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Date: 18 May 2020

## **Notice of meeting**

### **Planning Committee**

**Date:** Wednesday, 27 May 2020

**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:** Video Conference via Skype for Business

### **To the members of the Planning Committee**

Councillors:

R.A. Smith-Ainsley (Chairman)  
A. Brar  
S. Buttar  
S.A. Dunn  
N.J. Gething

M. Gibson  
N. Islam  
T. Lagden  
J. McIlroy  
L. E. Nichols

R.J. Noble  
R.W. Sider BEM  
V. Siva  
B.B. Spoor  
J. Vinson

**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. 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.**

Guide to remote meetings

To facilitate effective participation in the meeting, councillors and members of the public are asked to familiarise themselves with the procedures and protocols for remote meetings as detailed in the attached Guide.

**5 – 16**

A public speaking procedure guidance note for the Planning Committee is also attached for information.

**17 - 20**

### **1. Apologies**

To receive any apologies for non-attendance.

### **2. Minutes**

**21 - 24**

To confirm the minutes of the meeting held on 29 April 2020 as a correct record.

### **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. Planning Application 20/00058/FUL - Laleham Recreation Ground, The Broadway, Laleham, TW18 1RZ**

**25 - 40**

#### **Ward**

Laleham and Shepperton Green

#### **Proposal**

The application seeks to install 6 no. 15m high floodlight columns with 2 no. LED lights per column around an existing football pitch located on the Laleham Recreation Ground, off the Broadway, Laleham.

#### **Officer Recommendation**

The application is recommended for approval subject to conditions set out at Paragraph 8 of the report.

### **5. Planning Appeals Report**

**41 - 68**

To note details of the Planning appeals submitted and decisions received between 19 December 2019 and 14 May 2020.

**6. Urgent Items**

To consider any items which the Chairman considers as urgent.



## **Formal Council Meetings by Skype**

### **A Guide to the Procedures and Protocols for participation in remote Council meetings for Councillors and the Public**



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## **1 Introduction**

- 1.1 This guide is intended for participants joining a formal council meeting using Microsoft Skype.
- 1.2 It commences with General Guidance and Good Practice for ALL participants.
- 1.3 The remainder of the guide is then structured to provide support and a quick guide for each of the roles. The specific roles identified are:-
  - Chairman
  - Committee Members (Voting councillors who are members of that Committee)
  - Other Participants
    - Non-voting councillors who are not members of that committee
    - Representatives from external bodies
    - Public participants (formally making statements at regulatory meetings)
  - Other Public Viewers
- 1.3 The principle aims of this guide are to facilitate as many of the constitutional rules and procedures as possible, whilst recognising the limitations that virtual meetings present.
- 1.5 The key principle requirements are to:-
  - Enable contributions from people using a wide variety of devices, not all of whom will be on the council network. We aim to put in place arrangements to allow users to join a meeting via the following channels and features:-
    - Skype for Business Application (Two-way Audio, Video, Presentation)
    - Skype Web App (Two-way Audio and Video)
    - Telephone (Two-way Audio)
    - Web Streaming (One-way Audio only)
  - Be accessible to participants in a meeting who wish to speak and be heard, and to those who just wish to observe.
  - Recognise and give special controls to a meeting Chairman.
- 1.6 The Secretary of State for Housing, Communities and Local Government made The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which came into force on 4 April 2020. This Guide reflects the requirements of these Regulations.

## **2 General Guidance and Good Practice for ALL Participants**

2.1 Conducting large meetings by video conference can be daunting, however, such meetings can work well if managed and all participants play their part and support those managing the meeting.

2.2 A fundamental rule to help make online meetings run smoothly is absolute respect and patience for the Chairman and those speaking.

### **2.3 Key Tips**

Below is a list of some of the key tips for all participants:-

- Ensure you are **using the most up-to-date version of Skype**. Updates are pretty regular and often deal with possibly security issues, so it is imperative to make sure you have the latest version.
- Reliable Skype meetings depend on good sound quality, so always **use a good microphone, preferably in a headset**, if you have one. The latest laptops and tablets give acceptable sound quality from their internal mics and speakers, but only if you are in a room by yourself without any background noise and especially nobody else on the same call as you.
- **Don't group together and share a microphone** or laptop, this can make it difficult to hear and participants lose the advantage of seeing who is speaking. One person per account works best.
- Adjust the microphone position to **ensure best audio quality**. Too far away and no one will hear you, too close and everyone will hear you breathing. Testing your connection before a scheduled meeting is always recommended.
- **Mute your microphone when not speaking** unless you are responding repeatedly to questions or making regular contributions (e.g., the Chairman). Background noises, keyboard tapping, barking dogs, or telephones ringing will promote you as the main speaker within the system and may interfere with the meeting. If possible mute or switch other phones to silent as you would in normal meetings.
- **Maximise your bandwidth** and if possible, connect to your network via cable rather than wi-fi. Minimise the use of the internet at home by others during the call, particularly those with high bandwidth demands such as online gaming and video streaming. Switching off your camera whilst not speaking can improve your audio connection quality.
- **Avoid any distractions** to yourself or others watching, by locating yourself where you will not be disturbed by pets, children or other family members moving in the background.
- **Sit in a well-lit area** to improve visibility of your on-screen presence.



- **Be aware of your surroundings.** Check what is on display behind you.
- **Remove items containing personal information** including photographs of family or friends from camera view if you can.
- Aim to start Skype and **join the call at least 10 minutes before** the meeting commences. You can check everything is working as it should and mute your microphone.
- **Be prepared well in advance** of the meeting. Ensure you have access to the documents you need and have read the papers before the meeting commences. If you cannot access your papers, contact Committee Services (01784 446240) as early as possible before the meeting. It will not be practical for officers to assist you just before or during the meeting.
- When you first come online, say hello and if it is a big call, give your name, so the organiser and Chairman know you are connected.
- **Avoid informal chat** before a meeting starts formally. Such conversations can be heard by all on the call. After an initial sound and connection check, the Chairman or meeting organiser is likely to mute all microphones initially.
- When the call finishes, always remember to check that the organiser has closed the call and if not, disconnect yourself.
- If you have other topics to discuss with someone in the meeting, don't stay on the call, but close the call and start again.
- **Add an appropriate photograph to your profile** if you do not already have one. On large calls, not everyone may know what you look like and the photograph is a big help in improving communication and identifying attendees.
- **Dress appropriately for the meeting.** Ask yourself the simple question, "Would I wear this to a formal meeting at the Council Offices?"
- Finally, remember that although you may not be speaking you may be visible on-screen to others. **Be conscious of what your body language may imply.**

### 3 Chairman

3.1 The Chairman is responsible for controlling and running the meeting. Whilst in many respects this will be similar to meetings conducted in person, it will be necessary to adopt new approaches to ensure proceedings are fair and transparent and to that everyone wishing to contribute is capable of being heard.

3.2 It is absolutely imperative, however, that the Chairman controls the flow of the meeting. To achieve this the following hints and tips are suggested:-

- **Avoid informal chat** – As people join a remote online meeting, there can be a tendency for participants to ‘chat’ amongst themselves. Whilst not part of the formal meeting, such conversations can be heard by everyone. This is particularly important before regulatory hearings where such conversations could be seen as familiarity between parties. To assist, the Chairman and Meeting Organisers will have the ability to ‘Mute’ users manually. This can be overridden but allows an opportunity for the Chairman to remind participants of the expectations.
- Starting the meeting with **opening remarks** and laying down some ground rules.
- Invite Committee members to introduce themselves at the start of the meeting and make clear which other members are attending as observers, as well as officers, for the benefit of any public listening to the meeting.
- Similar to hosting a physical meeting when attendees get stuck in traffic, there will be occasions when an individual encounters **a technical issue that cannot be resolved** in time for the start of the meeting. Within a timely manner before the issue causes a distraction, the Chairman should be clear when the meeting should go ahead without the attendee or be postponed/rescheduled.
- Explain **how speaking will be managed** and the expectations for those online. Invite individuals to speak only – do not allow anyone to speak over someone else or for cross conversations.
- Take charge if you need to and **Mute someone speaking** if you feel the need. This can be carried out from the Participants list. Right-click to see options. You can also stop their videos or even remove them from the meeting if required.
- **Manage a speakers list.** Whilst a traditional speakers list by raising a hand will not be possible, there are two possible ways to proceed depending upon the type of meeting.
  - (a) ask anyone wishing to speak to indicate using the Instant Messaging feature. It is suggested that participants requesting to speak (RTS) could simply type

“RTS” in the Instant Message Conversation window. Such requests to speak will appear in the order requested.

- (b) alternatively, the Chairman could ask each participant in turn whether they wish to speak.

For those connecting via the web app or by telephone, the Chairman will need to actively ask if they wish to speak. This is critical to ensure no one leaves the meeting feeling short-changed. This could lead to a legal challenge in a regulatory hearing if any party feels they have not had the opportunity to speak, ask questions or respond during a hearing.

- **People speaking need to be identified.** Where possible this should be controlled through the Chairman, naming individuals every time they are invited to speak, not just the first time.
- **Guide attendees** - if referring to specific documents, clearly state the document and page number.
- **Allow for pauses** – users will need a little time to locate documents and page numbers and to switch their microphone on and off.
- **Do not allow repetitive comments.** Seek new points only.
- **Instant Messaging** - Do not allow the Instant Message facility to be used for matters other than requesting to speak. Any comments posted will be shared to everyone in attendance. Anyone wishing to message someone else should do so in a separate conversation thread.
- **Remote attendance and technical failures** - If at any time during a meeting an individual member's remote participation fails, the Chairman may call a short adjournment of up to five minutes or so to determine whether the connection can quickly be re-established. If the connection is not restored within that time, the meeting should continue to deal with the business whilst this happens, providing the meeting remains quorate and the public are able to hear.
- The member who has lost connection will be deemed to have left the meeting at the point of failure and re-joined the meeting when the connection is restored. Where this occurs during a regulatory committee, the member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.
- In the event of any apparent failure of the video, telephone or conferencing connection, the Chairman should immediately determine if the meeting is still quorate:

- if it is, then the business of the meeting will continue; or
  - if there is no quorum, then the meeting will adjourn for a period specified by the Chairman, expected to be no more than ten or fifteen minutes, to allow the connection to be re-established.
- **Voting**
    - Where a vote is required from those in attendance, the Committee Officer will call upon each voting member in turn to ask if they are 'For' or 'Against' the motion or wish to abstain. The Officer will state the result of the vote.
    - Details of how members voted will not be kept or minuted unless a Recorded Vote is called.
    - Where, in the opinion of the Chairman, there is consensus for the motion during a debate, the Chairman may seek to secure such agreement whilst providing an opportunity for any dissenting members to be heard.

## **4 Committee Members**

- 4.1 You should be familiar with the general guidance and good practice principles set out earlier in this document.
- 4.2 It is imperative that the online meeting can be conducted smoothly, and the Chairman is permitted to manage and invite speakers in a controlled manner.
- 4.3 Below are listed some key points for particular reference:-
- Join the meeting promptly to avoid unnecessary interruptions.
  - Mute your mic when you're not talking.
  - If you are having problems hearing or viewing the meeting, try switching off your camera when you're not speaking.
  - Only speak when invited to by the Chair. If you'd like to speak, type "RTS" in the Instant Message Conversation panel and click the send (arrow) button.
  - If you're referring to a specific page or slide, mention the page or slide number.
  - Be mindful of the [Access to Information rules](#) and that where it is necessary to go into Part 2 session that you are in a location where other members of your household are not able to overhear the proceedings.
  - Don't work on other tasks (like emails, browsing the web or answering other phone calls) during the meeting. If you have a mobile phone, switch it off for the duration of the meeting.
  - If at any time you are unable to hear, or be heard, then you will be deemed to have left the meeting and may not be able to participate in a vote on the matter being debated. If this happens to you, you must let the Chairman know immediately you regain connection, so that officers can re-cap the part of the debate you have missed, if appropriate.
  - When a vote is taken by roll-call, ensure your microphone and camera are switched on before answering clearly whether you are 'FOR', 'AGAINST' or wish to 'ABSTAIN' from the vote. These are the only three options that are valid.

## **5 Other Participants**

- 5.1 This section deals with both councillors who are non-committee members and public participants who would normally have a right to speak at Planning and Licensing Committee meetings.
- 5.2 We are keen to provide appropriate and proportionate opportunities for non-committee members to participate in meetings, however, managing a meeting virtually presents additional challenges.
- 5.3 Unless there is a recognised right of a councillor who is not a committee member to speak at a meeting (for example a ward councillor at Planning Committee in connection with an application on the agenda in their ward), the ability of other councillors to speak will not ordinarily be permitted.
- 5.4 All councillors will be sent the Skype meeting invite for all Committee meetings to enable them to 'attend' any meeting whether as a speaker or just an observer.
- 5.5 Any member of the public who has registered to speak at a Planning Committee or Licensing Sub-Committee hearing, will be sent the Skype meeting invite so that they may hear and, where practicable, see the members of the Committee.
- 5.6 These regulatory committees and hearings will separately publish appropriate protocols for public representations at virtual meetings.

## **6 Other Public Viewers**

- 6.1 The Council will make available facilities to hear all meetings which would ordinarily be held in public as a live audio streamed event.
- 6.2 A link to the relevant meeting broadcast will be available from the meeting page on the Council's web site.
- 6.3 The following link displays the current month of scheduled meetings. Click on the relevant date to view the agenda and a link to the broadcast for a specific meeting (<https://democracy.spelthorne.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>)
- 6.4 The recording of the meeting will remain published until the following meeting has taken place.

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# PUBLIC SPEAKING AT THE PLANNING COMMITTEE



This leaflet seeks to answer some of the most commonly asked questions about the public speaking procedures and what to expect at the meeting itself.

Planning Committee meetings are ordinarily held every four weeks. Due to the current Coronavirus crisis, meetings will take place virtually via Skype for Business video conferencing software. You will be able to hear the proceedings of the meeting through a live audio stream provided on the [Planning Committee meeting page on the Council's website](#) (You will need to select the relevant meeting date). A 'Call Over' meeting is held at 6.45pm, immediately prior to the start of the Planning Committee, where officers will give the Committee a technical update on any changes since the publishing of the Committee agenda. In order not to miss any of the proceedings of the Committee meeting it is important that you access the meeting at the start of the 'Call Over' meeting.

## Q 1) Will I be able to address the Committee on any application?

Public speaking is possible on all planning applications. It does not, however, apply to items which are solely seeking authority to pursue enforcement action, approve tree preservation orders or certificates of lawfulness.

## Q 2) Who can make representations to the Committee?

There are two categories of speakers:-

- A person speaking against the planning proposal (either individually or on behalf of others).
- A person speaking in support of the planning proposal (usually either the applicant or an agent/architect on their behalf)

## Q 3) Do I need to contact the Council before turning up to speak?

If you wish to make representations to the Committee you should telephone the Council's Committee Section on 01784- 446240 between 9am and 4pm on the Thursday or Friday before the day of the meeting which will take place on the following Wednesday. We will need to know:

- The application on which you wish to speak.
- Your full name, address and telephone number.
- Whether you are in favour or against the application and whether you also represent anyone else.

We will also ask whether we can pass your name and telephone number on to any other caller with a similar point of view in order for views to be co-ordinated. Please note – you cannot register (or assume you have registered) by speaking to any person other than the Council's Committee Section. Even speaking to the planning officer will not suffice.

You are required to **provide a written statement** of the points you wish to put forward to the Planning Committee. This must be a maximum of **three** minutes long.

You must provide this statement **by noon on the day before the Planning Committee meeting** to the Committee Manager by sending it to [committee.services@spelthorne.gov.uk](mailto:committee.services@spelthorne.gov.uk). You will be asked by the Chairman to read your statement after the case officer has presented the plans to the Planning Committee. However, if there are technical difficulties which prevent you from doing so, the statement will be read out by the Committee Manager at the Planning Committee meeting. If you do not have access to the internet, or you fail to email your statement by the deadline and have sent a letter on the planning application by post, this letter will be read out at the meeting.

You will be sent an invitation to join the virtual meeting using the Skype for Business application, by email. If you have the application installed on your PC/laptop/mobile device, you will be able to both hear and see the councillors (where practicable) at the meeting of the Planning Committee. If you are not able to access the meeting using Skype for Business you will still be able to hear the proceedings by accessing the live

audio stream provided on the [Planning Committee meeting page on the Council's website](#) (You will need to select the relevant meeting date).

**Q 4) What if somebody has already registered to speak?**

Our procedures allow for ONE person to speak in support of the application and ONE against. Requests to speak are dealt with on a "first come first served" basis. Therefore if someone has already asked to speak, for example against the application and you wish to do likewise, you will not be able to do so.

However, provided the person who first registered to speak gives their consent, we may be able to put you in touch with them in order that your arguments/comments can be combined.

**Q 5) How long will I get to put my case?**

The person speaking for or against the application will be allocated a maximum of three minutes. In the interests of the efficient running of the meeting this time will be strictly followed.

**Q 6) Can I circulate photographs or other material at the meeting?**

Material can be sent direct to individual councillors before the meeting and should also be copied to the Planning Development Management section.

**Q 7) What issues should I cover in my three minutes?**

The Committee can only determine applications on planning grounds, therefore your case should only relate to planning issues including:

- Policies in the Development Plan and Government Guidance.
- Design, appearance, layout.
- Highway safety and traffic.
- Loss of light/amenity and overlooking.
- Noise, disturbance, smell.
- Conservation of buildings, trees, etc.

The Committee is not permitted to take into account matters such as:

- Private property rights/boundary disputes.
- Feelings towards neighbours.
- Loss of view or loss of property values.
- The developer's morals or motives.

**Q 8) What will happen at the "Call Over" (technical update) meeting**

A "Call Over" meeting will be held at 6.45 pm, immediately prior to the Planning Committee meeting, 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 or any other procedural issues which, in the opinion of the Chairman, ought to be dealt with in advance of the meeting.

**Q 9) What will happen at the Planning Committee meeting?**

Please make sure you access the meeting at the start of the “Call Over” meeting at 6.45 pm. The Planning Committee meeting will start immediately upon the conclusion of the ‘Call Over’ meeting. When the application on which you wish to speak has been called by the Chairman, the following protocol will be followed:

- The Chairman will call upon the objector to read out their statement. If technical difficulties prevent the objector from doing so, the Committee Manager to read out the statement representing all objectors.
- The Chairman will call upon the supporter to read out their statement. If technical difficulties prevent the supporter from doing so, the Committee Manager to read out the statement representing all supporters.
- Any non-Planning Committee ward councillor will make representations to the Committee for a maximum of three minutes on cases affecting his/her Ward.
- The Planning Officer will then comment on any factual matters raised by the speakers.
- The Committee will then debate the application/ask questions of officers and reach a decision.
- The Chairman has discretion to allow members of the Committee to raise points of clarification with the developer to resolve factual issues. Where the Chairman allows this, he may ask the objectors to comment on the further information, in the interests of equality.
- The Committee will make a decision, usually by a formal vote and the Chairman will announce the decision which has been made so that it may be formally minuted.

**In the event of any dispute over these procedures or protocol the Chairman’s decision is final.**

**For further assistance please contact the Council on 01784 446240 or your ward councillor (details available from the Council or via our website [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) )**



**Minutes of the Planning Committee  
29 April 2020**

**Present:**

Councillor R.A. Smith-Ainsley (Chairman)

**Councillors:**

A. Brar	M. Gibson	R.J. Noble
S. Buttar	N. Islam	R.W. Sider BEM
S.A. Dunn	J. McIlroy	B.B. Spoor
N.J. Gething	L. E. Nichols	J. Vinson

**Apologies:** Apologies were received from Councillor V. Siva

**In Attendance:**

Councillor C. Bateson  
Councillor I.T.E. Harvey

**87/20 Minutes**

The minutes of the meeting held on 4 March 2020 were approved as a correct record.

**88/20 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**

Councillor R.A. Smith Ainsley declared an interest on behalf of all councillors in Planning Application No. 20/00342/ADV as the applicant was the Council.

**89/20 Planning Application No. 20/00101/FUL - Poundland, 95 - 99 High Street, Staines-upon-Thames, TW18 4PQ**

**Description:**

This proposal was for the provision of nine new flats and ground floor extension to the existing retail unit to the rear of the site. The creation of raised communal landscaped areas at the first floor and erection of first floor access lobby to residential accommodation.

**Additional Information:**

There was none.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, a statement from Kieran Rafferty in favour of the proposed development was read out and raised the following key points:

- Providing housing development in this location does not impact on the flood plain or green belt.
- Redevelopment of a sustainable brownfield site
- Provides a high quality development with amenity space
- The National space standards are met
- Development provides good setback distances
- Will contribute to the five year housing land supply
- Cycle parking is provided

**Debate:**

During the debate the following key issues were raised:

- Meets the housing need
- Amenity space is acceptable
- Extension is not visible from the High Street
- Query over cobbled access at the side. Will not be suitable for wheelchair users.
- Query over affordable housing
- Query over waste management
- Query over parking
- Query over crime in design
- Concern over density
- Design meets the standards

**Decision:**

The application was **approved** subject to conditions as per the officer's report.

**90/20 Planning Application No.19/01516/FUL, 381 - 385 Staines Road West, Ashford, TW15 1RH**

**Description:**

This proposal involved the erection of a block comprising 8 one and two bed flats to the front of the site and 4 dwellings (comprising 1 two bed chalet bungalow, 2 three bed semi-detached houses and 1 four bed detached house) to the rear of the site, all with associated parking, amenity space and landscaping. Formation of a new vehicular access to the site, following demolition of existing dwellings and commercial buildings.

**Additional Information:**

There was none.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, a statement from Kevin Davies in favour of the proposed development was read out and raised the following key point:

- This is a renewal of an existing consent with additional information

**Debate:**

During the debate the following key issues were raised:

- This application is a repeat of a previous permission
- Electric vehicle charging points should be provided

Officer Note: The Planning Committee agreed that a condition should be added to provide EV charging points. However, condition 20 of the officer's report deals with this and reads:

"The development hereby approved shall not be occupied unless and until each of the four dwellings at the north of the site, and at least 2 of the available parking spaces for the flats, are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) for the charging of electric vehicles in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: The condition above is required in order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2019, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009."

**Decision:**

The application was **approved**, subject to conditions as per the officer's report:

**91/20      Planning Application No.20/00342/ADV - Spelthorne Museum, 1 Elmsleigh Road, Staines-upon-Thames, TW18 4PH**

**Description:**

This proposal involves the display of a mural advertising Spelthorne Museum.

**Additional Information:**

There was none.

**Public Speaking:**

There were no public speakers for this item.

**Debate:**

During the debate the following key issues were raised:

- The proposal is a good idea and will improve the appearance of the building
- It will assist in locating the museum

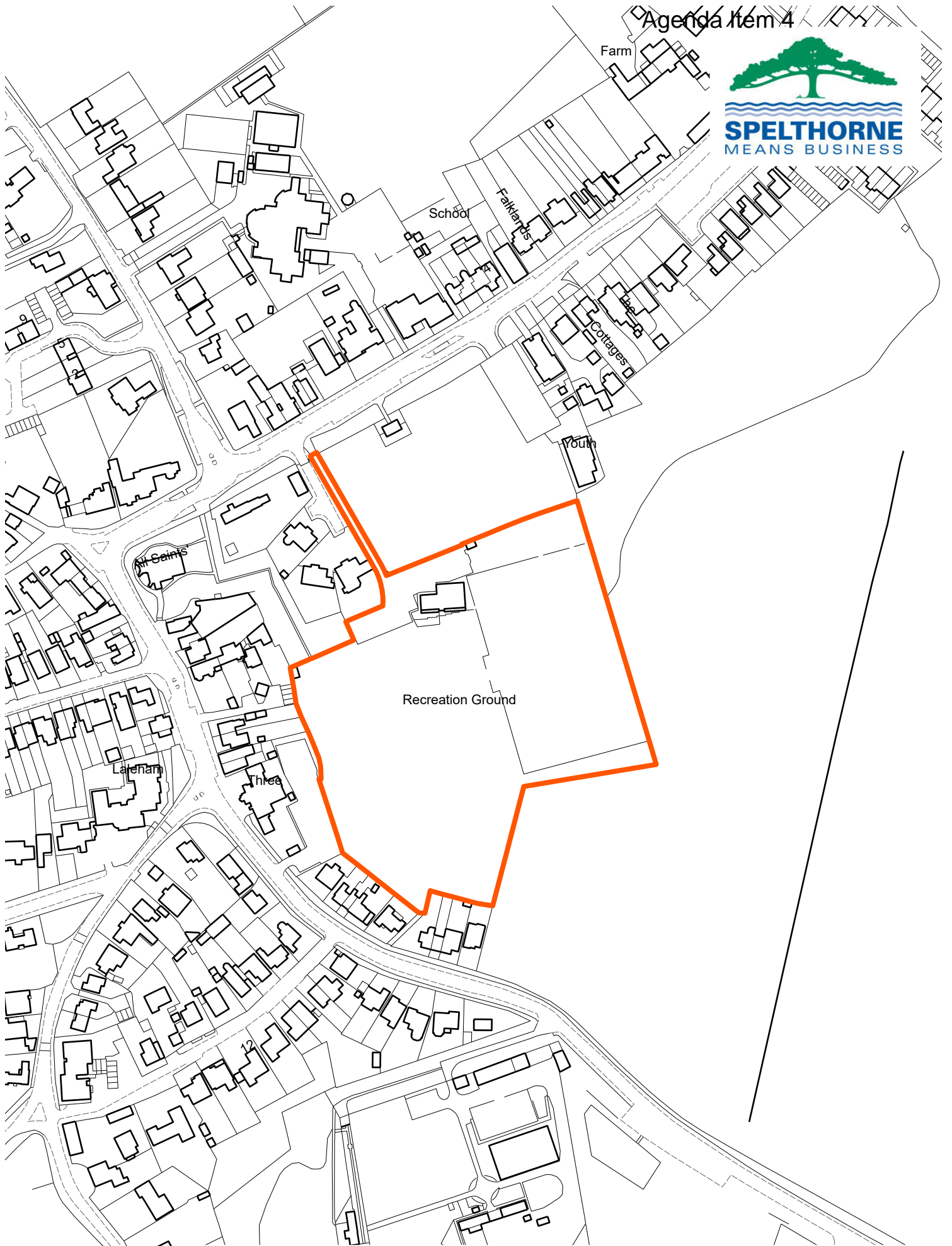
**Decision:**

The application was **approved** as per the officer's recommendation.

**92/20     Urgent Items**

There were none.





20/00058/FUL - Laleham Recreation Ground, The Broadway, Laleham.

Scale: 1:2,500

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# Planning Committee

27 May 2020



<b>Application No.</b>	20/00058/FUL
<b>Site Address</b>	Laleham Recreation Ground, The Broadway, Laleham, TW18 1RZ
<b>Applicant</b>	Staines Lammas Football Club
<b>Proposal</b>	Installation of 6no. 15m high floodlight columns with 2 no. LED floodlights per column.
<b>Case Officer</b>	Matthew Clapham
<b>Ward</b>	Laleham and Shepperton Green
<b>Called-in</b>	Cllr Attewell – citing concerns over noise. lighting and the impact upon the Conservation Area

<b>Application Dates</b>	Valid: 10.02.2020	Expiry: 06.04.2020	Target: Extension of Time agreed (29.5.20)
<b>Executive Summary</b>	<p>The application seeks to install 6 no. 15m high floodlight columns with 2 no. LED lights per column around an existing football pitch located on the Laleham Recreation Ground, off the Broadway, Laleham.</p> <p>It is considered that the proposed floodlighting columns would not have a detrimental impact upon the character and appearance of the Laleham Conservation Area, nor any adjoining Listed or Locally-Listed buildings. Nor would the proposal have any harmful impact upon the openness of the Green Belt.</p> <p>The level of lighting from the columns, subject to limitations on their use, would not be detrimental to the residential amenity of any adjoining properties. An independent lighting consultant has reviewed the lighting assessment submitted with the application and raised no concerns. The level of noise arising from the use of the floodlights provided for an existing football pitch on a public recreation ground, is also not considered to be of detriment to residential amenity.</p> <p>No parking concerns are considered to arise in association with the floodlighting. The County Highways Authority has not raised any concerns regarding highway safety.</p>		
<b>Recommended Decision</b>	Approve the application subject to conditions set out at Paragraph 8 of the Report.		

## **MAIN REPORT**

### **1. Development Plan**

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

EN1 – Design of New Development

EN4 – Provision of Open Space and Sport and Recreation Facilities

EN5 – Buildings of Architectural and Historic Importance

EN6 – Conservation Areas, Historic Landscapes, Parks and Gardens

EN11 – Development and Noise

EN13 – Light Pollution

LO1 – Flooding

CO1 – Providing Community Facilities

CC3 – Parking Provision

'Saved' Local Plan Policy GB1 – Green Belt

### **2. Relevant Planning History**

- 2.1 The site has the following planning history:

09/00295/FUL

Erection of 4 No. Lighting columns of approximately 18m high to the Staines Lammas Football Club first team pitch for a temporary period of 2 years.

Refused 10.08.2009

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

- 3.1 The application proposes six floodlights columns, each 15m in height and housing 2 no. LED lights on each column. The lights would facilitate the use of an existing football pitch located within the Laleham Recreation Ground for Saturday afternoons in the winter months and any evening matches. The columns would be located on each four corners of the football pitch, with two located either side of the halfway line at the centre of the pitch.
- 3.2 The site is located within the Green Belt. It is also located within Flood Zone 2 with an up to 1% chance of flooding in any one calendar year. The pitch and the environs are largely located within the Laleham Conservation Area, with the south eastern 'slice' of the pitch being located outside of the Conservation Area. Four of the six floodlight columns fall within the Conservation Area, with two located outside of it.
- 3.3 There are a number of Listed Buildings adjoining or within the vicinity of the site, the most significant being the Grade I Listed Church of All Saints to the West.

- 3.4 The site itself is an area of open land lying south of The Broadway, Laleham, which is a publicly accessible area used for recreational purposes for the general public. It is understood to have been 'gifted' to the public by the owners, the Lucan family, for public use. The pitch itself is currently being and has previously been used, as a football pitch for use by Staines Lammas Football Club. The pitch itself has 'dug outs', around the pitch barriers, markings and goal posts. The football pitch utilises the existing changing facilities and parking arrangements that already exist for the use of the Lucan Pavilion adjoining the pitch, which also serves as a social club/function room and coffee shop.
- 3.5 The football club itself is currently playing within the Surrey Elite Intermediate League, which is at Level 7 of the non-league pyramid. The applicant has stated that the floodlights are required to allow further progress within the football pyramid, having been automatically demoted from their previous league due to a lack of floodlighting. Staines Lammas FC are currently well below leagues compared to other football clubs in the Borough, namely Staines Town, Ashford Town (Middx) and Spelthorne Sports.
- 3.6 The applicant has confirmed the periods of use for floodlighting throughout the year, this has been assumed as derived from Football Association requirements. The latest time floodlighting would be on is 22.00 hours, this is limited to 15 fixtures on weekdays, which will take place sporadically during the period from September to April in the next year. The applicant has confirmed that floodlighting will not be used to facilitate training sessions and that alternative facilities are used for training.
- 3.7 The applicant has confirmed in the supporting statement that in terms of use of the floodlights, the following principles apply:
- Saturday Afternoon Fixtures*  
*This is the predominant day for football matches, with a customary kick off time of 15.00 hours. In the period from mid-August to the end of October (in the same year), there is no need to use floodlights because there is sufficient natural light up to when a fixture is due to end i.e. 16.45 hours.*  
*Around the time clocks go back, it becomes necessary to use floodlights and this usually commences on the last Saturday in October. This continues until the middle of February the following year, when ordinarily sufficient natural light exists to complete fixtures by 16.45 hours. The floodlights are then only switched on around half time because there is sufficient natural light for the first half i.e. around 15.45 hours.*  
*From mid-February to the end of the season floodlighting is not required because there is sufficient natural light up to when a fixture is due to end i.e. 16.45 hours.*  
*The scope of use is therefore:*
- 1. Mid-August to the end of October (11 weeks) – floodlights are not required.*
  - 2. End of October to mid-February (16 weeks) – floodlighting generally required from half time (a period of normally 45 minutes).*
  - 3. Mid-February to the end of the season (13 weeks) - floodlights are not required.*

*After every fixture that has required the use of floodlights, it is normally the case that they are left on for a short period of time (about half an hour) for safety reasons and to allow cleaning and tidying up to take place. This means lights are normally turned off at around 17.30 hours.*

*In summary, the time when floodlights will be in use is during the 16-week period from the end of October to mid-February and specifically between 15.45 hours and 17.35 hours. The only time these periods are likely to be exceeded is in the rare event of very bad natural light conditions and/or extra time having to be played in cup fixtures.*

#### **Mid-Week Fixtures**

*Mid-week fixtures are played in the evening and as such require floodlighting. The kick off time is generally 19.45 hours, which means lights will normally be turned off by 22.00 hours. This will only be extended in the event of extra time and/or a penalty shootout in cup fixtures.*

*Unlike Saturday fixtures, it is not possible in any given football season to say from the outset how many evening fixtures will take place. This depends on postponements; cup runs and other factors such as League requirements but as a general rule it would be appropriate to assume that around 15 fixtures will take place and sporadically during the period from September to April the following year.*

*Sundays - No use required*

*Pitch lighting will be turned off by 2200 hours,*

## **4. Consultations**

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

<b>Consultee</b>	<b>Comment</b>
<b>SBC Heritage Consultant</b>	No objections on heritage grounds
<b>County Highway Authority</b>	No highway requirements
<b>Environmental Health</b>	Pollution Control – No comments
<b>Environmental Health</b>	Lighting – Requested condition

## **5. Public Consultation**

5.1 33 letters of notification were sent to adjoining properties and a Statutory Site Notice and a Newspaper advert were also displayed. 16 letters of objection were received, raising the following concerns:

- Parking pressures
- Highway Safety and access arrangements
- Noise
- Light pollution
- Potential future expansion of the football club
- Impact upon the Conservation Area / adjoining listed buildings
- Visual amenity
- Green Belt
- Bats

## **6. Planning Issues**

### **6.1 The main planning matters are:**

- Impact upon the Conservation Area and adjoining Historic Buildings
- Impact of Lighting upon adjoining residential properties
- Impact of noise and disturbance upon adjoining residential properties
- Impact upon the openness of the Green Belt
- Provision of community facilities
- Parking and highway safety
- Flooding
- Other matters

## **7. Planning Considerations**

### Impact upon the Conservation Area and adjoining Historic Buildings

- 7.1 The site is mainly located within the Laleham Conservation Area, with 4 of the 6 floodlight columns being located inside of the Conservation Area. Paragraph 196 of the National Planning Policy Framework (2019) (NPPF) states that *‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’*.

The comments from the Councils Heritage Consultant are also noted. These comments were:

*I recall commenting on a previous application in 2009. I stated that the columns would be visible to a greater or lesser extent from parts of the surrounding area, possibly from certain listed buildings. It was also apparent that parts of the conservation area could be affected as well as private properties in close proximity. Predicting the extent of any actual visual harm or nuisance would be difficult.*

*Since then the NPPF has been published which seeks to guide decision makers. There is now a presumption in favour of sustainable development, where any harm to conservation areas or the settings of listed buildings must be balanced against any public benefit a scheme might produce.*

*Notwithstanding this, the planning authority has a duty under the Planning (Listed Buildings and Conservation Areas) ACT 1990 to have “Special Regard” to preserving the setting of listed buildings and the character of conservation areas, and to give this “considerable weight” when carrying out the balancing exercise. There are a number of Court of Appeal Judgements on this issue.*

*In the light of the above, I conclude that there will be some harm caused by the height of the poles and lights, as these will undoubtedly be visible from certain positions. This harm must then be balanced by any benefits the increased sporting and exercise activities may bring to the community.*

- 7.2 Policy EN6 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) (CS&P DPD) seeks to apply the Council's policies in a more flexible way where justified to ensure the preservation and enhancement of a Conservation Area.
- 7.3 Policy EN5 of the CS&P DPD seeks to require development proposals affecting the setting of a listed building to have special regard to preserving its setting.
- 7.4 Section 66 of the Listed Buildings and Conservation Areas Act 1990 requires authorities, when determining applications which affect a Listed building and its setting, to have 'Special regard to the desirability of preserving the building or its setting or any special features of architectural or historic content which it proposes'. Furthermore, Section 72 of this Act imposes a duty on the Local Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in exercising planning functions. Additional guidance within the NPPF states that *'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*
- 7.5 It is recognised that the previous application was refused partly on the grounds of the potential impact upon the Conservation Area. However, as the Council's Heritage Consultant has stated, the National Planning Policy Framework has been published since that decision was made. This has altered the balance of decision making on such matters and is a material consideration in assessing this proposal. It is necessary to initially consider the potential impacts upon the character and appearance of the Conservation Area. Two of the columns fall outside of the Conservation Area and the remaining columns are on the periphery of the Conservation Area. There is a mobile phone mast immediately adjoining the Lucan Pavilion Clubhouse Building, also located within the Conservation Area. Since the previous proposal, while there are more columns, they are reduced in height by 3m reducing some of the visual impact.
- 7.6 Also of consideration as set out in the NPPF are the wider public benefits that a proposal may bring to a community. While it is not intended to use the floodlights for training or non-match day reasons, the floodlights would help sustain a local football club that is likely to be able to re-invest in the community by providing a local sporting facility that will encourage people to gain an interest in participating in and watching sports events. This may lead on to an additional demand for training sessions either at this site or elsewhere by the football club during the weekends and school holidays for junior teams that would benefit the wider community of Laleham and Spelthorne. The applicant has set the benefits out in its planning statement in terms of playing at a higher level, this generates more interest, better players, coaches, and more members and volunteers. Staines Lammas has a youth section which accommodates boys and girls teams and train on a Saturday morning, so would not directly need the use of the floodlights however relies upon a successful first team to sustain interest and funding. The proposals are also considered to benefit the cash flow of the Clubhouse that again provides services and benefits to the Community, where a coffee shop and



nurse already operates. It was also used by the Council as an emergency hub during the flood events in 2014.

- 7.7 With regard to the impacts upon the Listed Buildings in the vicinity, the nearest listed building is in excess of 100m away from the nearest floodlight. Due to this significant separation distance and the tree screening, in particular between the application site and the adjoining Church, it is considered that this is only of limited harm and not sufficient harm to justify refusal.
- 7.8 Therefore, on balance and taking into account the comments of the Council's Heritage Officer and the guidance contained in the National Planning Policy Framework, the wider public benefits arising from the proposals are considered to outweigh the limited harm that would occur to any adjoining listed buildings or the Conservation Area.

### Lighting

- 7.9 The applicant has submitted a lighting assessment report and a plan showing the predicted lighting spill from the floodlights. The Council used the services of an independent lighting consultant to assess the applicant's report and the likely impacts of the proposals in terms of light pollution.
- 7.10 The applicant's lighting assessment demonstrated that the floodlights would meet Football Association and Sport England requirements, but that only 12 LED lights would be required in total. They have been designed to face directly down onto the pitch to provide satisfactory lighting on the pitch and minimise glare. The floodlights are required to provide lighting of 200 lux to the pitch itself, however the light overspill is reduced to 1 lux (moonlight) within a distance of 40m from the floodlights. The location benefits from having the recreation ground to the west, the former gravel works (now being restored) on farmland to the south and east and allotments to the north. Therefore no residential properties would be unduly affected by the lighting spillage, although it is recognised that the lights would be visible when turned on.
- 7.11 The Council's consultant made comments on the floodlighting design proposals to ensure compliance with limits defined within Institution of Lighting Professionals Guidance Notes for the reduction of obtrusive light 2001(1) and assessing any potential light pollution, which is a recognised statutory nuisance in the UK under the Clean Neighbourhoods and Environment Act 2005 and considered the periods that lighting will be in use that will unavoidably introduce an effect on views looking into the site. The consultants concluded that the calculation results comply with Institution of Lighting Professionals (ILP) limits for the Environmental Zone E2. The area has been considered to be designated as being within this Zone E2 (Rural - Low district brightness - Village or relatively dark outer suburban locations) as defined within ILP Guidance Notes for the reduction of obtrusive light 2001 with respect to light-trespass, and source intensity limits (assuming no curfew). Further information on sky-glow levels and any response will be reported verbally. The Council's Environmental Health Officer (Lighting) has not raised any objections.
- 7.12 The Council is therefore satisfied that the floodlights have been designed to minimise light pollution within the immediate area. A condition is recommended to control the usage of the floodlighting, which restricts the use

of the lights and accordingly the facility when dark, to no later than 22:00 for any one day in a week and not after 18:00 on weekends. The applicant has stated that the use of the floodlights will be restricted to the first team, generally Saturday afternoons, occasional midweek matches. The pitch itself, being grass, would not be able to sustain significantly more use than this. Whilst it is recognised the floodlights will still cause 'sky glow', in view of the proposed condition limiting hours of use, in addition to the separation distances to adjoining residential dwellings and the existing lights on The Broadway and Shepperton Road. The limited harm is considered to be outweighed by the benefits of the proposal. The proposed lighting is considered to have been designed so as to ensure that the proposal does not result in any material harm to the character and amenity of the area and the surrounding residents in terms of light disturbance.

### Green Belt

- 7.13 Paragraph 145 of the NPPF states However the paragraph does specify a number of exceptions to this, one of which includes the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, are acceptable; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 7.14 This is supported by 'Saved' Policy GB1 of the Spelthorne Borough Local Plan (2001) which states that development will be permitted for facilities within the Green Belt for outdoor leisure and recreation.
- 7.15 While it is understood that the proposal is for lighting columns, it is considered that the use of the word buildings includes structures and that the lighting columns would meet the definition of a 'building' under planning legislation and case law. Given that the lighting columns would be directly related to the use of the pitch for sporting purposes, it is considered that they would satisfy the exception criteria and would not amount to inappropriate development.
- 7.16 In terms of the impacts upon the openness of the Green Belt, the proposed floodlights would be six 15m high columns, evenly spaced around the pitch, three on each side. In spatial terms, the floodlights would not have a substantial footprint, as they are relatively narrow. As such, they are not considered to detract from the openness of the Green Belt in this location or the purposes of including land within the Green Belt.
- 7.17 Whilst it is noted that the floodlighting proposed in the 2009 planning application was considered (unlike the current scheme) to constitute inappropriate development in the Green Belt, it is important to note that this was before the publication of the NPPF. Furthermore, the planning application was not refused on Green Belt grounds. Therefore, based on the considerations outlined in the paragraphs above, it is concluded that the provision of floodlights to constitute appropriate facilities for outdoor sport for the purposes of the framework and are acceptable in terms of the Green Belt.

### Noise

- 7.18 The football pitch facility and recreation ground is an existing facility in a semi-urban area. The previous application in 2009 was not refused on noise grounds. As stated previously, there is only limited use of the football pitch currently, which would be further limited by a condition subjecting a 'curfew' on its use under floodlights for football or other sporting purposes, particularly late in the evening. There are no existing restrictions on the use of the site although the floodlights will enable additional use in evenings. The crowd attendances at this level are relatively small and the Saturday afternoon matches would take place anyway, presumably with a 2:00 kick off. The nearest residential dwellings are also some distance away. The amount of matches being played at the ground are limited by the league that Staines Lammas are playing in and associated conditions limiting matches to being Saturday afternoons and one evening per week. The Council's Environmental Health Officer for Noise has not raised an objection, subject to a time limit condition restricting hours of usage of the pitch under the floodlights. As such, there are no specific objections regarding noise disturbance.

#### Community Facilities

- 7.19 The football club was founded in 1926. It previously played at this site until 2009 and returned to this site in 2015 following a brief ground share arrangement with another football club based in the Borough of Spelthorne. Policy CO1 of the CS&P DPD – Providing Community Facilities states that the Council will seek to ensure community facilities are provided to meet local needs by 'supporting improvements to existing facilities to enable them to adapt to changing needs'.
- 7.20 Paragraph 92 of the NPPF states that Local Authorities should seek to:
- To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*
- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
  - b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
  - c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- 7.21 The applicant has stated that they have previously had to leave this facility due a lack of floodlights and have dropped down two leagues since the previous application as their ground did not meet the ground grading requirements of the leagues and as required by the Football Association. As a result, a number of coaching and management staff and players left the club and the club has had to rebuild since then. This proposal would provide a focal point for the club with only limited evening/dusk use and provide a

community facility. As such, the proposal is considered to accord with guidance contained within the NPPF and with Policy CO1 of the CS&P DPD.

#### Highways and Parking

- 7.22 The County Highway Authority has not raised an objection to the proposal in terms of highway safety. As stated previously, the pitch is already in use by Staines Lammas Football Club who have limited attendances in terms of numbers of spectators. The access is existing and already serves the existing social club, coffee shop/nursey and the existing use of the site as a football/sports club and recreation ground. There is a public car park in very close proximity to the site. In any event, no additional training sessions at evenings are proposed so there would be limited increase in traffic movements and parking requirements above and beyond those that already exist. Therefore, it is not considered that the additional floodlight would result in any significant highway or parking concerns in the locality.

#### Flooding

- 7.23 The site is located within the Zone 2, which has a 1 in 1000 year chance of flooding. The floodlights are narrow and while they will be supported on concrete bases, there is a very limited impact upon flood risks and resilience and no significant flooding concerns are considered to arise.

#### Other Matters

- 7.24 The matters regarding the rights of the football club to use and enclose the pitch is a matter for the Trustees of the site and is not a material planning consideration. Spelthorne Borough Council has no legal interest in the land. The site is an open recreation ground with no obvious evidence of bat roosts in the immediate vicinity. In any event, due to the limited use of the floodlights on a maximum of two days per week and during winter months only, which coincides with the bat hibernation season, no significant adverse impacts upon bats or other wildlife are considered to arise. The potential future expansion of the club including new stands or other facilities will require planning permission and will be subject to a new and separate planning application, where any impacts will be subject to their own consideration. As a result of the decision to expunge all results at this level of football for the 2019/2020 season, Staines Lammas FC will continue playing at their current level, not requiring floodlights next season or at the time amateur sports are allowed to re-commence.

#### Equalities Act 2010

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

The elimination of discrimination, harassment and victimisation; The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it; The fostering

of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

#### Human Rights Act 1998

- 7.26 This planning application has been considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

#### Financial Considerations

- 7.27 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 not a CIL chargeable development.

#### Conclusion

- 7.28 The proposal is considered to be an acceptable form of development providing positive wider public benefits to the local community and to facilitate the success of a local sports club. It is considered to be acceptable on design grounds and would not have a detrimental impact upon the openness of the Green Belt nor the residential amenity of adjoining residential properties in terms of light pollution, noise and disturbance or parking and highway safety concerns. In addition, the NPPF requires that in Conservation Areas, the

impacts upon Heritage Assets is considered in relation to whether any potential harm would be outweighed by the benefits to the wider public. In this instance, the inclusion of four of the six columns within the Conservation Area is considered to have limited harm that would be outweighed by the wider benefits of supporting this local community sports club. Therefore the proposal is considered to be conform to Policies EN1, EN6 of the Core Strategy and Policies DPD, 'Saved' Policy GB1 of the Local Plan 2001 and guidance contained within the NPPF. Consequently the application is recommended for approval.

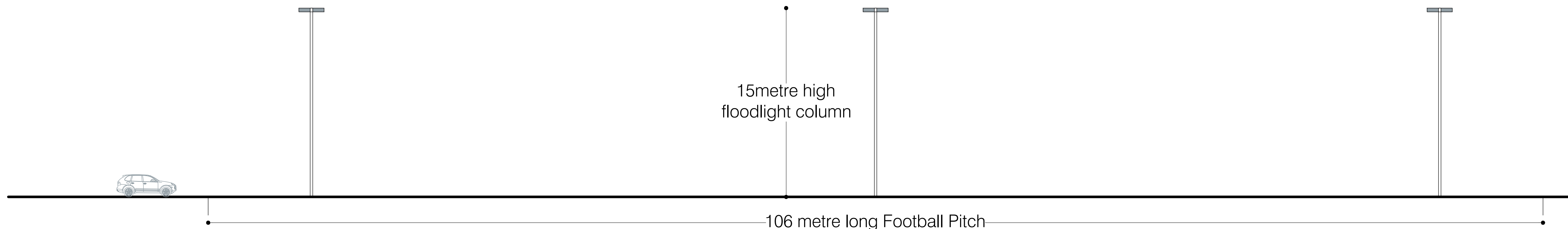
## **8. Recommendation**

### **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:-  
Site Location Plan; 01; D32636/TF/B  
received on 10/02/2020  
Reason: - For the avoidance of doubt and in the interest of proper planning
3. That the floodlights hereby approved shall only be used at the following times:  
Saturdays, between 3pm and 5:45pm  
On a maximum of any one weekday per week between 7pm to 10pm without the prior written approval of the Local Planning Authority.  
Notwithstanding these times stated above, the floodlighting shall be extinguished at the first possible opportunity when the use of the floodlit playing surface has been concluded.  
Reason:-.To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their properties in accordance with policies SP6, EN1 and EN11 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.



notes  
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All dimensions should be checked on site and any discrepancies reported to the architect



Long Elevation of Football Pitch scale 1:200



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project		
Laleham Recreation Ground The Broadway Laleham Middlesex TW18 1RZ		
drawing title		
Site Layout Plan and Elevations		
scale	date	drawn
1:500/200 @ A1	Feb 2020	mcc
job no.	drawing no.	revision
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Chartered Practice



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Planning Committee  
27 May 2020



**Planning Appeals**

**List of Appeals Submitted between 19 December 2019 and 14 May 2020**

<b>Planning Application / Enforcement Number</b>	<b>Inspectorate Ref.</b>	<b>Address</b>	<b>Description</b>	<b>Appeal Start Date</b>
19/01026/HOU	APP/Z3635/D/19/3238943	5 Guildford Street Staines-upon-Thames TW18 2EQ	Proposed roof alterations including raising ridge height and installation of an eastern flank facing dormer with additional roof lights on the western flank elevation to create additional habitable space.	20/12/2019
19/01043/HOU	APP/Z3635/D/19/3241929	76 Chaucer Road Ashford TW15 2QX	Erection of a two storey side extension	20/12/2019
19/01290/HOU	APP/Z3635/D/19/3241650	101 Groveley Road Sunbury On Thames TW16 7JZ	Creation of a vehicle crossover.	20/12/2019

<b>Planning Application / Enforcement Number</b>	<b>Inspectorate Ref.</b>	<b>Address</b>	<b>Description</b>	<b>Appeal Start Date</b>
19/00003/ENF	APP/Z3635/C/19/3240021	Budget Car Sales Limited Sales Depot 648 London Road Ashford TW15 3AW	Without planning permission, the material change of use of the land from use for car parking for a car sales business and use of a porta cabin as an office, to car parking for a car sales business and use of a porta cabin as an office, and the siting of a second porta cabin and its use as an office.	07/01/2020
19/01079/HOU	APP/Z3635/D/19/3239573	22 Montford Road Sunbury On Thames TW16 6EJ	Erection of a two storey front extension	09/01/2020
19/00829/FUL	APP/Z3635/W/19/3243544	11 Gleneagles Close Stanwell Staines-upon-Thames TW19 7PD	Erection of an end of terraced dwelling in place of existing garage	14/01/2020

<b>Planning Application / Enforcement Number</b>	<b>Inspectorate Ref.</b>	<b>Address</b>	<b>Description</b>	<b>Appeal Start Date</b>
18/00030/ENF	APP/Z3635/C/19/3225626	Land To The East Of Moor Lane Staines-upon-Thames	Without planning permission, the making of a material change of use of the land from open Green Belt land to a mixed use comprising the following unauthorised uses. (1) storage of motor vehicles and vehicle parts (2) the stationing of a caravan (3) storage of plant machinery (4) other storage purposes including but not limited to the storage of other paraphernalia and general rubbish	18/01/2020
19/01084/HOU	APP/Z3635/W/19/3243480	1 Jennifer Court Adelaide Road Ashford TW15 3GA	Installation of boundary fence and timber pergola (retrospective)	23/01/2020
19/01400/FUL	APP/Z3635/W/19/3243922	5 New Park Road Ashford TW15 1EG	The erection of a detached bungalow with habitable accommodation in the roof space, with associated parking and amenity space following subdivision of the plot.	03/02/2020
19/01077/FUL	APP/Z3635/W/19/3243283	Former Garages/Lock-Up Stores Station Approach Sunbury On Thames TW16 6SA	Erection of 2 no. 2 bed flats over three floors with landscaping following the demolition of the existing 3 no. lock up garages	03/02/2020

<b>Planning Application / Enforcement Number</b>	<b>Inspectorate Ref.</b>	<b>Address</b>	<b>Description</b>	<b>Appeal Start Date</b>
19/01024/HOU	APP/Z3635/D/19/3243479	1 Everest Road Stanwell Staines-upon-Thames TW19 7EA	Erection of a part single storey, part two storey, front side and rear extension, including the installation of an additional dormer and roof light in the roof space	10/02/2020
19/00262/ENF	APP/Z3635/C/20/3244894	28 Hadrian Way Stanwell Staines-upon-Thames TW19 7HF	Erection of an outbuilding and the use of that building, without planning permission.	11/02/2020
19/00679/PIP	APP/Z3635/W/19/324759	Land To The Rear Of 32, 34 And 36 Commercial Road Staines-upon-Thames TW18 2QL	Permission in principle for a maximum of 4 dwellings	21/02/2020
18/00194/ENF	APP/Z3635/C/20/3244698	Unit 7 Shepperton Industrial Estate, Littleton Lane. TW17 0NF	The construction of a large workshop building and the use of that building, without planning permission.	24/02/2020
19/01218/FUL	APP/Z3635/D/19/3244852	99 Feltham Road Ashford TW15 1BS	Alterations to roof including rear balcony to provide one new flat within existing roof space.	02/03/2020
19/01564/OUT	APP/Z3635/D/19/3244874	Land Adjacent To 7 Maxwell Road Ashford TW15 1RL	Erection of a single dwelling with associated parking and amenity space, on land adjacent to 7 Maxwell Road	02/03/2020

<b>Planning Application / Enforcement Number</b>	<b>Inspectorate Ref.</b>	<b>Address</b>	<b>Description</b>	<b>Appeal Start Date</b>
19/01218/FUL	APP/Z3635/W/20/3244852	99 Feltham Road Ashford TW15 1BS	Alterations to roof including rear balcony to provide one new flat within existing roof space.	02/03/2020
19/01201/FUL	APP/Z3635/W/20/3245241	6 - 8 Wolsey Road Ashford TW15 2RB	Erection of a 2nd floor extension to create an additional 1 no. 2 bed unit, alteration to approved 1 no. 1 bed duplex unit, external alterations, and provision of associated cycle parking and refuse storage.	26/03/2020
18/00243/ENF	APP/Z3635/C/18/3218097	Land Adjacent To Magnolia Ferry Lane Shepperton TW17 9LH	Without planning permission, the making of a material change of use of the land to a mixed use comprising agriculture, storage of shipping containers, storage of miscellaneous items including wooden barrels and other paraphernalia.	05/05/2020
20/00063/HOU	APP/Z3635/W/20/3252421	96 Woodthorpe Road Ashford TW15 3JY	Construction of a vehicle crossover	11/05/2020 <sup>1</sup>

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<sup>1</sup> This is the appeal submission date to PINS but an official 'Start Date' has not yet been assigned to this appeal by PINS.

<b>Planning Application / Enforcement Number</b>	<b>Inspectorate Ref.</b>	<b>Address</b>	<b>Description</b>	<b>Appeal Start Date</b>
19/01022/OUT	APP/Z3635/W/20/3252420	Bugle Nurseries Upper Halliford Road Shepperton TW17 8SN	Outline application with all matters reserved other than 'access' for the demolition of existing buildings and structures and the redevelopment of the site for a residential-led development comprising up to 43 residential homes, a 62-bed care home and the provision of open space, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.	12/05/2020 <sup>2</sup>

\* This is the appeal submission date to PINS but an official 'Start Date' has not yet been assigned to this appeal by PINS.

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<sup>2</sup> This is the appeal submission date to PINS but an official 'Start Date' has not yet been assigned to this appeal by PINS.

**Appeal Decisions Received 19 December 2019 and 14 May 2020**

<b>Site</b>	Cockaigne Sandhills Meadow Shepperton TW17 9HY
<b>Planning Application No.:</b>	19/00637/HOU
<b>Proposed Development:</b>	Extension to rear roof to create habitable accommodation including the raising of the rear ridge height and insertion of a juliet style balcony
<b>Reasons for Refusal</b>	<p>The proposed first floor rear extension would create habitable first floor space that would result in a significant increase in the floor space of the dwelling when compared with the original dwelling. The extension would also increase the mass and bulk of the roof form causing harm to the openness of the site and would therefore be considered a disproportionate addition which would cause unacceptable harm to the openness of the Green Belt for which no very special circumstances have been demonstrated. The proposal would therefore be contrary to Policy EN2 of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009), saved policy GB1 of the Spelthorne Borough Local Plan 2001 and the National Planning Policy Framework (February 2019).</p> <p>The proposed first floor rear extension, by reason of height and design, and the incorporation of a dual axis flat roof, is considered to be out of keeping with other properties within the surrounding Plotland Area and the traditional scale and design of Plotlands dwellings. It would be visible from Sandhills Meadow and would cause harm to the character of the wider area. The proposal would therefore be contrary to Policy EN2 and EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009).</p>
<b>Appeal Reference:</b>	APP/Z3635/D/19/3235586
<b>Appeal Decision Date:</b>	19/12/2019
<b>Inspector's Decision</b>	Appeal Dismissed

<p><b>Inspector's Comments:</b></p>	<p>The Inspector identified that the main issues surrounding the appeal were:</p> <ul style="list-style-type: none"> <li>- Whether the proposal would constitute inappropriate development in the Green Belt, including the impact upon the openness of the Green Belt.</li> <li>- The effect on the character and appearance of the area.</li> <li>- If inappropriate development, whether the harm is clearly outweighed by other considerations, which would amount to 'very special circumstances' to justify the development.</li> </ul> <p><u>Green Belt</u></p> <p>The Inspector noted that a replacement dwelling was approved at the site in 2003 (03/00693/FUL), which has since been enlarged and that the NPPF states that proposals for new development in the Green Belt should be regarded as inappropriate, although one such exception to this is "<i>the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building</i>". The Inspector further noted that Policy EN2 states that extensions in the Green Belt will only be permitted where they do not significantly change the scale of the original building regardless of the size of the plot.</p> <p>He also noted that the original dwelling had a floor area of 70.5m<sup>2</sup>, and the replacement dwelling had a footprint of 94.3m<sup>2</sup> with no habitable accommodation in the roof and that the property has been extended at ground floor level and now contains accommodation in the roof space. The dwelling now has a floor area of some 154.25m<sup>2</sup> and the proposed extension would add an additional floor area of 21.7m<sup>2</sup> which the Inspector concluded would significantly change the scale of the original building, and would result in a disproportionate addition over and above the scale of the original building, in conflict with Saved Policy GB1, Policy EN2 and the NPPF.</p> <p><u>Character and Appearance</u></p> <p>The Inspector noted that the site is located in the designated Plotlands Area, and whilst some properties have been rebuilt and altered, most dwellings in the vicinity of the site remain single storey with low profile roofs, in accordance with Policy EN2.</p> <p>The Inspector noted that the dwelling contains an upper floor in the roof space, and incorporates a modestly sized rear dormer. The Inspector commented that the proposal would create a dual access roof that would be a noticeable feature visible from Sandhills Meadow because of the forward siting of Cockaigne in relation to neighbouring dwellings. The Inspector concluded that the proposal would change the scale of the original building and detract from the character of the area in a sensitive riverside location and therefore would be harmful to the character and</p>
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	<p>appearance of the Plotlands area, contrary to policy EN2. The Inspector also considered that the proposal would conflict with the objectives of policy EN1 which requires proposals to respect the character of the area.</p> <p><u>Planning Balance</u></p> <p>The Inspector considered that the proposal would amount to inappropriate development in the Green Belt and would also cause harm to the character of the area. The existence of larger and altered buildings in the surrounding area was not considered to constitute a 'very special circumstance' to outweigh the harm of the scheme on the Green Belt or the character and appearance of the area. The Inspector concluded that the proposal was contrary to saved Policy GB1, Policy EN2 and the NPPF. For this reason, the appeal was dismissed.</p>
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<b>Site</b>	Plot 5 Las Palmas Estate Sandhills Meadow Shepperton
<b>Planning Application No.:</b>	18/01627/FUL
<b>Proposed Development:</b>	Change of use of land to the keeping of horses, installation of post and rail boundary fencing and access gate
<b>Reasons for Refusal</b>	The proposal represents inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It will diminish the openness of the Green Belt and conflict with the purposes of including land within it. Furthermore, it is considered to harm the rural woodland character and appearance of the area and result in a net loss of biodiversity. The development is therefore contrary to Saved Policy GB1 of the Spelthorne Borough Local Plan 2001, Policies EN1 and EN8 of the Core Strategy and Policies DPD 2009, and Government's National Planning Policy Framework 2019.
<b>Appeal Reference:</b>	APP/Z3635/W/19/3236959

<b>Appeal Decision Date:</b>	27/01/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	<p>The Inspector noted that the appeal site is bounded by existing woodland, and was part of the woodland until the trees were recently cleared. He commented that there are some remains of individual trees, tree stumps, and regenerating ground cover vegetation. In visual terms he considered the appeal site appears as part of the larger woodland. Notwithstanding the largely cleared state, its undeveloped nature, with regenerating ground plants and some trees, means it has the appearance of a (partly) cleared area within a woodland.</p> <p>The Inspector considered that the proposed change of use to the keeping of horses would erode the semi-natural appearance of the site, particularly as it would lead to the clearance of existing vegetation. He also considered that the proposed fence and gates would have a negative and unacceptable effect on the character of the woodland area and concluded that the proposal fails to comply with the requirements of Policy EN1 of the Core Strategy and Policies DPD.</p> <p>In terms of biodiversity, the Inspector considered that the loss of the existing regenerating ground plants and leaf litter would likely reduce its value to wildlife. In addition the presence of horses would be likely to hinder the growth of natural plants and lead to compaction of the soil. He therefore considered the proposal would diminish the biodiversity value of the site, contrary to Policy EN8 of the Core Strategy and Policies DPD.</p>

<b>Site</b>	76 Chaucer Road Ashford TW15 2QX
<b>Planning Application No.:</b>	19/01043/HOU
<b>Proposed Development:</b>	Erection of a two storey side extension

<b>Reasons for Refusal</b>	The proposed development by reason of its design, scale and proportion, would have an unacceptable impact on the character of the area and would harm the character and appearance of the host building and its setting. The proposed development would appear as over dominant and would be visually obtrusive in the street scene. The development 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.
<b>Appeal Reference:</b>	APP/Z3635/D/19/3241929
<b>Appeal Decision Date:</b>	03/02/2020
<b>Inspector's Decision</b>	Appeal Allowed
<b>Inspector's Comments:</b>	<p>Whilst the appeal property was one of three identical pairs of dwellings, the Inspector noted that some alterations to the dwellings have occurred, such as a hip to gable with rear dormer to a neighbouring property, including the appeal sites recent single storey flank extension. The Inspector acknowledged that the proposed two storey side extension would exceed two-thirds of the width of the host building. Given the spacious gap between the appeal property, no 74 Chaucer Road, and that the proposed development would be set down from the main house, he considered that the proposal would appear as a subservient extension to the host building and would respect its design. The Inspector acknowledged that the proposal would imbalance the pair of semi-detached dwellings. However, he considered it not to be out of character taking into account existing alterations to some of these three pairs of previously identical buildings.</p> <p>Consequently, the Planning Inspector considered that the proposal would not be harmful to the character of the area and appearance of the host building.</p>

<b>Site</b>	101 Groveley Road Sunbury On Thames TW16 7JZ
<b>Planning Application No.:</b>	19/01290/HOU

<b>Proposed Development:</b>	Creation of a vehicle crossover.
<b>Reasons for Refusal</b>	The proposed vehicle crossover, by reason of its location would lead to the creation of a new access to Groveley Road (C233) where visibility is restricted in the leading direction, leading to conditions prejudicial to the safety of highway users. The proposal is therefore contrary to policy CC2 of the Core Strategy and Policies DPD 2009 and the National Planning Policy Framework, 2019.
<b>Appeal Reference:</b>	APP/Z3635/D/19/3241650
<b>Appeal Decision Date:</b>	03/02/2020
<b>Inspector's Decision</b>	Appeal Allowed
<b>Inspector's Comments:</b>	<p>The Planning Inspector acknowledged that the vast majority of dwellings on both sides of the carriageway had direct accesses to Groveley Road. He noted that there were three trees separated along the Highway which were in sight lines to the west and were on the same side of the road as the appeal property. However, the Inspector took a view that the first tree of concern was a young tree, likely to have an extremely limited lifespan. In terms of the second and third trees, he agreed that they were larger and that the view could be interrupted to the west. He considered that this interruption would not be continuous given the distance across the width of the footway and verge, and that anyone egressing the site could see when a vehicle was approaching. Whilst the Inspector acknowledged the material being deposited on the footway and carriageway, he considered that this matter could be dealt and controlled by the Highways Authority under separate legislation.</p> <p>Consequently, the Planning Inspector considered that the proposal would result in a safe and suitable access to the site and would not, give rise to harm to highway safety and as such it would comply with Policy CC2 of the Spelthorne Core Strategy and Policies Development Plan Document and the NPPF.</p>

<b>Site</b>	5 Guildford Street Staines-upon-Thames TW18 2EQ
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<b>Planning Application No.:</b>	19/01026/HOU
<b>Proposed Development:</b>	Proposed roof alterations that would include raising the ridge height and the installation of an eastern flank facing dormer with additional rooflights on the western flank elevation to create additional habitable space.
<b>Reasons for Refusal</b>	The proposed eastern flank dormer, by reason of its scale, position, design, and prominence would be visually obtrusive in the street scene and would have an unacceptable impact on the character of the area and its locality. The development 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.
<b>Appeal Reference:</b>	APP/Z3635/D/19/3238943
<b>Appeal Decision Date:</b>	03/02/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	<p>The Planning Inspector considered that the large size and flat roofed box-like dormer would not be compatible with the main roof, and found the subject element to be over-dominant and out of proportion, failing to comply with the third and fourth dormers criteria within Council's SPD on design guidance. Because of its location, the Planning Inspector considered the appeal property could readily be seen from the public domain, which would emphasize the incongruous nature of the dormer and be intrusive in the wider street scene, harmful to the character and appearance of the area and represent poor design. He did not consider that the street trees would materially affect how the proposal would be viewed in the street scene, and whilst acknowledging that the raising of the ridge of the roof would not be out of character was of the view that the proposal had to be assessed as a whole.</p> <p>Consequently the Planning Inspector found the proposal to be harmful to the character and appearance of the area and therefore contrary to Policy EN1 of the DPD, the SPD and NPPF.</p>

<b>Site</b>	The Outlook Towpath Shepperton TW17 9LJ
<b>Planning Application No.:</b>	19/00364/HOU
<b>Proposed Development:</b>	Erection of a single garage for domestic use.
<b>Reasons for Refusal</b>	The proposed garage, by reason of its design, scale and siting, constitutes inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It will diminish the openness of the Green Belt and conflict with the purposes of including land within it. In addition it will appear bulky and visually obtrusive on this prominent corner location causing harm to the character of this riverside location, contrary to policies EN1, EN2 and EN9 of the Core Strategy and Policies DPD 2009, Saved Local Plan GB1 and Section 13 of the National Planning Policy Framework 2019
<b>Appeal Reference:</b>	APP/Z3635/D/19/3233744
<b>Appeal Decision Date:</b>	13/02/2020
<b>Inspector's Decision</b>	Appeal Dismissed

<p><b>Inspector's Comments:</b></p>	<p>The Inspector identified the main issues surrounding the appeal were the layout and scale of the development on the character of the area and on a protected Sycamore Tree.</p> <p><u>Character and Appearance</u></p> <p>The Inspector noted that the appeal site has a tapering triangular shape measuring 2.2 metres in Ashford Road and widening to 12.65 metres at the western end of the Shaftesbury Crescent frontage. The Inspector commented that the surrounding area was residential in character but mixed in form, although the dwellings are generally sited in rectangular plots of varying width. He also commented that there was not a single consistent pattern and grain of dwellings in the immediate surroundings of Ashford Road and Shaftesbury Crescent.</p> <p>The Inspector considered that a two storey detached house would not be out of keeping with the mixed character of surrounding dwellings, although the appeal scheme would contrast with neighbouring dwellings in Ashford Crescent, as it would be narrower, of lesser mass and would probably be of lower height. The Inspector considered that there would be less of a contrast with Shaftesbury Crescent where dwellings are more mixed.</p> <p>In terms of layout, the Inspector was concerned with the siting of the house and how it would be perceived. It would be close to the footway of Shaftesbury Crescent, sited wholly forward of its neighbor at Orchid Lodge and would be highly conspicuous from both sides of the splayed junction with Ashford Crescent, as well as from the west of Shaftesbury Crescent.</p> <p>The Inspector considered that the dwelling would appear as a weak and small corner feature in the context of its closest neighbour at no.283 Ashford Road, and that it would be understated in the wider street scene of Ashford Road in such a prominent corner plot position, appearing squeezed onto a narrow plot in the context of Shaftesbury Crescent.</p> <p>The scheme was therefore considered to conflict with the objectives of Policy EN1 and the Council's SPD on design. The Inspector considered that Policy EN1 and the SPD, whilst pre-dating the NPPF, were consistent with it.</p> <p><u>Sycamore Tree</u></p> <p>There is a Sycamore Tree within the site, subject to a Tree Preservation Order. The Inspector considered this makes a significant contribution to the visual amenity of the area as it has an even canopy and is in a prominent position in the street scene.</p> <p>It was noted that the proposal would necessitate removal of a significant proportion of the tree's canopy, which the Inspector considered would compromise the trees amenity value. Excavations proposed beneath the</p>
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	<p>crown could also compromise the survival. The Inspector also considered that future occupiers may seek to reduce the tree given its proximity to the house and therefore concluded that the development would be contrary to policy EN7.</p> <p><u>Other Matters</u></p> <p>The Inspector noted that the development would result in the benefit of providing an additional dwelling to the Council's 5 year housing supply. However, when the benefits of one additional dwelling was weighed against the harm to the character of the area and to the Sycamore tree, the Inspector considered that the adverse impacts would outweigh the benefits when considered against the NPPF as a whole.</p> <p>The Inspector concluded that the development would have a harmful effect upon the character and appearance of the area and the Sycamore Tree, and as such the appeal was dismissed.</p>
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<b>Site</b>	22 Montford Road Sunbury On Thames TW16 6EJ
<b>Planning Application No.:</b>	19/01079/HOU
<b>Proposed Development:</b>	Erection of a two storey front extension
<b>Reasons for Refusal</b>	The proposed development would, by reason of its scale and design, appear visually obtrusive and out of character with the area, 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.
<b>Appeal Reference:</b>	APP/Z3635/D/19/3239573
<b>Appeal Decision Date:</b>	14/02/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	The appeal property is a two storey semi-detached dwelling. The proposal is for a two storey front extension. The Inspector noted that the dwellings on Montford Road are positioned parallel to the street, largely



	<p>in continuous building lines. Although there have been numerous alterations to the ground floor footprints of the dwellings to the front he considered that these have not necessarily diminished the rhythm created by the facades of the dwellings in the street, which are largely uninterrupted above ground floor. Taken together, he considered that these features make a positive contribution to the character and appearance of the area.</p> <p>The proposed two storey front extension would project forward of the front façade of the appeal property. The Inspector concluded that its scale and design would be inharmonious with the consistent rhythm of the facades of the dwellings found within the street. The proposal would therefore be significantly at odds with the prevailing character of the area and hence would not accord with Policy EN1.</p>
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<b>Site</b>	Section Of The Creek Between Fordbridge Road And Riverbank The Creek Sunbury On Thames TW16 6BY
<b>Planning Application No.:</b>	19/00757/FUL
<b>Proposed Development:</b>	Erection of walls and piers at the entrance to The Creek, walls and piers adjacent to Riverbank and May Cottage, and planter adjacent to entrance to Riverbank (part retrospective)
<b>Reasons for Refusal</b>	The proposal constitutes inappropriate development for which no very special circumstances have been demonstrated and would, by definition, have a harmful impact on the Green Belt. Furthermore, insufficient evidence has been provided to demonstrate that the proposal would not impede the free flow of flood water nor reduce flood storage capacity within the Flood Zone 3b. The proposal is therefore contrary to policy LO1 of the Core Strategy and Policies Development Plan Document (2009) and section 13 of the National Planning Policy Framework (2019).
<b>Appeal Reference:</b>	APP/Z3635/W/19/3239669
<b>Appeal Decision Date:</b>	26/02/2020
<b>Inspector's Decision</b>	Appeal Dismissed

<b>Inspector's Comments:</b>	<p>The Planning Inspector took the view that the proposals would change the physical nature of the land and would constitute engineering operations. The Inspector noted that the appeal scheme would constitute features of a distinctly urban appearance beyond the existing built-up area of Sunbury On Thames, which would contribute to urban sprawl. The proposal would therefore conflict with the purposes of including land within the Green Belt, so would form inappropriate development in the Green Belt. Whilst the inspector agreed that the Creek was a private carriageway for its residents, he however considered that the presence of existing planting or additional or replacement planting would fail to negate the increase in built form and the physical presence of the proposals, notwithstanding other development in the area. Therefore, the proposed development was considered to result in a harmful loss of openness of the Green Belt in both visual and spatial terms, albeit this would be limited given the scale of the proposals. The appeal scheme is therefore contrary to the main aims of Green Belt policy at local and national levels.</p> <p>In terms of flooding, the Inspector acknowledged the applicant's statement that flood water could potentially flow around the proposed planter and between the proposed walls and piers. However, he took a view that the volume of the proposed walls and the effect of funnelling flood water in this manner would/will be likely to inhibit the storage and flow of water, which would/will be harmful to people and property elsewhere in the floodplain, and concluded that the proposed development would/will be likely to increase the risk of flooding elsewhere. Hence, the proposal would not accord with Policy LO1 of the CSPDPD and would also be in conflict with paragraph 163 of the Framework.</p> <p>The Planning Inspector found that the harm to the Green Belt, and the other harm resulting from the proposal, would not be clearly outweighed by other considerations and therefore did not amount to the very special circumstances needed to justify the development.</p>
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<b>Site</b>	22 Church Road Ashford TW15 2UY
<b>Planning Application No.:</b>	19/00889/FUL
<b>Proposed Development:</b>	Erection of two storey rear extension to provide additional office accommodation at ground floor level, a second floor extension and conversion of first floor to form 2 no. 2 bedroom flats.

<b>Reasons for Refusal</b>	The proposed development, by virtue of the rear extension and the resulting adverse impact upon the residential amenity of the adjoining property at 24a Church Road in terms of loss of light and outlook/visual intrusion, would be contrary to Policy EN1 of the Spelthorne Core Strategy and Policies DPD (2009)
<b>Appeal Reference:</b>	APP/Z3635/W/19/3240130
<b>Appeal Decision Date:</b>	10/03/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	<p>The Inspector considered the main issue to be the effect of the proposed development on the living conditions of the occupants of 24a Church Road in terms of outlook, daylight and sunlight.</p> <p>The Inspector noted the existing approval on the site, however considered that this proposal would add significantly to the scale and bulk of the existing building, and would be considerably larger than the consented scheme. Moreover, the resultant development would present a substantial blank solid wall along the boundary with No 24a, which would appear oppressive and imposing when viewed from the rear facing windows of that property.</p> <p>In terms of outlook, the Inspector acknowledged that the existing rear outlook of No 24a is toward commercial outbuildings, a parking court and an electricity substation and that the outlook from the property would therefore not be of a high quality. Nonetheless, he considered that this would not justify the harm that would be caused by the additional bulk of the proposed extension in close proximity to the boundary of that property. Moreover, the outlook from the property would be far worse with the proposed development, to the extent that the living conditions of the occupiers of No 24a would be unacceptably affected.</p> <p>With regard to light and overshadowing, the Inspector noted that due to existing circumstances, it was likely that the rear elevation of No 24a will already be in shade for a large part of the day. While noting that the proposal would result in some overshadowing, due to the existing situation, the proposed extension would not cause unacceptable harm to the living conditions of the occupiers of that property in relation to the availability of daylight and sunlight.</p> <p>The Inspector concluded that the appeal development would appear oppressive and overbearing when viewed from No24a, and so would unacceptably harm the living conditions of the occupiers in terms of outlook. Hence, the proposal would not accord with Policy EN1 of the Core Strategy and Policies Development Plan Document (Adopted 26</p>

	February 2009), which requires that new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of, amongst other things, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook. There were not considered to be any material considerations that would have meant that the proposal should have been determined other than in accordance with the development plan.
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<b>Site</b>	1 Jennifer Court Adelaide Road Ashford TW15 3GA
<b>Planning Application No.:</b>	19/01084/HOU
<b>Proposed Development:</b>	Installation of boundary fence and timber pergola (retrospective)
<b>Reasons for Refusal</b>	The proposed boundary fence and pergola, by reason of their design, scale and location would be visually obtrusive and detrimental to the visual amenities of the streetscene contrary to Policy EN1 of the Spelthorne Development Plan -Core Strategy and Policies Development Plan Document (February 2009)
<b>Appeal Reference:</b>	APP/Z3635/W/19/3243480
<b>Appeal Decision Date:</b>	26/03/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	<p>The Inspector noted that the proposed fencing was not comparable to surrounding properties as they step down, or are otherwise much lower than the appeal development at the corner of the site and therefore preserve the open character of the open frontages. The Inspector states the proposal would be uncharacteristic and visually incongruous, overly tall and a stark boundary feature to the street-scene.</p> <p>Furthermore the proposed pergola was noted to be out of keeping with the character of the area as the height and appearance are at odds with the established character of the street-scene.</p>

	The Inspector states that overall the appeal development does cause significant harm to the character and appearance of the area by virtue of its appearance, height and prominence.
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<b>Site</b>	32 - 34 Feltham Road Ashford TW15 1DH
<b>Planning Application No.:</b>	19/00714/RVC
<b>Proposed Development:</b>	Variation of condition 2 of planning permission 18/00503/FUL (the plans condition) to allow a larger canopy and car washing area.
<b>Reasons for Refusal</b>	The proposal comprising a larger canopy and car wash structure would as a result of its scale, location and design, together with the associated noise, spray and vehicle movements, cause unacceptable harm to the amenity of neighbouring residential properties contrary to Policy EN1 of the Council's Core Strategy and Policies Development Plan Document 2009.
<b>Appeal Reference:</b>	APP/Z3635/W/19/3235760
<b>Appeal Decision Date:</b>	02/04/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	<p>The Inspector noted that the the proposed structures are located very close to the rear of 2-storey houses at Abbey Gardens, significantly closer to the dwellings than approved under the original planning permission. He commented that, as highlighted in the appeal submissions, the significantly increased size of the structures would enable a greater number of vehicles to be cleaned at the same time. In addition he noted that the new design results in vehicles manoeuvring a full turn and entering the carwash structure next to the boundary with the Abbey Gardens properties, and unlike the approved design, the carwash structure as built has a large open elevation facing the dwellings with limited screening of the operations taking place within.</p> <p>He agreed that these features result in an unacceptable and material increase in the amount of noise and disturbance caused to residents relative to the approved scheme.</p>

	<p>He concluded that the development's scale, location and design together with the associated noise and vehicle movement causes significant harm to the living conditions of neighbours in terms of noise and general disturbance. As such it is in conflict with Policy EN1 of the Spelthorne Borough Council Core Strategy and Policies Development Plan Document 2009 which seeks to ensure a high standard in the design and layout of new development.</p>
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<b>Site</b>	32 - 34 Feltham Road Ashford TW15 1DH
<b>Enforcement No.:</b>	19/00129/ENF
<b>Breach:</b>	The unlawful operational development of the land, by the erection of a large canopy and carwash structure.
<b>Appeal Reference:</b>	APP/Z3635/C/19/3236361
<b>Appeal Decision Date:</b>	02/04/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	<p>The unauthorised erection of a large canopy and carwash structure is dismissed and the enforcement notice upheld.</p> <p>The enforcement notice gives 3 months in order for the unauthorised canopy and carwash structure subject of the notice to be removed from the site.</p>

<b>Site</b>	11 Gleneagles Close Stanwell Staines-upon-Thames TW19 7PD
<b>Planning Application No.:</b>	19/00829/FUL

<b>Proposed Development:</b>	Erection of an end of terraced dwelling in place of existing garage
<b>Reasons for Refusal</b>	The proposed development 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. The proposal is therefore contrary to Section 13 (Protecting Green Belt land) of the National Planning Policy Framework 2019 and Saved Local Plan Policy GB1.
<b>Appeal Reference:</b>	APP/Z3635/W/19/3243544
<b>Appeal Decision Date:</b>	06/04/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	<p>The Inspector considered the main planning issues are whether the proposal is inappropriate development in the Green Belt, the impact on openness and whether there are any very special circumstances to outweigh any harm caused.</p> <p>The appellant suggested that the site is not located within the Green Belt. However, the Inspector concluded that with the evidence before him, on the balance of probability the site is located within the Green Belt. He noted that new dwellings are not in the list of exceptions to development in the Green Belt in the NPPF and therefore the proposal constitutes inappropriate development in the Green Belt.</p> <p>The Inspector referred to openness being a lack of built form. He stated that replacing the lightweight car port with a new dwelling would be a substantial increase in built form in the Green Belt which would result in a loss of openness. He went on to note that given the context of the site and its surroundings, there would be material harm to the openness of the Green Belt.</p> <p>The Inspector noted that the above matters carry substantial weight in terms of harm to the Green Belt and despite examples given by the appellant and their personal circumstances, it does not outweigh the harm and therefore very special circumstance do not exist.</p> <p>He concluded that the proposal will be contrary to Policy GB1 and the NPPF which serve to protect the Green Belt and its openness and dismissed the appeal.</p>

<b>Site</b>	Brecknock Stanwell New Road Staines-upon-Thames TW18 4HY
<b>Planning Application No.:</b>	19/00696/FUL
<b>Proposed Development:</b>	The erection of a part two storey, part single storey side and rear extension including a roof extension incorporating side and rear dormers, and conversion into flats, comprising 3 no.2 bedroom flats, and 1 no. studio flat with associated parking and amenity space.
<b>Reasons for Refusal</b>	<p>The proposed development by reason of density, lack of amenity space, inadequate parking provision and design would represent an unacceptable overdevelopment of the site. The design of the roof form and rear facing dormer would also have an unacceptable impact upon the character of the area and the character of the host dwelling. The proposal is therefore contrary to Policies EN1, CC3 and HO5 of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009), the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011, and the National Planning Policy Framework (February 2019).</p> <p>The proposed development would contain insufficient internal floor space and bedroom space when assessed against minimum requirements of the Technical Housing Standards and the Council's minimum requirements, and would have poor level of outlook in bedroom 1 of Flat A and bedroom 2 of Flat D, resulting in a poor level of amenity for future occupiers. The proposal would therefore have an unacceptable layout and poor level of amenity for future occupiers that would be contrary to the objectives of policy EN1, of the Spelthorne Core Strategy and Policies Development Plan Document (Feb 2009), the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011, the Technical Housing Standards (March 2015) and the National Planning Policy Framework (February 2019).</p>
<b>Appeal Reference:</b>	APP/Z3635/W/19/3237477
<b>Appeal Decision Date:</b>	17 April 2020
<b>Inspector's Decision</b>	Appeal Decision
<b>Inspector's Comments:</b>	The Inspector identified that the main issues surrounding the appeal scheme were:



- The effect on the character and appearance of the host dwelling and local area.
- Whether the proposal would provide satisfactory living conditions for future occupiers.

### **Character and Appearance**

The Inspector noted that the appeal property is occupied by a modest detached dwelling in a fairly prominent location. The Inspector considered that the proposed extensions would significantly enlarge the building and would appear cramped and overly large within the plot, and further commented that cumulatively the proposed dormer windows would dominate the host dwelling, and the different elements of the roof would sit awkwardly together and would fail to appear as one cohesively designed roof.

The Inspector considered that the removal of the bay window at ground level would further disrupt than the rhythm, balance and proportions of the dwelling and would exacerbate the harm of the scheme.

It was noted that the parking area would have covered significantly more than half of the properties frontage, adding to the visual clutter and further eroding the character and appearance of the dwelling. The Inspector concluded that the bulk and design of the proposed alterations would fail to respect the modest proportions of the host dwelling and would also fail to integrate effectively with other buildings in the street scene. The Inspector therefore considered that the proposal would conflict with policy EN1.

The Inspector noted that the scheme would have a density of 115 dwellings per hectare, exceeding policy HO5 which states that higher density development in residential areas should not normally exceed 75 dwellings per hectare. As the appeal scheme did not accord with policy EN1, the Inspector also considered that it did not accord with policy HO5.

The Inspector concluded that in terms of character and appearance the proposal would fail to meet the objectives of Policy HO5, EN1 and the NPPF.

### **Living Conditions**

The Inspector noted that the nationally described Technical Housing Standards (THS) (March 2015) set out minimum Gross Internal Floor Areas for new dwellings, and there are also similar requirements set out in the Council's SPD on design.

The Inspector considered that layout of the proposed flats would be cramped and would not provide a satisfactory level of amenity to future

	<p>occupiers. The Inspector noted the Council's calculations that some of the bedroom sizes would fail to meet the minimum standards set out in the THS, and noted the Council's concerns that the upper floor unit would have insufficient headspace.</p> <p>The Inspector commented that the occupants of two of the flats would be provided with a poor level of outlook, with one flat looking out directly onto a car parking space, and a further flat containing a bedroom with no windows.</p> <p>It was noted that the garden at the rear of the property would have an area of some 126m<sup>2</sup>, which would fall short of the 140m<sup>2</sup> garden space requirements for this number of units, which the Inspector considered would further erode the living conditions of future occupiers.</p> <p>The Inspector concluded that the appeal scheme would conflict with the requirements of the THS and the Council's SPD, and would result in inappropriately cramped accommodation. The appeal scheme therefore conflicted with policy EN1 which requires a high standard in design and layout. It was further considered that it would conflict with the NPPF which requires a high standard of amenity for future users.</p> <p><b><u>Other Matters</u></b></p> <p>The Inspector noted that there was an existing planning permission at the property (17/01122/FUL) for subdivision into two dwellings, and for extensions to the property. However, the Inspector considered that the approved scheme was more sympathetic with the host dwelling and would have provided satisfactory living conditions for its occupiers.</p> <p>It was also noted that the proposal would fall 2 spaces short of the Council's Parking Standards. Whilst this would not have warranted refusal in itself, the Inspector considered that this was a further indicator of the over-development of the site.</p> <p>It was further noted that the Council does not have a 5 year housing supply. However, the cumulative benefits of the scheme were not considered to outweigh the harm.</p> <p>The Inspector concluded that the scheme failed to accord with the development plan and the appeal was dismissed.</p>
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<b>Site</b>	28 Hadrian Way Stanwell Staines-upon-Thames TW19 7HF
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<b>Enforcement No.:</b>	19/00262/ENF
<b>Breach:</b>	Erection of an outbuilding and the use of that building, without planning permission.
<b>Appeal Reference:</b>	APP/Z3635/C/20/3244894
<b>Appeal Decision Date:</b>	12/05/2020
<b>Inspector's Decision</b>	Appeal Dismissed
<b>Inspector's Comments:</b>	The basis of the appeal is that more time is required to await the outcome of a planning appeal. The Inspector could not justify extending compliance on this basis, as such a situation could continue indefinitely with further applications and appeals being made.

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