identified sites only represent a 4.4 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites.
- 7.4 In using the new objectively assessed need figure of 724 as the starting point for the calculation of a 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 SLAA which identifies potential sites for future housing development over the plan period.
- 7.5 As a result, current decisions on planning applications for housing development need to be based on the ‘tilted balance’ approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless *‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole’*.
- 7.6 It should also be noted that the Housing Delivery Test Result for Spelthorne Borough Council was published by the Secretary of State in February 2019, with a score of 63 percent. This means that the Council had undelivered housing delivery verses need in previous years and as a result the Council has produced a Housing Delivery Test Action Plan to positively respond to the challenge of increasing its housing delivery. The Action Plan analyses and sets out actions to improve housing delivery within the Borough.
- 7.7 Taking into account the above and adopted policy HO1, which encourages new housing development in urban sites for additional housing to meet our Borough’s needs, the Action Plan set out ways in which Spelthorne will meet this need. Para 6.11 states that, *‘...The policy defines a range of measures*

including the promotion of specific sites through Allocations DPDs, producing planning briefs, encouraging housing generally on suitable sites, including mixed use scheme, using poorly located employment land, using land effectively and resisting the loss of 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 This is also reflected in the NPPF paragraph 117 which emphasises the need for the effective use of land in meeting the need for homes, whilst safeguarding the environment and provides further relevant context at paragraph 122 in respect of achieving appropriate densities.
- 7.10 In the appeal decision for 12/01188/FUL, the Inspector commented that whilst Shepperton is regarded locally as being a village, there is however variation of building heights in proximately to the site and as such the High Street has the nature more of a suburban centre. The adopted plan, however refers in para 8.20 to Shepperton being “a significant centre serving its local community”.
- 7.11 The principle of the development is, therefore acceptable.

Housing density

- 7.12 As noted above in regards to the principle of housing, the NPPF and Policy HO1 requires new housing development to be sustainable and in the urban area and this scheme meets both of these requirements. Notwithstanding this, 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.”

- 7.13 Policy HO5 specify densities for sites such as this, with its ranges referring to town centres generally being in the range of 40 to 75 dwellings per hectare. It is important to emphasise that the density ranges are intended to represent broad guidelines and development will also be considered against the requirements of Policy EN1 on design.
- 7.14 The principle of a high density development on urban land is the focus of the NPPF and Policy HO1 in order to make efficient use of land of previously developed and brownfield land, in sustainable locations.

- 7.15 The proposal is for 13 flats. The existing building already has 19 flats within it and the proposal for 13 will increase this to 32 flats. There is also another 6 flats in the extension to the north east of the site which has recently been completed. As such the proposal will result in a total of 38 flats at the site. The site area is some 3,059 sq. m. and will therefore result in a density of 126 dwellings per hectare. Although above the recommended amount in policy HO5, this policy does permit higher densities where a development complies with policy EN1 on design particularly in terms of the character of the area and is in accessible location.
- 7.16 The density is considered to be acceptable provided it complies with Policy HO1 and Policy EN1 on design which is explained in the following paragraphs.

Design and appearance

- 7.17 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.”*
- 7.18 The applicant notes that the property is now looking dated and tired in particular in light of the adjacent sites on both sides having been recently redeveloped and updated. They note that this has led to an increase vacancy of units. In the supporting Planning Statement the applicant notes that the development seeks to *‘...bring the building’s design in line with the other nearby developments, especially 1-12 Thurlestone Parade, which sits directly adjacent to the south of the application site. It is considered that the design would enhance the wider Shepperton Town Centre, particularly given the key location of this site and at the same time improve the ground floor retail units and provide much needed residential accommodation in a highly sustainable location.’*
- 7.19 The site is located on a highly prominent corner with the commercial units of Shepperton High Street located to the south, many of which have residential uses above. The proposal is to retain the commercial uses at ground floor however some of the units will be reconfigured, including those fronting the High Street to provide 5 smaller units rather than the existing 3. The proposal also includes having these particular units as a flexible use within use classes A1, A2, A3 or A4, which is considered to be acceptable.
- 7.20 As previously noted, the adjacent building to the south at no, 1-12 Thurlestone Close has had a 3 storey rear extension on its northern flank elevation and an additional floor added on top of the entire 3 storey building. It is located adjacent to the application site across the public road at Thurlestone Close, with the rear extension running adjacent to the road. The proposal has been designed to reflect these existing extensions at the adjacent building.

- 7.21 Currently the property has office and residential uses above the ground floor commercial units, on the first and second floors. The proposal is to erect a 3 storey rear extension with 4 new flats and in addition a further floor on top of the entire building to provide another level of residential accommodation containing 9 flats. The proposed extension will be set back from the main southern side elevation by 1m. This will extend some 12m from the rear of the existing main 3 storey building (although the ground floor currently extends out further, as well as an existing stairwell). It will have a width of approximately 18m and will have a height of 10m to the second floor. The third floor will be set back from the main elevation and will have a height of approx. 12.4m. This is comparable with the height at the adjacent building at Thurlestone Parade. This rear extension will provide a small increase in floor area to the commercial units on the ground floor, and an undercroft car parking and cycle storage area at ground floor level, with 2 new residential flats above on the each of the first, second and third floors. .
- 7.22 The proposed new floor on top of the existing building, will be set back from the street elevation by some 1.4m on the High Street elevation. The rounded corner element will have a set-back by a greater amount, by some 2.2m. In addition it will have a set-back by at least 1.4m on the front elevation with Green Lane where the building is staggered. There is a small element of the proposed new floor that abuts the existing front elevation on Green Lane and this provides the stairwell. The proposed new floor will also be set back from the rear elevation by 1.4m The additional floor will be set back to appear subservient and is set back a similar amount to that at the adjacent property on Thurlestone Parade, and as such complements it.
- 7.23 During the appeal at the adjacent site at Thurlestone Parade, the Inspector noted that the High Street is quite wide, and has servicing/parking lanes on both sides of the main carriageway. He considered that, *'...the additional floor would not appear unduly bulky or overbearing in the street scene which is also softened locally by tall and mature street trees'*. He noted that the set-back especially on the top floor and the space to the rear of the site would mean that the additional floors, *'... could be assimilated into the local street scene without undue detriment to its character.'* He stated that, *'...I consider that the proposal would add interest and variation to the rather bland built form of the street scene. I conclude that the proposal would be in keeping with the character and appearance of the street scene and the area.'*
- 7.24 In addition, externally the entire building will receive a significant update to the façade using materials & design to reflect the recent extension to 6 Green Lane and the adjacent site at Thurlestone Parade, including new brickwork and render. There will be new shop frontages on the ground floor and changes to the fenestration. This will ensure that the proposed extensions will pay due regard and 'blend in' with the entire building and adjoining ones.
- 7.25 The proposed new floor is not considered to appear unduly dominant, in particular given the set back from the street frontage elevation. The rear extension will also be in keeping with the locality, especially as it is very similar to the extensions carried out at the adjacent site. The proposal will improve the appearance of the building and will pay due regard to the design of the host building and neighbouring sites. It is considered to make a positive

contribution to the street scene. As such the proposed development is considered to be acceptable in design terms and conforms to Policy EN1.

Impact on neighbouring residential properties

7.26 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.”

7.27 The scale of the development and proximity to the boundaries with existing properties needs to be given consideration to ensure that there is an acceptable relationship and that existing residential properties will not be significantly adversely affected by the proposal. 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 the case.

7.28 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 three storey development as 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 21m for 3 storey development... There are no minimum separation distances for more than 3 storeys.

7.29 The proposed is 4 stories in height and is located some 40m away from the eastern rear boundary with the side of the adjacent residential dwelling at no. 8 Green Lane. This exceeds the minimum separation distance for 3 storey development. Therefore it is considered to have an acceptable relationship with this dwelling and its garden area in order to ensure it will not lead to a significant loss of light, loss of outlook, be overbearing or cause a significant loss of privacy/overlooking

7.30 The residential dwellings located to the south east along Thurlestone Close have their frontages facing towards the application site. The southern flank boundary of the application site, abutting Thurlestone Close, is at an angle so that no 3 Thurlestone Close is in fact located behind part of the existing building and the proposed rear extension. The front boundary of this dwelling will be some 21m away and the front of the dwelling itself will be over 40m away from the rear of the proposed extension. There is no minimum back to front separation distance in the Design SPD, however the proposal does exceed the back to boundary and back to back 3 storey separation distances, and the front of the dwelling is within the public domain. In addition the proposal will not cross the 25 degree line when drawn from a point at 2m above ground level from the front elevation of no. 3 Thurlestone Close, which will ensure an appropriate level of daylight and a significant view of the sky is maintained, as set out in the SPD. Therefore the proposal is considered to

have an acceptable relationship with the existing dwellings along Thurlestone Close in terms of not causing a significant loss of light, loss of outlook, be overbearing or cause a significant loss of privacy/overlooking.

- 7.31 The existing building at Shepperton House has a number of flats already located within it and the proposal will also involve some changes to the layout of these. The proposed rear extension will be in close proximity to the rear of the part of the existing building located along Green Lane, with a set-back of approx. 5m to the rear of the existing flats. These will have obscure glazed windows serving the open plan kitchen, facing the walkways and proposed extension. The main outlook for these existing flats will be towards Green Lane. Therefore the proposed extension is considered to have an acceptable relationship with the existing flats and will not lead to a significant loss of light, outlook or be overbearing. In addition the balconies within the proposed extension to the new flats will have screening to the sides to ensure there is an acceptable relationship with other units at the application site and loss of privacy is not an issue to other flats within the development.
- 7.32 The proposal is considered to have an acceptable relationship and therefore an acceptable impact on the amenity of existing neighbouring residential properties, conforming to the Design SPD and Policy EN1.

Amenity Space

- 7.33 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 sq m per unit for the first 5 units, 10 sq m for the next 5 units and 5 sq m per unit thereafter. On this basis, 240 sq. m would be required for the 13 flats, however in a town centre location such as this, it is not unusual for no or less amenity space provision to be provided. The proposal does provide access to balconies for 9 of the proposed 13 units with a total of approx. 90 sq. m. which falls short of the required amount. However, Manor Park and the River Thames are located at the other end of the High Street and also Shepperton Recreation Ground within a 10 minute walk of the application site. In addition it should also be noted that at both adjacent sites, at 6 Green Lane and 1-12 Thurlestone Parade, the Inspector during the assessment of both appeals considered the lack of amenity space in this location was not a reason to refuse planning permission. In particular during the appeal at Thurlestone Parade the Inspector states that, '*... I note that there is public open space nearby that residents can use given the nature of the accommodation and its location, I consider that the level of provision would be suitable for the likely needs of incoming residents.*'
- 7.34 The applicant notes that in both appeals, the Inspectors took a pragmatic approach and they consider that the apartments would primarily be occupied by young professionals who may commute into central London for work. It was therefore concluded given the nature and location of the development together with public open space in the vicinity that there was not a conflict with policy EN1. In addition the SPD identifies that "*opportunities for on-site open space provision will be limited, particularly where ground floor non-residential uses and access/delivery areas occupy most of the site*", which is exactly the case in this proposal.

- 7.35 In conclusion, it is considered that in this town centre location, close to publicly accessible open space for this type of development, the amenity space provision is acceptable and in keeping with the character of the area.

Proposed dwelling sizes

- 7.36 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.
- 7.37 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.
- 7.38 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 their standard of amenity overall to be acceptable.

Highway and parking provision

- 7.39 Strategic Policy SP7 of the CS & P DPD states that:

“The Council will reduce the impact of development in contributing to climate change by ensuring development is located in a way that reduced the need to travel and encourages alternatives to car use. It will also support initiatives, including travel plans, to encourage non car-based travel.”

- 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.

The submission of a Transport Assessment as part of the application should aim to provide a robust assessment of transport and highways implications of the proposed development, focussing on three key transport tests set out in paragraph 108 of the NPPF including:-

- a) *Appropriate opportunities to promote sustainable transport modes can be – or have been taken up, given the type of development and its location*

- b) *Safe and sustainable access to the site can be achieved for all users; and*
- c) *Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree*

- 7.41 The proposal does not include any additional car parking spaces over those already provided to serve the existing residential and retail uses on the site and in fact results in the loss of one of the existing spaces. A Transport Assessment has been carried out on behalf of the developer and the results were provided as a parking review. The surveys were carried out on 2 days during November 2018 and it show that 19 unrestricted parking spaces were available on street on both evenings within 200m walk of the site, which the County Highway Authority (CHA) agree with. .
- 7.42 The Consultant also considered additional parking spaces that are available in areas where parking restrictions are in place for certain periods of the day (08:30-18:30 or 07:00-19:00). The consultant has argued that these spaces should be considered as they are available in the evenings when residential parking demand peaks. However, the CHA does not think this element of the approach is suitable. These parking restrictions are in place on all days except Sundays. Residents parking on time-limited single yellow lines would a) have nowhere to park on Saturdays when not at work and b) be encouraged to drive on all days of the week in order to move their car for the restricted hours. It is therefore considered by the CHA that there are approximately 19 available spaces for on street car parking in the vicinity of the site.
- 7.43 The Transport Assessment notes car ownership in Spelthorne is on average 1.48 vehicles per residential dwelling and that it is likely the proposed units would have lower car ownership levels than this. The CHA has agreed with this approach in particular due to the size of the dwellings, the location, and the lack of available on-site parking. The CHA goes on to note that Census data (2011) shows that in Spelthorne 29.8% of flats, maisonettes or apartments have no cars or vans associated with the household. 17.28% have more than one car or van. For Shepperton this figure is 25% have no car or van and 54% have only one car or van. The CHA therefore considers it is fair to assume that in this location, where public transport infrastructure is within comfortable walking distance, a ratio of 1 car per flat is a robust estimate. They note that based on the parking survey data, 13 additional vehicles could be accommodated within the unrestricted on-street parking spaces. This could lead to a reasonable high parking stress (86%) which may cause some inconvenience to existing and future occupiers. The potential resulting stress, the availability of alternatives to the private car including the nearby train station and bus services and the presence of parking restriction in the area will ensure capacity is not adversely effected in the network peak periods. Therefore, the CHA raises no objections to the proposal on parking issues or highway safety issues. Subject to the recommended conditions, the highway and access arrangements are considered to be acceptable.
- 7.44 It is relevant to note that planning permission was refused at the adjacent site 1-12 Thurlestone Parade (ref. 12/01188/FUL) by the Planning Committee in

September 2012. One of the reasons being inadequate parking provision. However, as noted above, planning permission was allowed on appeal (ref. 2194044). Whilst, the Planning Inspector noted that the existing parking space at the rear would be retained with none added in response to the increased number of units, he considered the proposal would not result in an undue increase in demand for on street parking. Most of the units proposed were small households and it was considered that there was good public transport in the proximity of the site. The Planning Inspector concluded that the level of off street parking provision would be appropriate. This was also the case in a more recent application for the extension to the existing building at the former 6 Green Lane for 6 flats, (application ref 15/00427/FUL- Appeal ref 3147648). The Inspector noted that, *'...I am not convinced that the proposed accommodation would materially increase the demand for on street parking given the relatively small size of the units and the accessibility of good public transport links nearby. In such circumstances I consider that the accommodation would be more desirable to small households without a car.'*

- 7.45 Therefore given the proposal is for small units, in this very sustainable location and taking into account the appeal decisions at the application site and immediately adjacent to it, the proposed parking provision is considered to be acceptable. As such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

Flooding

- 7.46 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 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).
- 7.47 The site is located within Flood Zone 2, which has a low probability of flooding with a less than 1 in 100 year chance of flooding, and no uses are precluded on flooding grounds. The applicant has submitted a Drainage Strategy.
- 7.48 In terms of flood risk, the site is located outside of the high flood risk area and there is no risk to the future occupants of the site from flooding. With regards to surface water drainage, the report has shown the site is at low risk of flooding and the foul and surface water can be adequately discharged from the proposed development. SCC as the Local Lead Flood Authority have been consulted and note that they are satisfied that the proposed drainage scheme meets the requirement of the NPPF and raise no objection subject to conditions.
- 7.49 The Environment Agency have not commented on the current application. Accordingly, the application complies with the requirements of Policy LO1 of the CS & P DPD.

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 sum 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 an energy statement in which they have investigated viable renewable options and proposed the use of photovoltaic panels to meet our minimum 10% renewable requirement. The Council's Sustainability Officer has been consulted and raises no objection to the proposal. The submitted roof plans show the panels to be located on the roof of the building. Therefore the proposal is acceptable and accords with Policy CC1 subject to a condition.

Dwelling mix

- 7.52 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. The Supplementary Planning Document "Housing Size and Type" 2012, goes on to note that, *'...where there is a predominance of larger dwellings a mix with less than 80% one and two bedroom dwellings may be appropriate with a greater proportion of 3 bedroom dwellings. However, the majority should still have one and two bedrooms.'*

- 7.53 The application provides 100% of the units as 1 or 2 bed and as such the proposal complies with the requirements of Policy HO4 and is acceptable.

Landscaping

- 7.54 The application provides a small amount of landscaping to help to soften the parking area and refuse storage areas, along with providing some at the entrance into the parking area along Thurston Close.

- 7.55 Whilst the proposal provides limited opportunities for landscaping that provided will help to enhance the proposed development at the rear when viewed from the public footpath adjacent. As such this is considered to be acceptable.

Contaminated Land

- 7.56 The applicant has submitted a Phase II site investigation report as part of the previous planning conditions at the site. The Council's Pollution Control Officer has raised no objection, subject to condition. As such the proposal is considered acceptable.

Air quality

- 7.57 The applicant has submitted an Air Quality Assessment (AQA), for the site as required by Policy EN3 of the CS & P DPD. The Council's Pollution Control section has been consulted on the application and have raised no objection subject to conditions

Refuse Storage and Collection

- 7.58 The layout of the site has been designed to ensure that refuse collection vehicles can enter and exit the site in a forward gear. Refuse storage areas are to be provided on the ground floor/car park area in designated compounds

to provide enough bins for 1720 litres of waste for the 11 existing and 13 proposed flats at Araby Corner. The existing 14 flats at the site, fronting Green Lane and including the extension to ait have exinstg bein stores to the front of the site which are not affected by this proposal. The County Highway Authority has raised no objection on this particular issue. The Council's Group Head Neighbourhood Services has been consulted and has raised no objection to the provision..

Financial Considerations

- 7.59 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 (although not relevant at outline stage) and will generate a CIL Payment based on a rate of £140 per sq. metre of net additional gross floor space. This 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

- 7.60 The proposal is considered to pay due regard to the design and scale of the host building and will be in keeping with the character of the area, making a positive contribution to the street scene. It will be a sustainable form of development, meeting a need for housing on a brownfield site. Although no additional parking is provided and there is shortfall in amenity space provision, given the small units, town centre location and based on appeal decisions at adjacent sites, it is considered to be acceptable.
- 7.61 As such there are no adverse impacts that would significantly and demonstrably outweigh the benefits when taking the tilted balance into account and therefore the application is considered to be acceptable. The application is recommended for approval

8. Recommendation

- 8.1 GRANT subject to the following conditions:

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

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

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

1009/301/0113 02, 10 01, 11, 01, 12 01, 14 02, 15 01, 16 01, 17 01,
1009/201/013 02, 10 01, 11 01, 12 01, 14 01, 15 01, 16 01, 17 01,
1009/501/002 08, 003 04, 005 04, 006 04

P/004, 005, 006 and 007 02 received on 31 July 2019 and amended plan no. 1009/S01/002 09 received on 04.October 2019.

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 Prior to the first use or occupation of the development, a written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

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

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

- 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.

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

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. 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.

8. 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, in the interest of security, and in the interest of wildlife.

9. Prior to the occupation of the development hereby permitted the first floor window on the eastern elevation of the proposed new build block 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 of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. These windows shall thereafter be permanently retained as installed.

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

10. No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) measures to prevent the deposit of materials on the highway
 - (g) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The conditions above are required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy Framework 2018 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

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

Reason: - This condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy Framework 2018 and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

12. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles have been provided in accordance with the approved plans. Thereafter the approved cycle parking facilities shall be retained and maintained to the satisfaction of the Local Planning Authority for their designated purpose.

Reason: This condition is required in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2018, and to accord with policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

13. Facilities within the curtilage of the site for the storage of refuse and recycling materials shall be submitted to and approved by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development hereby approved and retained thereafter.

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.

14. Notwithstanding the provision of the Town and country Planning General Permitted development Order 2015 (or any Order revoking and re-enacting that Order), the four new commercial premises fronting the High Street, adjacent to Thurlestone Close shall be used only for purposes within Use Class A1, A2, A3 or A4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (As amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: - To safeguard the amenity of neighbouring residential properties' and in the interest of maintaining the vitality and viability of Shepperton Town Centre.

15. The rated noise level from the plant hereby approved shall be at least 10 dB(A) below the background noise level at the nearest noise sensitive property as assessed using the guidance contained within BS 4142 (2014).

Reason: To safeguard the amenity of nearby residential properties.

16. The development hereby permitted shall not commence 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) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development.
- c) 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.).

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.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) 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.

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.

- 17 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. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

Informatives to be attached to the planning permission

1. 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).
2. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs
3. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.
4. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the

removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
6. 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.gov.uk/CIL.

7. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work 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 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 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

8. 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.
9. The applicant is advised that planning permission is likely to be required for the provision of ducting for any use requiring the cooking of hot food on the premises.

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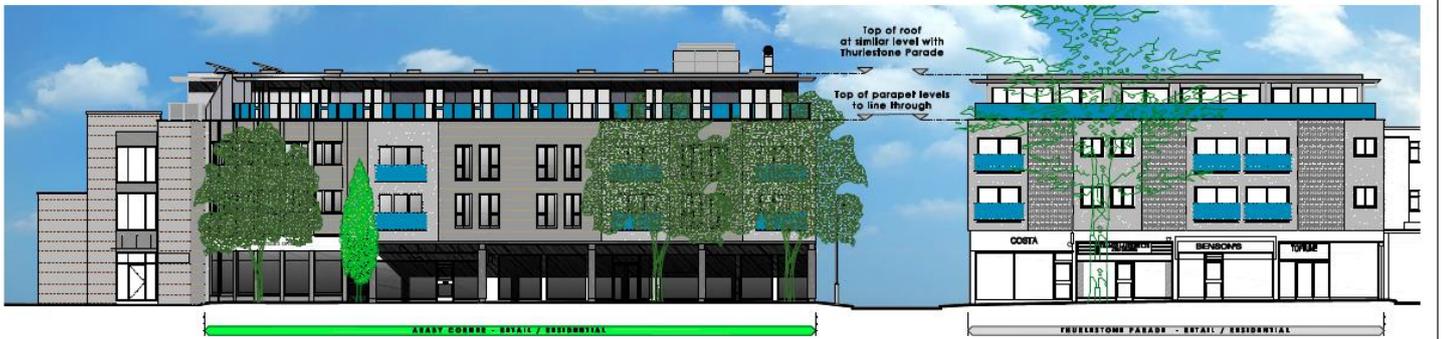


FRONT ELEVATION
North Facing



REAR ELEVATION
South Facing

○ Grey arrows denotes existing as built
 → Coloured arrows denotes proposed development



FLANK ELEVATION
West Facing



FLANK ELEVATION

Planning Committee

16 October 2019



Planning Appeals

List of Appeals Submitted between 9 August and 3 October 2019

Planning Application / Enforcement Number	Inspectorate Ref.	Address	Description	Appeal Start Date
19/00474/FUL	APP/Z3635/W/19/3233754	The Anchor Hotel Church Square Shepperton TW17 9JY	The partial demolition of the existing hotel with the retention of the front facade. Erection of 3 no. 4 bedroom townhouses 2 no. attached 2 bedroom cottages and 2 no. 2 bedroom apartments with associated landscaping and cobbled parking court.	22/08/19
19/00518/FUL	APP/Z3635/W/19/3233509	Former Nursery Site Rear 37-51 Hithermoor Road Stanwell Moor Staines-upon-Thames	Change of use of site from former nursery site to fencing manufacture and supply business. Demolition of existing glasshouses, polytunnels and concrete building and erection of a new workshop building and a 3 metre high acoustic fence. Retention of existing hardstanding and provision of new hardstanding to accommodate car parking and building storage area. Retention of existing fencing and gates.	03/09/19
19/00714/RVC	APP/Z3635/W/19/3235760	32 - 34 Feltham Road Ashford TW15 1DH	Variation of condition 2 of planning permission 18/00503/FUL (the plans condition) to allow a larger canopy and car washing area.	03/09/19
19/00874/HOU	APP/Z3635/D/19/3236166	Jonmari Cotswold Close	Roof alterations to include hip to gable roof extensions with front, side and rear facing dormers	06/09/19

		Staines-upon-Thames TW18 2DD		
19/00444/ADV	APP/Z3635/D/ 19/3236166	Charlton Lane Ecopark Charlton Lane Shepperton TW17 8QA	Retention of freestanding 6.52m tall non-illuminated sign at entrance (retrospective).	23/09/19
19/00528/HOU	APP/Z3635/D/ 19/3233786	6 St Pinnock Avenue Staines-upon-Thames TW18 2HX	Erection of a single storey side extension to incorporate a garage.	23/09/19
19/00657/HOU	APP/Z3635/D/ 19/3234016	27 Leacroft Staines-upon-Thames TW18 4PB	Erection of front and rear dormers and rooflights to create accommodation within the roofspace.	25/09/19
19/00558/HOU	APP/Z3635/D/ 19/3235109	41 Birch Grove Shepperton TW17 8SS	Erection of side facing dormer.	25/09/19
19/00637/HOU	APP/Z3635/D/ 19/3235586	Cockaigne, Sandhills Meadow, Shepperton, TW17 9HY	Extension to the rear roof to create habitable accommodation including the raising of the rear ridge height and insertion of Juliet style balcony.	01/10/19

Appeal Decisions Received between 9 August and 3 October 2019

Site	Land To The East Of Moor Lane Staines-upon-Thames
Planning Application No.:	18/01372/FUL
Proposed Development:	Erection of barn for agricultural use to house animals, erection of 2m boundary fence

Reasons for Refusal	<ol style="list-style-type: none"> 1. The proposal represents inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It will result in the site having a more urban character, will diminish the openness of the Green Belt and conflict with the purposes of including land within it. Furthermore, the proposal is considered to harm the rural character and appearance of the area. The proposal is therefore contrary to Saved Local Plan Policy GB1, Policy EN1 of the Core Strategy and Policies DPD 2009 and Section 13 (Protecting Green Belt Land) of the Government's National Planning Policy Framework 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.
Appeal Reference:	APP/Z3635/W/19/3222411
Appeal Decision Date:	05/08/2019
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The Inspector accepted amended plans showing a reduction in height as he noted it was not material and no parties would be prejudiced.</p> <p>He identified the main issues as whether the proposal would be inappropriate development in the Green Belt, the effect on the character and appearance of the area and flood risk.</p> <p>The Inspector noted there was little evidence that remediation works were required if the land was contaminated. He stated that while the barn is sizeable there is, '<i>...little evidence which indicates that it would not be used for agricultural purposes nor that the site could not accommodate the keeping of animals to the extent envisaged by the appellant after some tidying and site preparation</i>'. He noted that from the evidence before him he was satisfied that the proposed development would involve an agricultural building and as such would not be inappropriate development in the Green Belt or be regarded as harmful to either the openness or to the purposes of the Green Belt</p> <p>The Inspector noted that the amended plans showed a reduced height of 3.4 m, reducing the dominating effect of the previous 5.8 m high</p>

	<p>building. But he also noted that at 24 m long and 10 m wide, '<i>...the barn would continue to have a significant scale and presence</i>'. He noted the barn would also be visible from the surrounding area, including the bridleway and Moor Lane and that '<i>... the development would involve the erection of a sizeable building that would have a significant and imposing effect on the public realm. Accordingly, it would appear as an incongruous feature that would be out of character.</i>'</p> <p>He commented that the 2 m high galvanised palisade metal fence with triple splayed heads would appear, '<i>... more akin to high security commercial fencing than agricultural boundary treatment.</i>' He felt that that this fencing is more likely to be found in built-up industrial areas and would appear out of place given the site has a more rural setting. Stating that the highly visible fence, '<i>...would be experienced as an intrusive and dominating feature that would harm the rural character and undeveloped appearance of the site and surrounding area.</i>' The Inspector concluded that the proposed development would harm the character and appearance of the surrounding area.</p> <p>With regard to flooding, the Inspector noted the applicant's frustration with the conflicting and inconsistent advice on flood risk from the Council and EA; and agreed the provision of flood voids would help with the loss of floodplain storage. However he concluded that '<i>...the proposed development would not be suitably located in relation to flood risk. I therefore find that it does not comply with CSPD Policy LO1 and that conditions could not overcome this conflict. The proposal would also be inconsistent with the Flooding SPD and the provisions of the Framework in relation to planning and flood risk.</i>'</p>
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Site	Land Adjacent 31 Glebeland Gardens Shepperton TW17 9DH
Planning Application No.:	18/01236/FUL
Proposed Development:	Erection of a two storey side extension to existing dwelling to create a one bedroom maisonettes.
Reasons for Refusal	The proposed development, by virtue of its design, size, bulk and mass including an undercroft parking area which provides a parking space below parking size standards and the inclusion of a supported part of the building to allow for access to the Right of Way represents an incongruous form of development and an overdevelopment of the site that would be detrimental to the character and appearance of the area

	and contrary to Policy EN1 and CC3 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).
Appeal Reference:	APP/Z3635/W/19/3227930
Appeal Decision Date:	27/08/19
Inspector's Decision	The appeal is dismissed.
Inspector's Comments:	<p>The Inspector considered that the main issues were:</p> <ul style="list-style-type: none"> a) The effect on the character and appearance of the area b) The effect upon the living conditions of future occupiers, with particular regard to the availability of private garden space; and c) The effect of the proposed parking arrangements upon highway safety. <p>In terms of the impact upon the character and appearance of the area, while acknowledging that the proposed dwelling would respect the design and style of the adjoining properties to which it would be attached, the Inspector considered that the locality was characterised by a relatively loose and low-density pattern of development. In considering this proposal, the Inspector concluded that due to the amount and location of amenity space and the layout of the site, the proposal would appear unduly cramped and would result in a discordant form of development that would represent an overdevelopment of the site.</p> <p>The Inspector concluded that there would be no concerns regarding the living conditions and amenity of future occupiers of the property or the residential amenity to adjoining neighbouring properties. Furthermore, due to the site's location in close proximity to the town centre, public transport links and the adjoining public car park, no highway safety or parking concerns would arise.</p> <p>Therefore, the proposal conflicts with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) and the proposal does not create a building or a place that is attractive with its own distinct identity and does not respect and make a positive contribution to the street scene and character of the area in which they are situated.</p>

Site	23 Talbot Road Ashford TW15 3PN
Planning Application No.:	19/00329/HOU
Proposed Development:	Erection of first floor side extension and two storey rear extension (Following the demolition of existing conservatory).
Reason for Refusal	The proposed two storey rear development by reason of its scale and location would have an adverse impact upon the amenity of the residential property no 25 Talbot Road in terms of loss of light and would be unduly dominant causing an overbearing impact on and overshadowing effect on the neighbouring patio/sitting area. The development is therefore contrary to policy EN1 of the Core Strategy and Policies Development Plan Document 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference:	APP/Z3635/D/19/3229316
Appeal Decision Date:	02/09/19
Inspector's Decision	The appeal is dismissed. The appellant's requests for costs is dismissed
Inspector's Comments:	The Inspector considered that the main issue is the effect of the proposal on the living conditions of the occupiers of the neighbouring dwelling at 25 Talbot Road (No 25), having particular regard to matters of outlook and daylight. The Inspector noted that whilst a planning permission exists (ref. 18/00688/HOU) for a two storey rear extension extending 2.5 metres from the main back wall of the dwelling and having the same proximity to the boundary as the appeal proposal, the proposed two storey rear extension would result in an increase in the extension's depth by approximately 0.8 metre. It was noted that the extension would be in close proximity to a frequently used modest patio area belonging to the neighbouring bungalow. Although in the context of the appeal dwelling, the proposal represented a small over the approved scheme, the inspector considered that the effect of this would result in an extension of greater mass, height and projection from the main back wall when viewed from the neighbouring patio and garden. Together with the proposal's very limited separation from the boundary the overall effect was considered to be an uncomfortable feeling for people using the space alongside of being dominated by the building. The Inspector concluded that "whilst the proposed development would not harm the living conditions of No 25 Talbot Road in respect of daylight, it would

	<p>have an unacceptable impact on the outlook of its occupiers. And even though the appellant could build the development approved under 18/00688/HOU, the appeal proposal is more harmful than this fall back scheme”.</p> <p>The appellant made a costs claim against the Council which was considered by the Planning Inspector. These were submitted on the grounds that the Council’s “conclusions on the adverse impact on No 25 in terms of loss of light, were reached without reference to the Appellant’s Daylight and Sunlight Assessment (ADSA). Also, its refusal reason was vague and generalised and reached without proper analysis. Finally, it is stated that the Council has prevented or delayed development without providing robust justification.”</p> <p>In response, the Inspector noted that whilst the Council did not refer or provide analysis to the ADSA in officer’s report, he considered that this did not necessarily mean that it was not read or ignored. He was satisfied that the Council reached a different conclusion in fact covered in detail, used own judgement and guidance and as such in his view it was not unreasonable behaviour. On the matter of whether the Council prevented or delayed development, the Inspector commented that the “appellant would have had to contest the appeal on the grounds of the effect on neighbouring outlook, as well as loss of light”. Therefore he did not consider that any delay to development has occurred.</p>
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Site	62 Wheatsheaf Lane, Staines-Upon-Thames, TW18 2LR
Planning Application No.:	19/00530/HOU
Proposed Development:	Erection of a detached single storey outbuilding at the rear to be used as a residential annex.
Reason for Refusal	The proposed development, by reason of layout, location, scale and degree of separateness, would represent a separate self-contained residential unit that would be out of character with the surrounding street scene and pattern of development and would represent over-development of the site. The scheme would therefore be contrary to Policy EN1 of the Core Strategy and Policies Development Plan Document 2009, the Supplementary Planning Document on Design of Residential Extensions and New Residential Development 2011, and the nationally described Technical Housing Standards (March 2015).
Appeal Reference:	APP/Z3635/D/19/3232671

Appeal Decision Date:	09/09/19
Inspector's Decision	The appeal is allowed
Inspector's Comments:	<p>The Planning Inspector considered that the the main issues are whether the proposal would represent a separate self-contained residential unit, would be out of character with the locality, or would represent over-development of the site. He note that the flat roofed single storey outbuilding with an internal floor space of 46 sq. m containing a living room, bedroom, store room and kitchen located at the rear of the existing detached double garage would not represent a self-contained home. The development would not be visible from the street scene and whilst bigger than most garden local garden structures, the development would be broadly similar to larger garages found locally.</p> <p>In terms of the self-contained argument, the Inspector considered that the garden would be shared and the access would have to come via the main driveway. The Inspector also considered that by imposing a condition 'ancillary use', the development would not represent a self-contained home. The garden would be shared, the access would have to come via the main driveway, and there was no readily obvious position for the annex to be sited much nearer the existing house. The Inspector felt that the internal facilities were very modest to assist the needs of family members of varied generations. The Inspector also considered (and as referred to in the officer's report) that the scheme would not unduly intrude upon residential amenity for neighbours. He concluded that the appeal proposal would not represent a separate self-contained residential unit, or be out of character with the locality, or represent over-development of the site.</p>

Site	Land at the rear of The Thornes, Long Lane, Stanwell, Surry, TW19 7AU
Enforcement No.: :	18/00295/ENF
Planning Breach:	Without planning permission, the making of a material change of use of the land comprising (1) The use of the site for airport car parking.
Reasons for Issuing the Enforcement Notice	The development represents inappropriate development in the Green Belt for which no very special circumstances are considered to exist. It results in the site having a more urban character, diminishes the openness of the Green Belt and conflicts with the purposes of including land within it. It is therefore contrary to saved Policy GB1 of the

	<p>Spelthorne Borough Local Plan and Section 9 (Protecting Green Belt Land) of the Governments National Planning Policy Framework 2012.</p> <p>The use of the site for airport car parking would encourage the use of the private car for journeys to and from Heathrow Airport, which is highly accessible by alternative modes of transport, and would therefore be contrary to the sustainability aspirations of the National Planning Policy Framework 2012 and Policies SP7 and CC2 of the Spelthorne Borough Council Core Strategy and Policies DPD 2009.</p>
Appeal Reference:	APP/Z3635/C/18/3219560
Appeal Decision Date:	10/09/19
Inspector's Decision	The appeal is dismissed and the enforcement notice is upheld without variation.
Inspector's Comments:	<p>The appeal was only against ground (g) of the enforcement notice relating to the time period of compliance (given as 3 months). The Inspector noted that some 9 months had elapsed since the appeal was submitted with enforcement action effectively suspended. As the compliance period will begin again from the date of decision, the appellant will have had 12 months to submit a planning application and for it to be determined.</p> <p>In these circumstances, the Inspector saw no good reason to extend the compliance period further and consider the 3 months given in the notice to be adequate. The ground (g) appeal accordingly failed.</p>

Site	525 Staines Road West, Ashford TW15 2AB
Planning Application No.:	19/00159/HOU
Proposed Development:	Erection of outbuilding for use as granny annexe
Reason for Refusal	The proposed development, in terms of its design, scale and location, would be tantamount to the formation of a separate means of accommodation that would be out of character with the surrounding area and have an unacceptable impact on the amenity of neighbouring properties, contrary to Policy EN1 of the Core Strategy and Policies Development Plan Document 2009 and the Supplementary Planning

	Document on Design of Residential Extensions and New Residential Development 2011.
Appeal Reference:	APP/Z3635/D/19/3230773
Appeal Decision Date:	17/09/19
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	The appeal site is a detached house with a long rear garden. The proposed outbuilding would be located at the end of this garden adjacent to the boundaries with neighbouring properties and was intended for use a Granny Annexe. The Inspector noted that No.525 has a very long garden and the outbuilding would be located as far away as possible from the house. She also noted that it would be fully self-contained with a living area, kitchen, bathroom/shower room bedroom and separate study. She considered that the accommodation proposed could be occupied independently and that it would be possible to access it from Staines Road West without going through the house. The level of accommodation could provide for independent living. The Inspector also noted that the building would be of a substantial size within the garden and that its size, location so close to the boundaries of neighbouring properties and its potential uses would affect the character and appearance of the area and therefore conflict with EN1 and the SPD. In addition, the Inspector noted that as the building was very close to the boundary with neighbouring dwellings and its overall height and size would introduce a prominent and intrusive structure which would have a harmful impact on the living conditions of the occupiers of adjoining properties.

Site	19A Gordon Road, Ashford TW15 3ES
Planning Application No.:	19/00144/FUL
Proposed Development:	Loft extension to existing first floor flat comprising rear facing dormer to create additional accommodation in the roofspace, creation of a balcony and 3 roof lights in front roof slope.
Reason for Refusal	The proposed development would by reason of its scale, location and design, appear visually obtrusive and out of character with the surrounding area and would fail to make a positive contribution to the locality. The proposal is therefore contrary to policy EN1 of the Core

	Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011.
Appeal Reference:	APP/Z3635/D/19/3231133
Appeal Decision Date:	17/09/19
Inspector's Decision	The appeal is dismissed
Inspector's Comments:	<p>The appeal site is a first floor flat in a two-storey semi-detached residential property. The adjoining semi has a large rear extension. The proposal was for a rear dormer that would be set below the main ridge height of the property and in from the side wall on one side. The side adjoining No 21 would extend close to the boundary. The rear dormer would include a window and glazed doors onto a roof terrace which includes a 1.8 metre high frosted glass screen.</p> <p>The Inspector noted that the rear of the house was not visible from the street and the adjoining property has been extended although not with a dormer. Nevertheless, she considered that the dormer extension and the roof terrace would add bulk to the roof which would not be in keeping with the existing dwelling. She concluded that it would create an incongruous addition to the roof of the building which would be out character with the area. This would conflict with Policy EN1. She also noted that the roof lights on the front of the dwelling would not be consistent with the advice in the SPD in terms of their alignment with the windows below.</p>

Future Hearing / Inquiry Dates

Council Ref.	Type of Appeal	Site	Proposal	Case Officers	Date
15/00048 /ENF	Inquiry	5 New Park Road, Ashford, TW15 1EG	The unauthorised change of use of the land for a caravan site and the siting of a caravan which is being used as a self-contained unit of accommodation.	Lynsey Tracey/ Matthew Churchill	TBC

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