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Date: 23 February 2021

## Notice of meeting

### Planning Committee

**Date:** Wednesday, 3 March 2021

**Time:** **Call Over Meeting** - 6.00 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 Microsoft Teams

### To the members of the Planning Committee

Councillors:

T. Lagden (Chairman)	H. Harvey	V. Siva
M. Gibson (Vice-Chairman)	N. Islam	R.A. Smith-Ainsley
C. Bateson	J. McIlroy	B.B. Spoor
S.A. Dunn	R.J. Noble	J. Vinson
A.C. Harman	R.W. Sider BEM	

*Councillors are reminded to notify Committee Services of any Gifts and Hospitality offered to you since the last Council meeting so that these may be entered in the Gifts and Hospitality Declaration book.*

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

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## **Call Over Meeting**

### **Guidance Note**

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

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

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

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

## **Planning Committee meeting**

### **Start times of agenda items**

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

### **Background Papers**

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

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

## AGENDA

Page nos.

**1. Apologies**

To receive any apologies for non-attendance.

**2. Minutes**

**5 - 10**

To confirm the minutes of the meeting held on 03 February 2021 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 Glossary of Terms and Abbreviations**

**11 – 16**

**5. Planning application No. 20/00736/FUL - 96 Cavendish Road, Sunbury On Thames TW16 7PL**

**17 - 44**

**Ward**

Sunbury Common

**Proposal**

The erection of a two-storey detached building comprising 2 x 1 bedroom flats.

**Officer Recommendation**

This application is recommended for approval subject to conditions.

**6. Planning application No. 20/01544/FUL - 58 Thames Meadow, Shepperton, TW17 8LT**

**45 - 66**

**Ward**

Shepperton Town

**Proposal**

The erection of a dwelling house (use class C3) with associated car parking and landscaping following removal of existing 'summer accommodation.

**Officer Recommendation**

The application is recommended for refusal.

**7. Future Major Planning Applications 67 – 72**

**8. Planning Appeals Report 73 - 76**

To note details of the Planning appeals submitted and decisions received between 21 January 2021 – 19 February 2021.

**Minutes of the Planning Committee  
3 February 2021**

**Present:**

Councillor T. Lagden (Chairman)  
Councillor M. Gibson (Vice-Chairman)

**Councillors:**

C. Bateson	N. Islam	R.A. Smith-Ainsley
S.A. Dunn	R.J. Noble	J. Vinson
A.C. Harman	R.W. Sider BEM	
H. Harvey	V. Siva	

Apologies: Councillors J. McIlroy and B.B. Spoor

**21/21 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 V. Siva reported that she had received correspondence in relation to application No. 20/01312/FUL, Acacia Lodge, Rookery Road, Staines-upon-Thames, TW18 1BT but had maintained an impartial role, had not expressed any views and had kept an open mind.

**22/21 Minutes**

The minutes of the meeting held on 06 January 2021 were approved as a correct record.

**23/21 Planning application No. 20/01312/FUL - Acacia Lodge, Rookery Road, Staines-upon-Thames, TW18 1BT**

**Description:**

Demolition of existing building and development of 14 apartments including refuse storage, cycle storage, associated car parking and landscaping

**Additional Information:**

The Senior Planning Officer advised the Committee that:

Update to paragraph 7.3 – The Housing Delivery Test results were published on 21 January 2021. The score for Spelthorne was 50%.

Paragraph 7.68 should be revised as follows:

The current building lies on previously undeveloped land within a residential area which has been predominantly used for residential purposes. However, it is likely that the property has been constructed on Made Ground which could pose a potential risk to the sensitive end use. The Council's Pollution Control Officer has raised no objection but requested standard conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures. Subject to these conditions, the proposal is considered acceptable in accordance with Policy EN15.

Paragraph 7.71 on the Equality Act should also include:

It is noted that the proposed development will likely have an impact on the children attending the day nursery at Roslin Nursery. The recognised impact would come from the demolition/construction works and would likely result in disturbance in the form of noise and dust, however this is something that is controlled by a different regime. The Environmental Health Department has been consulted and noted the close proximity to sensitive receptors including the nursery and recommend a condition for construction and demolition to include a Dust Management Plan to help to mitigate the impact.

Add additional condition and reason:

Condition: No demolition or construction work shall take place until, a Construction Environmental Management Plan incorporating a Demolition Method Statement, a Dust Management Plan (DMP) and a pre-demolition asbestos survey, has been submitted to and approved in writing by the Local Planning Authority. The agreed methodology and mitigation measures shall be implemented in accordance with the approved details.

Reason: To protect local air quality and help prevent statutory nuisance.

The Council has received two further letters of representation from Staines Town Society raising a number of issues which had already been addressed in the report but in addition noted the location of the bin store and parking/access adjacent to the boundary with The Rookery along with fire engine access to the rear. It was noted the parking/vehicular access is in the same position as existing. The bins store needs to be located to the front for collection and given the design and scale, are considered to have an acceptable impact on amenity. In addition, fire engine access was considered acceptable by Building Control and engines do not need to get to the rear of the property.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Mr Saxton spoke against the proposed development raising the following key points:

1. The volume of traffic in Rookery Road will increase significantly.
2. There will not be enough off-street parking for the proposed number of units.
3. There is no provision in the plans for any turning space for cars.
4. The current plans exceed Core Strategy Policy HO3 in respect of density.
5. The proposed northern extension to Acacia Lodge is an over development.
6. The under croft is not in keeping with the street scene.
7. The proposed north extension reduces parking space and room that is currently used for turning.
8. Reduction in the gap between Acacia Lodge and the Rookery will reduce light and will adversely change the street scene.

In accordance with the Council's procedure for speaking at meetings, Ms Robinson (Agent for Metro Care Homes) spoke for the proposed development raising the following key points:

1. The proposal will provide 14 high quality apartments, on a brownfield site, in a sustainable location and will contribute towards the housing need in the area.
2. The design is traditional in style and materials and is set over three floors. It is set back from the road to reflect the character of the area.
3. Each apartment exceeds the Governments Nationally Described Space Standards.
4. The building will be energy efficient and will use either air source heat pumps or solar panels.
5. The building placement is similar to the existing care home.
6. The proposal will provide a large communal garden space which is over double the required amount.
7. 19 car parking spaces have been provided in accordance with the Surrey County Council standards.
8. The application site is sustainably located close to facilities and public transport links.

**Debate:**

During the debate the following key issues were raised:

- The building matches other properties in the road.
- A care home on this site is no longer viable
- Two bedroomed accommodation is need within the Borough
- Two disabled parking spaces have been added to the plans since the application was first submitted

- Electric charging points are provided as well as an electric source in plan for additional charging points in the future
- Emergency vehicles can not fit under the undercroft
- Planning Policy HO5 states that developments should have a density of 55 dwellings p/hectare but this application has a density of 88 dwellings p/hectare
- Additional vehicles will be parking along Rookery Road as there is not adequate parking spaces on the plans
- Highway Agency have no concerns about the increase in traffic and parking in Rookery Road
- Residents felt that the building did not fit in with the street scene
- Could the number of 3 bed units be increased to reduce the actual number of units
- Planning Policy CC3 allows for fewer parking spaces than needed if the surrounding amenities eg shops, access to public transport are taken into consideration

**Decision:**

The application was **approved** subject to conditions including the additional condition referred to in the Call-Over meeting.

**24/21      Planning application No. 20/01380/HOU - 15 Stratton Road,  
Sunbury On Thames, TW16 6PH**

**Description:**

Erection of single storey side/rear extension, garage conversion and new first floor flank window.

**Additional Information:**

This application was brought before the Planning Committee as the applicant is related to a Spelthorne Borough Council staff member.

**Public Speaking:**

There were no public speakers.

**Debate:**

None of the Members indicated that they wished to speak on this application.

**Decision:**

The application was **approved** subject to conditions.

**25/21      Planning application No. TPO 267/2020 - Land adj to 119 Penton  
Road, Staines-upon-Thames, TW18 2LL**

**Description:**

To seek confirmation of Tree Preservation Order 267/2020 that was served with immediate effect to protect one Plane tree and one Lime tree situation on



the highway to the front of the land adjacent to 119 Penton Road, Staines-upon-Thames, TW18 2LL

**Additional Information:**

There was none.

**Public Speaking:**

There were no public speakers,

**Debate:**

None of the Members indicated that they wished to speak on this application.

**Decision:**

The Tree Preservation Order was confirmed without modification.

**26/21 Planning Appeals Report**

The Chairman informed the Committee that if any Member had any detailed queries regarding the report on Appeals lodged and decisions received since the last meeting, they should contact the Planning Development Manager.

**Resolved** that the report of the Planning Development Manager be received and noted.

**27/21 Development Management Performance**

Councillors Smith-Ainsley, Sider and Lagden thanked the Planning Development Manager for the report and also for the excellent service that she and her team had provided over this difficult year.

**Resolved** that the report of the Planning Development Manager be received and noted.

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**PLANNING GLOSSARY OF TERMS AND ABBREVIATIONS**

<b>TERM</b>	<b>EXPLANATION</b>
ADC	Advert application
AMD	Amend (Non Material Amendment) – minor change to an application after planning permission has been given
AOD	Above Ordinance Datum. Height, in metres, above a fixed point. Used to assess matters of comparative heights in long distance views and flooding modelling
AQMA	Air Quality Management Area
BCN	Breach of Condition Notice. Formal enforcement action to secure compliance with a valid condition
CHA	County Highways Authority. Responsible for offering advice on highways issues relating to planning applications as well as highways maintenance and improvements
CIL	Community Infrastructure Levy – A levy on housing development to fund infrastructure in the borough
CLEUD/CLD	Certificate of Lawful Existing Use or Development. Formal procedure to ascertain whether a development which does not have planning permission is immune from enforcement action
CS&P DPD	Core Strategy and Policies Development Plan Document
COU	Change of use planning application
CPD	Certificate of Lawful Proposed Use or Development. Formal procedure to ascertain whether a development is permitted development and does not require planning permission
Conservation Area	An area of special architectural or historic interest designated due to factors such as the layout of buildings, boundaries, characteristic materials, vistas and open spaces
DAS	Design and Access Statement. This is submitted with a planning application and sets out the design principles that the applicant has adopted to make the proposal fit into its wider context
Development Plan	The combined policy documents of the Local Plan, Minerals and Waste Plans. The Minerals and Waste Plans are prepared by Surrey County Council who has responsibility for these functions

DM	Development Management – the area of planning service that processes planning applications, planning appeals and enforcement work
DMPO	Development Management Procedure Order - This Order provides for procedures connected with planning applications, consultations in relation to planning applications, the determination of planning applications and appeals
DPH	Dwellings per Hectare (density)
EA	Environment Agency. Lead government agency advising on flooding and pollution control
EIA	Environmental Impact Assessment – formal environmental assessment of specific categories of development proposals
EHO	Environmental Health Officer
ES	Environmental Statement prepared under the Environmental Impact Assessment Regulations
FRA	Flood Risk Assessment
FUL	Full planning application
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see 'PD' below)
HOU	Householder planning application
LBC	Listed Building Consent – consent to alter a listed building
LLFA	Lead Local Flood Authority
Local Plan	The current development policy document
LPA	Local Planning Authority
Material Considerations	Matters which are relevant in the determination of planning applications
MISC	Miscellaneous applications (usually a consultation by adjoining boroughs)
NPPF	National Planning Policy Framework, 2019. This is Policy issued by the Secretary of State detailing national planning policy within existing legislation
OUT	Outline planning application – obtaining the principle of development

PAP	Prior Approval application
PCN	Planning Contravention Notice. Formal notice, which requires information to be provided in connection with an enforcement investigation. It does not in itself constitute enforcement action
PD	Permitted development – works which can be undertaken without the need to submit a planning application
PDDC	Permitted Development New Dwelling in commercial or mixed use
PDDD	Permitted Development prior approval new dwelling on detached buildings
PDDN	Permitted Development prior approval demolish and construct new dwellings
PDDS	Permitted Development prior approval enlarge dwelling by additional storeys
PDDT	Permitted Development prior approval new dwelling on terraced buildings
PDH	Permitted Development Householder prior approval
PDNF	Permitted Development prior approval new dwellings on flats
PDO	Permitted Development prior approval conversion of office to residential.
PINS	Planning Inspectorate responsible for determining planning appeals on behalf of the Secretary of State
PIP	Permission in Principle application
POCA	Proceeds of Crime Act. Used by LPAs to obtain confiscation orders against those committing offences under the Town and County Planning Act 1990 following successful conviction
PPG	National Planning Practice Guidance. This is guidance issued by the Secretary of State detailing national planning practice and guidance within existing legislation. It is also known as NPPG <i>National Planning Practice Guidance</i>
Ramsar Site	A wetland of international importance
RIPA	Regulation of Investigatory Powers Act. Provides limitation on covert surveillance relating to enforcement investigation
RMA	Reserved Matters application – this follows on from an outline planning permission and deals with some or all of the outstanding details of the outline application including: appearance, means of access, landscaping, layout and scale

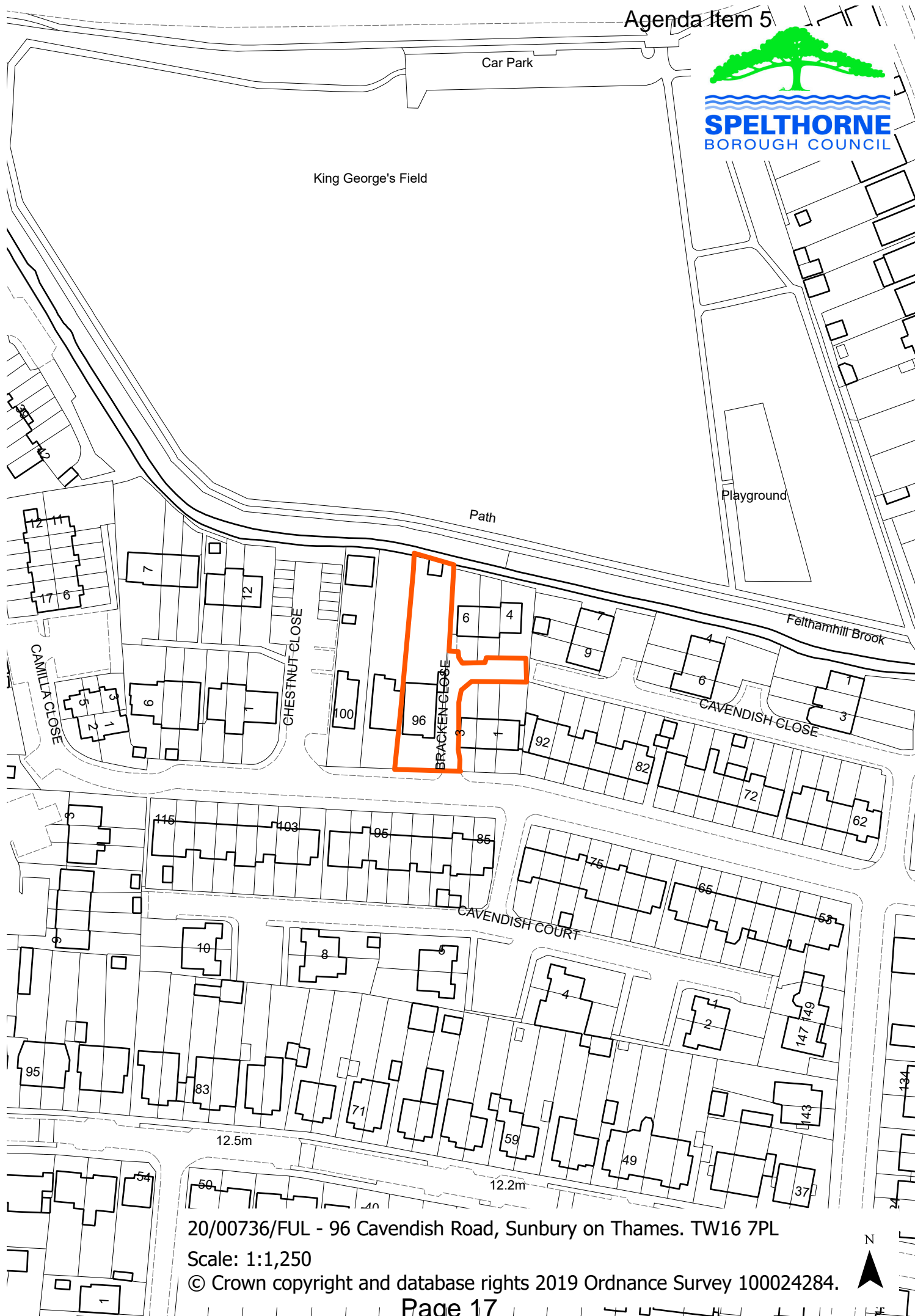
RVC	Removal or Variation of Condition on a planning permission
SAC	Special Area of Conservation – an SSSI additionally designated as a Special Area of Conservation under the European Community’s Habitats Directive 1992 in order to maintain or restore priority natural habitats and wild species
SCAMD	Surrey County Council amended application (minor changes following planning permission)
SCC	Surrey County Council planning application
SCI	Statement of Community Involvement. The document and policies that indicate how the community will be engaged in the preparation of the new Local Plan and in the determination of planning applications
Section 106 Agreement	A legal agreement for the provision of facilities and/or infrastructure either directly by a developer or through a financial contribution, to meet the needs arising out of a development. Can also prevent certain matters
SLAA	Strategic Land Availability Assessment
SNCI	Site of Nature Conservation Importance. A non-statutory designated area of county or regional wildlife value
SPA	Special Protection Area. An SSSI additionally designated a Special Protection Area under the European Community’s Directive on the Conservation of Wild Birds 1979. The largest influence on the Borough is the Thames Basin Heath SPA (often referred to as the TBH SPA)
SPD	Supplementary Planning Document – provides additional advice on policies in Local Development Framework (replaces SPG)
SSSI	Site of Special Scientific Interest is a formal conservation designation, usually due to the rare species of flora or fauna it contains
SuDS	Sustainable Urban Drainage Systems. Providing urban drainage systems in a more environmentally sensitive way by systems designed to reduce the quantity of run-off, slow its velocity or provide for filtering, sedimentation and biological degradation of the water
Sustainable Development	Sustainable development is the core principle underpinning planning. It is defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”
T56	Telecom application 56 days to determine

TA	Transport Assessment – assessment of the traffic and transportation implications of a development proposal
TCA	Trees in a conservation area – six weeks' notice to the LPA is required for works to trees in a conservation area. This gives an opportunity for the LPA to consider whether a tree preservation order should be made to protect the trees
TPO	Tree Preservation Order – where a tree or trees are formally protected, and prior consent is needed for pruning or felling
TRICS	Computerised database and trip rate analysis used to estimate traffic flows to and from a variety of land uses, to assess transportation implications of new development in southern England
Further definitions can be found in Annex 2 of the NPPF	

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# Planning Committee

03 March 20201



<b>Application No.</b>	20/00736/FUL
<b>Site Address</b>	96 Cavendish Road, Sunbury On Thames, TW16 7PL
<b>Applicant</b>	Mr Kuldip Deol
<b>Proposal</b>	The erection of a two-storey detached building comprising 2 x 1 bedroom flats.
<b>Case Officer</b>	Matthew Churchill
<b>Ward</b>	Sunbury Common
<b>Called-in</b>	The application has been called in by Councillor R. Dunn as a result of concerns relating to overlooking and loss of privacy, parking provision, loss of light and flooding.

<b>Application Dates</b>	Valid:02.10.2020	Expiry:27.11.2020	Target: Extension of time agreed.
<b>Executive Summary</b>	<p>The application is proposing the erection of a two storey detached building that would comprise 2 x 1 bedroom flats. The new units would be located in the rear garden of no.96 and no.96A Cavendish Road and would be accessed through Bracken Close. This would result in the subdivision of the plot. The new units would be served by two parking spaces and would incorporate a garden area at the rear. A further garden area would also be maintained at the rear of the existing units.</p> <p>The new units would have a 'backland' style layout and would be situated to the rear of existing properties in Cavendish Road. They would be accessed via a gap in the Cavendish Road street frontage, through Bracken Close. As there are already established dwellings located to the rear of Bracken Close, this layout is considered to be acceptable. A similar layout also exists at the rear of Chestnut Close to the west.</p> <p>The existing property at 96 Cavendish Road contains two flatted units. The addition of two further flatted units is therefore considered to be acceptable in principle, subject to detailed design and amenity considerations and assessment against all other relevant planning policies and guidance.</p> <p>It is considered that the proposal would have an acceptable impact upon the character of the area. The new building would be set in 1 metre from each flank boundary and would incorporate a hipped roof design that would measure 8.119 metres in height at the ridge.</p>		

	<p>The proposal is considered to have an acceptable impact upon the amenity of all neighbouring and adjoining properties. The proposed building would project approximately 4 metres beyond the rear elevation of no.6 Bracken Close. When measured from the ground floor window in the rear elevation of no.6, the building would not breach the Council's 45° vertical or horizontal guides as set out in the Council's SPD in on the Design of Residential Extensions and New Residential Development (April 2011). The Council has also calculated that the dwelling would be situated approximately 17 metres beyond the rear elevation of no.98 Cavendish Road. Additionally, there is considered to be an acceptable 'front to back' separation distance between the proposed building and the existing building at no.96 Cavendish Road.</p> <p>The development would incorporate two car parking spaces. This would fall 0.5 spaces short of the Council's 2.5 parking space requirement for a development of this size as set out in the parking standards SPD. On balance, this is considered to be acceptable.</p> <p>The rear of the application site is situated in a 20 metre buffer zone around a main river (Feltham Brook) and the site is also situated in the 1 in 1000 year flood event area. The Council has consulted the Environment Agency who has raised no objections.</p> <p>It is considered the proposed development would have an acceptable impact upon the character of the area, the amenity of neighbouring and adjoining dwellings, parking provision and the flood event area.</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:



### 2. Relevant Planning History

- 2.1 The site has the following planning history:

SUN/OUT/8028	Erection of house.	Grant Conditional 05.11.1964
06/00062/CPD	Certificate of Lawful Development for proposed roof extensions to facilitate habitable accommodation.	Refused 13.04.2006
06/00447/CPD	Certificate of Lawful Development for proposed roof alterations to facilitate habitable accommodation in the roof space.	Granted 05.07.2006
10/00107/FUL	Retrospective application for the Change of Use from a single dwelling to two flats (1 no. two bed flat and 1 no. three bed flat).	Grant Conditional 01.04.2010

### 3. Description of Current Proposal

- 3.1 The application site is occupied by a two-storey detached property situated on the northern side of Cavendish Road in Sunbury On Thames. The existing property has been subdivided into two flats (planning permission 10/00107/FUL), no.96 and no.96A, and occupies a relatively long rectangular plot.
- 3.2 The site is located within the 1 in 1000 year flood event area (flood zone 2) and the rear of the site is situated within a 20 metre buffer zone around a main river (Feltham Brook). The eastern site boundary adjoins Bracken Close, which is a private road containing 3 dwellings that front onto Cavendish Road and 3 further dwellings at the rear which front onto Bracken Close. The properties in Bracken Close were constructed in the 1990s.
- 3.3 The street scene of Cavendish Road is primarily occupied by two storey terraced dwellings that are similar in design and appearance. However, detached dwellings are also present and there are examples of 'backland'

style developments, which are accessed through a gap in the street frontage, including at Bracken Close and Chestnut Close.

- 3.4 The application is proposing the construction of a two-storey building in the rear garden of 96 Cavendish Road, which would comprise 2 x 1 bedroom flats. The scheme also proposes the subdivision of the plot and the proposed units would share a rear garden space that would measure approximately 81m<sup>2</sup> in area. Some 70m<sup>2</sup> of garden area would be retained for the existing units at 96 and 96A Cavendish Road.
- 3.5 The proposed dwellings would be accessed from Bracken Close through a new access to be created in the eastern boundary wall. Bracken Close is a private road and has been included within the red site boundary line as future occupants would be required to use the Close to access the public highway. The applicant has also completed Certificate B confirming that they have served notice on anyone with an interest in this land.
- 3.6 The proposed units would be served by 2 off-street parking spaces which would be located in front of the dwelling. There would be a distance of approximately 18.7 metres between the host property and the front of the proposed building.

#### **4. Consultations**

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

<b>Consultee</b>	<b>Comment</b>
<b>County Highway Authority</b>	No objections.
<b>Environment Agency</b>	Recommends an informative.
<b>Environmental Health</b>	Recommends conditions.
<b>Neighbourhood Services</b>	No objections.

#### **5. Public Consultation**

- 5.1 The Council has received 13 letters of representation, including 1 letter from A2 Dominion, which object to the proposal on the following grounds:
- There are not enough parking spaces.
  - Occupants will be required to use Bracken Close to enter the site and A2 Dominion has not granted access rights over this private road (Officer note: Bracken Close has been included in the red site boundary and the applicant has completed Certificate B stating they have served notice on anyone with an interest in this land. Access rights would be a legal matter falling outside of planning legislation).
  - Highway safety concerns in Bracken Close.
  - Concerns with overshadowing and a loss of sunlight.
  - Emergency Services may not be able to access the new dwellings.

- Extensions are not shown in the site location plan (Officer note: The LPA requested that the applicant show existing extension to no.96 Cavendish Road on the plans).
- There will be a loss of privacy and outlook to neighbouring properties.
- The building would have an overbearing impact.
- The development would impact sunlight reaching a neighbouring garden.
- Concerns over security and crime prevention.
- A car would not be able to leave and enter the site in a forward gear. (Officer note: A tracking plan has been submitted to demonstrate that this is possible).
- The proposal would cause noise pollution.
- Concerns over flood risks.
- The development could impact nearby trees.
- Concerns over cycle and bin storage.
- Details should be provided relating to boundary treatments.
- Cavendish Road is already overcrowded, and the scheme would represent overdevelopment.
- Concerns over drainage and water supplies.
- A requirement for a Construction Management Plan should be considered (Officer note: An informative is recommended).
- The building does not follow the building line and should be brought forward.
- Concerns about fire compartmentalisation and escape from the upper floor flat (Officer note: This is considered to be a matter for building regulations).

The Council has also received a petition with 35 signatories objecting to the proposal on the grounds of the effects of the demands of additional road users and parking demand and unwanted disruption.

## **6. Planning Issues**

- Principle of Development
- Need for Housing
- Design and Appearance
- Density
- Future Occupiers
- Impact on Existing Residential Dwellings.
- Parking
- Transportation Issues

- Flooding
- Equality Act
- Human Rights Act
- Local Finance Considerations

## **7. Planning Considerations**

### Principle of Development

- 7.1 Policy HO1 encourages housing development, including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose taking into account other policy objectives.
- 7.2 The application proposes the construction of 2 flatted units in the rear garden of no.96 and no.96A Cavendish Road, which would make a contribution towards the Council's 5-year housing supply. The proposed units would be accessed through an established private road, Bracken Close, which is situated in a gap in the Cavendish Road street frontage. The development would have 'backland' style layout, as the proposed units would be situated to the rear of dwellings fronting onto Cavendish Road. Given the similar 'backland' style layout at the rear of Bracken Close, this is considered to be acceptable in principle.
- 7.3 The application site also contains two existing flatted units, no.96 and no.96A Cavendish Road. The principle of a two storey flatted development is therefore considered to be acceptable in this location, subject to detailed design and amenity considerations, as well as assessment against all further material planning considerations. These are considered below.

### Housing Supply

- 7.4 When considering planning applications for housing, local planning authorities should have regard to the government's requirement that they boost significantly the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF) 2019.
- 7.5 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five year housing land supply should be measured against the area's local housing need calculated using the Government's standard method. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 606 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.
- 7.6 The NPPF requires a local authority to demonstrate a full five year supply of deliverable sites at all times. For this reason the base date for this



assessment is the start of the current year 1 April 2020, but the full five year time period runs from the end of the current year, that is, 1 April 2021 to 31 March 2026. The 20% buffer will therefore be applied to this full period. National guidance sets out that the buffer should comprise sites moved forward from later in the plan period. A 20% buffer applied to 606 results in a figure of 727 dwellings per annum, or 3636 over five years.

- 7.7 In using the objectively assessed need figure of 727 as the starting point for the calculation of a five year supply it must be borne in mind that this does not represent a target as it is based on unconstrained need. Through the Local Plan review, the Borough's housing supply will be assessed in light of the Borough's constraints, which will be used to consider options for meeting need. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period
- 7.8 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised five year housing land supply figure. Spelthorne has identified sites to deliver approximately 3518 dwellings in the five year period.
- 7.9 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.8 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites. There is, therefore a presumption in favour of sustainable development.
- 7.10 Government guidance (NPPF para 73) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years". In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority's five year land supply. The Housing Delivery Test result for Spelthorne Borough Council was published by the Secretary of State in January 2021, with a score of 50%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of development because the test score of 50% is less than the 75% specified in the regulations. The figure of 50% compares with 60% last year and 63% in 2019. The Council's Housing Delivery Test Action Plan will be updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.
- 7.11 As a result, current decisions on planning applications for housing development need to be based on the 'tilted balance' approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole'.

#### Design, Height & Appearance

- 7.12 Policy EN1 of the CS&P DPD, states that the Council will require a high standard in the design and layout of new development. The policy further states that development proposals should demonstrate that they will create buildings and places that are attractive with their own distinct identity, and should make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, layout, materials and other characteristics of adjoining buildings and land.
- 7.13 The NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. The framework further states that planning decisions should ensure that developments function well and add to the overall quality of an area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to the local character and history, including the surrounding built environment, whilst not preventing or discouraging appropriate innovation or change.
- 7.14 The street scene of Cavendish Road is predominately occupied by two storey terraced dwellings, which are similar in style and design. There are also a number of detached dwellings, most notably at no.100 and no.98 Cavendish Road. Additionally, there are a number of other dwellings within the surrounding locality, which are accessed through a gap in the Cavendish Road street frontage, including dwellings at the rear of Bracken Close, which adjoins the site, as well as dwellings at the rear of Chestnut Close to the west. The application site also contains two flatted units in a detached building, which were granted planning permission in 2010 (10/00107/FUL).
- 7.15 The layout and overall design of the proposed development is considered to be in keeping with the character of the surrounding area. The application property contains an existing two storey flatted development, albeit with habitable accommodation in the roof space. The creation of a further two storey flatted development is therefore considered to be in keeping with the character of surrounding properties.
- 7.16 The 'backland' style layout of the new units, which would be situated to the rear of dwellings fronting Cavendish Road, has also already been established through the layout of Bracken Close and is considered to have an acceptable impact upon the character of the area.
- 7.17 The Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development (April 2011), states that building plots must be of sufficient size to provide garden space appropriate to the size of the development proposed. The SPD further states that plots should normally be of similar size and shape to other plots in the street.
- 7.18 The Council's guidelines state that for flats, where amenity space is shared, a minimum amenity (garden) area of at least 35m<sup>2</sup> per unit should be provided to the first 5 units in a development. The application proposes a garden area of 81m<sup>2</sup> for the new units. This would be in excess of the Council's guidelines, which would require a minimum shared garden space of 70m<sup>2</sup> for a development of this size.

- 7.19 A garden area of approximately 70m<sup>2</sup> would also be maintained at the rear of the existing properties (no.96 and no.96A Cavendish Road), which would meet the Council's guidelines. The overall plot size of the new units is therefore considered to be acceptable.
- 7.20 The proposed building would be set in 1 metre from the site boundary as encouraged in the Council's design guidance and is not considered to have a terracing effect upon neighbouring dwellings. The development would incorporate a hipped roof that would measure a height at the ridge of 8.119 metres. This is considered to be acceptable in the context of the design and scale of neighbouring dwellings.
- 7.21 There would be a 'back to front' separation distance of 18.7 metres between the proposed building and no.96 and no.96A Cavendish Road. This would fall 2.3 metres below the Council's guideline 21 metre 'back to front' guidance. However, this is largely as a result of the single storey rear extension to no.96, and at first floor level there would be a 'back to front' separation distance of approximately 22.5 metres, which is considered to be acceptable.
- 7.22 It is acknowledged that the new building would not directly front onto Bracken Close and would be without any form of street frontage, instead being accessed from an opening in the eastern boundary wall. This is considered to be acceptable in this instance, particularly as it is noted that properties at the rear of Chestnut Close in close proximity to the site, also do not contain any street frontages and instead front onto a grass area.
- 7.23 The proposed materials would comprise brick, roof tiles, and UPVC windows and doors. It is considered that such materials would be acceptable in this location. However, it is recommended that further details of the materials are secured by condition. It is noted that the Council has received a letter of representation raising concerns over the proposed boundary treatments. It is recommended that such details are also secured by condition.
- 7.24 Overall, the character and appearance of the development is considered to have an acceptable impact upon the character of the area. The construction of new dwellings at the rear of the site would not be unduly out of character given the layout of nearby properties. Additionally, as the host building contains two flatted units, it is also considered that flatted development would be in-keeping with the surrounding street scene. The detailed design of the proposal is also considered to be acceptable from a design perspective and as such the proposal is considered to be in accordance with policy EN1 and the NPPF in design terms.

#### Housing Density

- 7.25 Policy HO5 specifies densities for sites within existing residential areas that are characteristic of family housing rather than flats, for which new development should generally be in the range of 35 to 55 dwellings per hectare. In higher density residential areas, including those characterised by a significant proportion of flats, new development should generally be in the range of 40 to 75 dwellings per hectare. These represent broad guidelines,

and the development will also be considered against Policy EN1 on design particularly in terms of character of the area and whether the development is in an accessible location.

- 7.26 In this instance the development would have a density of approximately 61 dwellings per hectare. Whilst surrounding dwellings are largely characteristic of family housing, the host property contains two existing flatted units. The development is considered to have an acceptable impact upon the character of the area. The proposed density is therefore considered to be satisfactory.

#### Future Occupiers

- 7.27 The nationally described Technical Housing Standards (THS) (March 2015) state that a 2 person, 1 bedroom dwelling set over a single storey, should contain a minimum internal floor area of at least 50m<sup>2</sup>. This minimum requirement is also reflected in the Council's SPD on design.
- 7.28 The unit proposed on the ground floor would incorporate a floor area measuring 52.2m<sup>2</sup>. The upper floor unit would contain an internal floor area of 50.5m<sup>2</sup>. As both the units would be in adherence to the THS and SPD minimum requirements an acceptable level of amenity is considered to be provided to future occupants. The proposed layout and level of outlook is also considered to be acceptable.
- 7.29 The proposed amenity (garden) area of some 81m<sup>2</sup> would be in adherence to the Council's 35m<sup>2</sup> garden area requirements for each unit and is also considered to provide an acceptable level of amenity.

#### Impact Upon Existing Dwellings

- 7.30 Policy EN1 of the CS&P DPD, states that the Council will require proposals for new development to demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight or overbearing effect due to bulk proximity or outlook.
- 7.31 The proposed building would project approximately 4 metres beyond the rear elevation of no.6 Bracken Close. It would measure a height of 5.52 metres to the eaves, a height of 8.119 metres to the ridge and would be set in 1 metre from the boundary. It is evident that no.6 Bracken Close contains ground floor window in the rear elevation. When measured from the centre of this window, it is not considered that the Council's 45° vertical or horizontal guides would be breached, which are designed to ensure that the positions of two storey side extensions or new dwellings to either side of a property, do not lead to an unacceptable loss of light.
- 7.32 It is noted that no.6 Bracken Close also contains a high-level window in the western flank elevation, which appeared to be at first floor level and is understood to serve a stairway. Given the sitting and height of this window, it is considered the proposal would have an acceptable impact. The occupiers of this property would experience some impacts as a result of the development. The Council's SPD on design at paragraph 3.6, states that

most developments will have some impacts on neighbours. The aim should be to ensure that the amenity of neighbouring occupiers is not significantly harmed. In this instance, as the 45° guidance is not considered to be breached from the ground floor rear window, whilst there would be some impacts, the impacts are considered to be acceptable.

- 7.33 It is not considered that the proposal would give rise unacceptable opportunities for overlooking into no.6 Bracken Close as no first floor windows are proposed in the eastern flank elevation. A condition is also recommended to be attached to the decision notice, preventing the insertion of any first floor windows within either of the flank elevations, without permission of the Local Planning Authority.
- 7.34 It is further considered that the proposal would have an acceptable impact upon the amenity of the occupiers of no.98 Cavendish Road. This property contains a conservatory at the rear. The Council has calculated that the proposed building would be situated approximately 17 metres beyond the rear of this conservatory. At such a distance, it is not considered that the proposal would have an overbearing impact upon the occupiers of this dwelling.
- 7.35 In regards to privacy and overlooking, whilst there would be two first floor windows contained within the southern elevation of the new building, these would be set at an oblique angle to the garden of no.98 Cavendish Road and are considered to have a satisfactory impact upon privacy. The proposal is also considered to have an acceptable impact upon the light entering this property. It is noted that the two car parking spaces would be situated alongside the boundary of no.98. There would be some impact by the occasional movement of two cars in this area, although this is considered to be to an acceptable level and this would not be an uncommon relationship.
- 7.36 The proposal is further considered to have an acceptable impact upon the occupiers of no.96 and no.96A Cavendish Road. There would be a distance of approximately 18.7 metres between the rear extension of this property and the front elevation of the proposed building. At such a distance the proposal is considered to have an acceptable impact upon light and would not breach the Council's 25° Guide. Additionally, the proposal is not considered to give rise to an overbearing impact upon no.69 and no.69A.
- 7.37 The first floor windows in the southern elevation of the proposed building would be approximately 12 metres from the rear garden of no.96 and no.96A. At such a distance the proposal meets the distance set out in the Council's SPD. The proposal is also considered to have an acceptable impact upon the amenity of the occupiers of all further properties in the wider area.
- 7.38 It is acknowledged that the Council has received letters of representation raising concerns over the impact upon outlook, overlooking and privacy, overshadowing and an overbearing impact. For the reasons highlighted above, it is considered that the proposal would have a satisfactory impact upon amenity.

#### Parking & Highways

- 7.39 Policy CC2 of the CS&P DPD states that the Council will seek more sustainable travel patterns by only permitting traffic generating development where it is or can be made compatible with transport infrastructure in the area taking into account amongst other things, access and egress to the public highway and highway safety. Policy CC3 states that the Council will require appropriate provision to be made for off street parking in accordance with its parking standards.
- 7.40 The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.41 The Council's Parking Standards SPD states that a 1 bedroom dwelling should be provided with a minimum of 1.25 off-street parking spaces. On this basis the Council would normally expect a development of this size to be provided with 2.5 spaces. The development proposes 2 off-street parking spaces at the front of the site, a shortfall of 0.5 spaces (rounded up to one space) when considered against the Parking Standards. It is not considered that an objection could be reasonably sustained against a 0.5 space shortfall.
- 7.42 The Council also consulted the County Highway Authority (CHA), which noted that Bracken Close is a private road and therefore falls outside of the CHA's jurisdiction. The CHA reviewed the wider impact of the development on the public highway (excluding Bracken Close) and considered that it would not have a material impact upon the safety and operation of the highway.
- 7.43 In terms of the impact upon the safety of Bracken Close, the Council requested a vehicle tracking plan from the applicant to demonstrate that it is possible to leave an enter the site in a forward gear. This has been submitted and demonstrates that it would be possible.
- 7.44 It is acknowledged that the Council has received letters of representation and a petition with 35 signatories, which object to the proposal as a result of the level of parking provision and the impact upon highway safety. For the reasons highlighted above, the proposal is considered to have an acceptable impact upon the highway and would provide a satisfactory level of off-street parking provision.

#### Flooding

- 7.45 The application site is situated in the 1 in 1000 year flood event area (flood zone 2) and within a 20 metre buffer zone around a main river (Feltham Brook).
- 7.46 The Council's SPD on Flooding (July 2012) and the Planning Practice Guidance (PPG) both list new dwellings as more vulnerable uses that are appropriate uses in Flood Zone 2. The Local Planning Authority has consulted the Environment Agency, which referred the Council to its Flood Risk Standing Advice. It is considered that the proposal will not have an adverse impact upon the flood area provided that it adheres to the conditions

recommended by the Environment Agency in their standing advice which are recommended to be attached to the decision notice.

- 7.47 It is considered that it is possible to provide a dry means of escape away from the site outside of the 1% annual exceedance probability.
- 7.48 The Council also consulted the Environment Agency (EA) as the site is situated within a 20 metre buffer zone around a main river (Feltham Brook). The EA advised that the applicant may be required to secure an Environmental Permit to undertake the works. It is recommended that this is drawn to the applicant's attention in decision notice as an informative.
- 7.49 As a dwelling house, which constitutes a more vulnerable use, is appropriate in flood zone 2, as long as the applicant complies with the two flooding conditions recommended in the Environment Agency's Standing Advice, which are recommended to be attached to the decision notice, the proposal is considered to be in adherence to the objectives of policy LO1 which seeks to reduce flood risk and its adverse effects on people and property in Spelthorne.

#### Other Matters

- 7.50 A number of mature trees are located within close proximity to the site. As such the Council's Tree Officer undertook a site visit. The Officer considered that there would be no adverse impacts upon surrounding trees as a result of the existing on site conditions including boundary walls and therefore offered no objections on tree grounds.
- 7.51 The Council's Head of Neighbourhood Services was consulted in regards to refuse collection which would be kerbside from Bracken Close on collection days. There is no objection to this.
- 7.52 The design and access statement advises that with respect to sustainability, the development will incorporate solar panels. In accordance with policy CC1, it is recommended that a condition is attached to the decision notice to secure at least 10% of the developments energy from renewable sources.
- 7.53 In total the Council has received 13 letters of representation as well as a 35 signatory petition. Of the concerns not already covered in this report, it is not considered that an objection could reasonably be sustained on the grounds of the impact upon security.

#### Equalities Act 2010

- 7.54 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:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.55 The question in every case is whether the decision maker has in substance had due regard to the relevant statutory need, to see whether the duty has been performed.
- 7.56 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.

#### Human Rights Act 1998

- 7.57 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.58 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.59 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.60 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.

#### Finance Considerations

- 7.61 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.



- 7.62 In consideration of the of S155 of the Housing and Planning Act 2016, the proposal is CIL chargeable development based on a rate of £140 per m<sup>2</sup> metres of net additional gross floor space, amounting to approximately £18,486. This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal

### Conclusion

- 7.63 The application proposes a two-storey flatted development in a 'backland' style layout at the rear of an existing property in Cavendish Road, which would contribute 2 additional dwellings to the Council's 5 year housing supply. As two storey flatted developments and this pattern of development are already present in the surrounding locality, it is considered that the proposal would not be unduly out of character.
- 7.64 The detailed design, scale and of the building is considered to have an acceptable impact upon the character of the area. Whilst the proposal would project 4 metres beyond the rear elevation of no.6 Bracken Close and would have some impact upon this property, the Council's 45° vertical and horizontal guides would not be breached and it is considered that this impact would be acceptable. It is also considered that the proposal would have an acceptable impact upon the occupiers of no. 96, 96A and 98 Cavendish Road, and all other properties in the surrounding area.
- 7.65 The proposal is also considered to provide a satisfactory level of parking provision and would have an acceptable impact upon the flood zone. The proposal is therefore considered to be in accordance with Policies EN1, LO1, HO1, HO5, CC3 and CC2 and 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 two 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, PL/VP/2378-01 Revision A, PL/VP/2378-02 Revision A, PL/VP/2378-03 Revision A, (Received 13.01.2021) PL/VP/2378-00 Revision C, PL/VP/2378-04 Revision A (Received 16.02.2021)

Reason:- For the avoidance of doubt and to ensure the development is completed as approved.

3. No development above damp course level shall take place until details of the materials to be used for the external surfaces of the building(s) and

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

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

4. Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s)/use is/are occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

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

5. Following construction of any groundwork and foundations, no construction of development above damp course level shall take place until a report is submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained.

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

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

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

7. The parking space(s) and/or garage(s) shown on the submitted plan be constructed and made available for the development prior to occupation and thereafter the approved facilities together with the means of access thereto shall be maintained as approved, and be reserved for the benefit of the development hereby permitted.

Reason:- To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway(s) and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required, in accordance with policy CC3 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

8. That no further first floor openings of any kind be formed in the eastern and western elevation(s) of the building hereby permitted without the prior written consent of the Local Planning Authority.

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

9. Prior to the commencement of development a survey report detailing ground conditions of the site shall be submitted to and approved in writing by the Local Planning Authority. Where made ground or contamination is encountered a scheme to investigate, assess and remediate contamination risks shall be agreed in writing with the Local Planning Authority, and shall be carried out in accordance with the agreed details and timetable.

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

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

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

**NOTE**

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

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

11. There shall be no raising of existing ground levels on the site within the area liable to flood, other than in accordance with the approved details.

Reason:- To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

12. All spoil and building materials stored on site before and during construction shall be removed from the area of land liable to flood upon completion.

Reason:- To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

13. The development hereby approved shall not be occupied unless and until 1 of the parking spaces is provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

#### Informatives:

1. Historically land across Spelthorne has been subjected to extensive mineral extraction, with subsequent infilling of the resultant voids. Excavations during some development works have encountered fill materials where records have not previously identified a history of extraction / infilling. To confirm ground conditions at the application site minimum requirements of the survey are as follows:

- The excavation of 2 -3 trial holes to a depth of 1.00mbgl. This can be done by hand or with a small digger
- At least one location beneath the footprint of the proposed dwelling and another one to two holes within the proposed rear garden and other associated landscaped areas.
- an inspection to be made of the ground conditions and confirm the absence or otherwise of any made ground / fill materials at this property, their thickness and extent.
- Photographs shall be taken of each exploratory position including all associated soil arisings (soils excavated and placed to the side of the hole as works progress).

- Where different soil horizons are encountered (i.e. topsoil to 0.40mbgl overlying a layer of sandy gravel to 0.60mbgl with stiff clay to the base of the excavation (c.1.00mbgl)) appropriate written logs will be required to detail the depths, thickness and description of the materials encountered.
- a scale plan (such as the site layout plan) indicating the location of the exploratory positions in relation to the proposed property and a photograph taken across the site detailing the soils and arisings.
- The information, logs and photographs can be submitted to us in a simple letter report.
- If made ground materials are encountered during the excavations soil sampling and assessment of contamination risks will be required to be undertaken by a suitably qualified person.

Made ground refers to non natural / notable fill materials – fragments of brick, concrete, metal, plastic, timber, glass, ashy materials. Evidence of contamination is identified by either visual (staining of soil or sheens on groundwater (if encountered)) or olfactory means (organic, tarry, hydrocarbon / petrochemical odours). In the event that materials of this nature are discovered during the survey, you are advised to contact us for further guidance.

2. This development is situated within 250 metres of a historic landfill site or gravel pit, which potentially could produce landfill gas. You may be required under Building Regulations to install basic gas protection measures. Any protection measures should be in accordance with the guidance contained in BRE 414. Please contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. The Environment Agency may also hold information indicating the likelihood of landfill gas affecting the property: Environment Agency, National Customer Contact Centre, PO Box 544, Rotherham, S60 1BY, tel: 03708 506 506, email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk) .
3. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
  - on or within 8 metres of a main river (16 metres if tidal)
  - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
  - on or within 16 metres of a sea defence
  - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
4. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
5. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

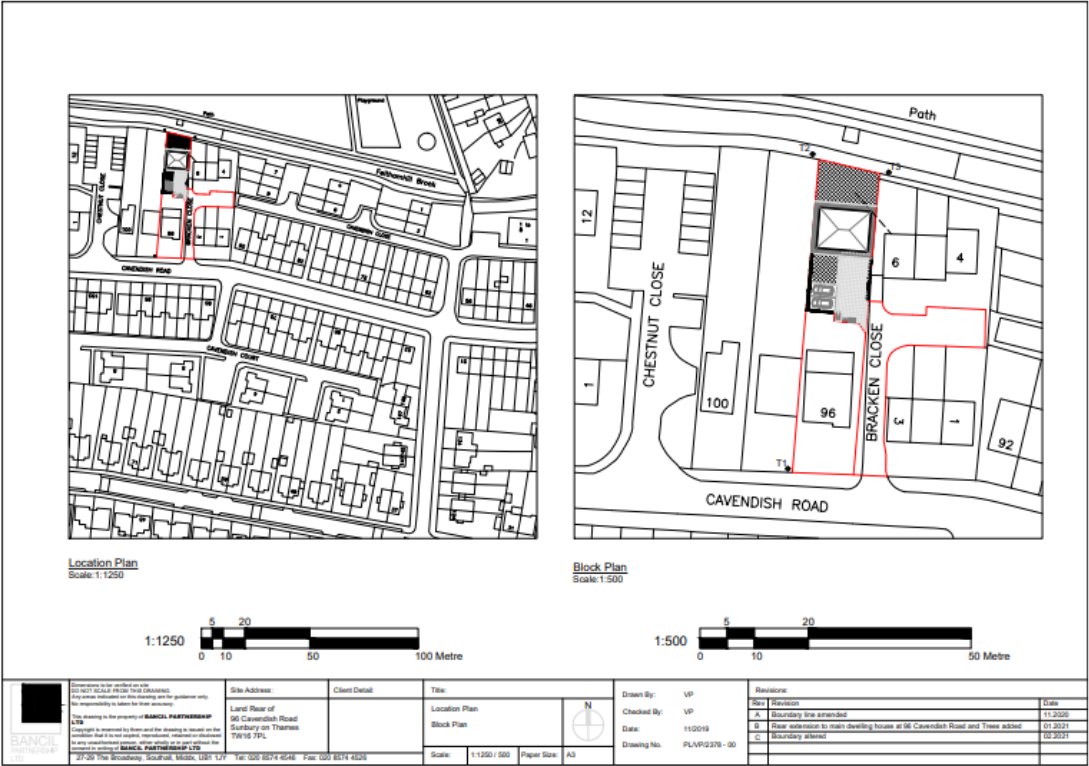
- a) A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures
  - b) Site perimeter automated noise and dust monitoring;
  - c) Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
  - d) Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
  - e) A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;
  - f) f) To follow current best construction practice BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
  - g) BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration,
  - h) BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
  - i) Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999,
  - j) Relevant CIRIA practice notes, and
  - k) BRE practice notes.
  - l) Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
  - m) Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.
  - n) Noise mitigation measures employed must be sufficient to ensure that the noise level criteria as outlined in BS8233:2014 and WHO guidelines is achieved.
6. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking.

- a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
- b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
- c) Deliveries should only be received within the hours detailed in (a) above;
- d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
- e) There should be no burning on site;
- f) Only minimal security lighting should be used outside the hours stated above; and
- g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway. Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme ([www.ccscheme.org.uk/index.php/siteregistration](http://www.ccscheme.org.uk/index.php/siteregistration)).

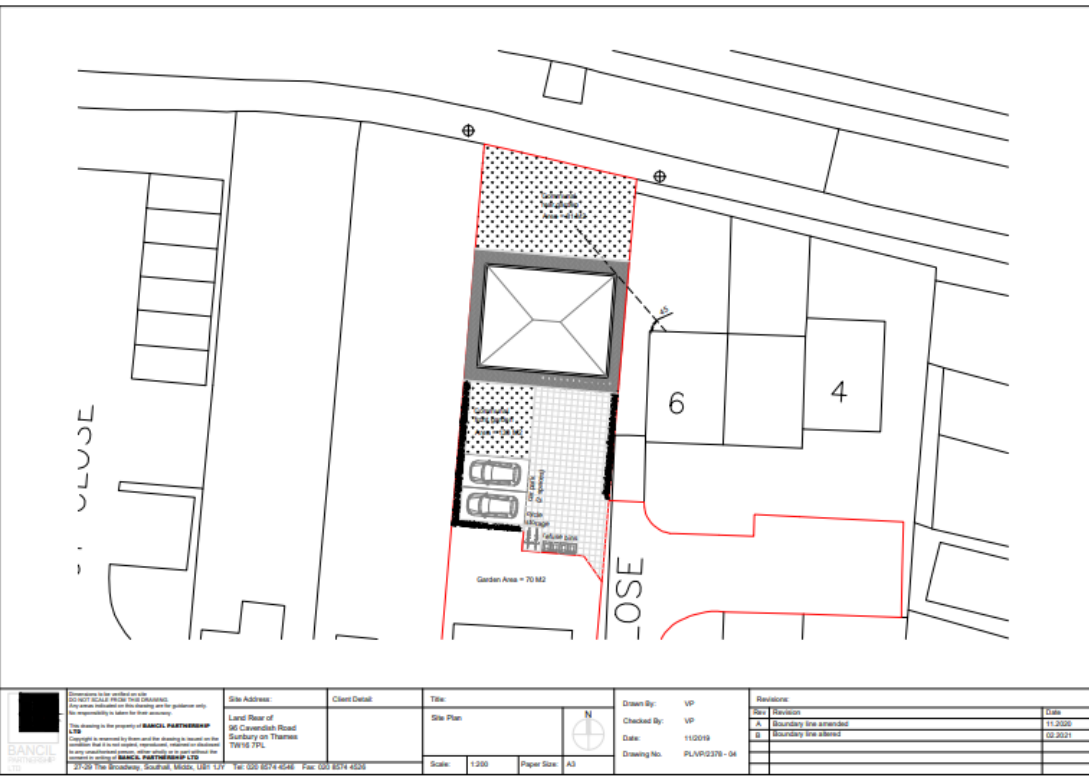
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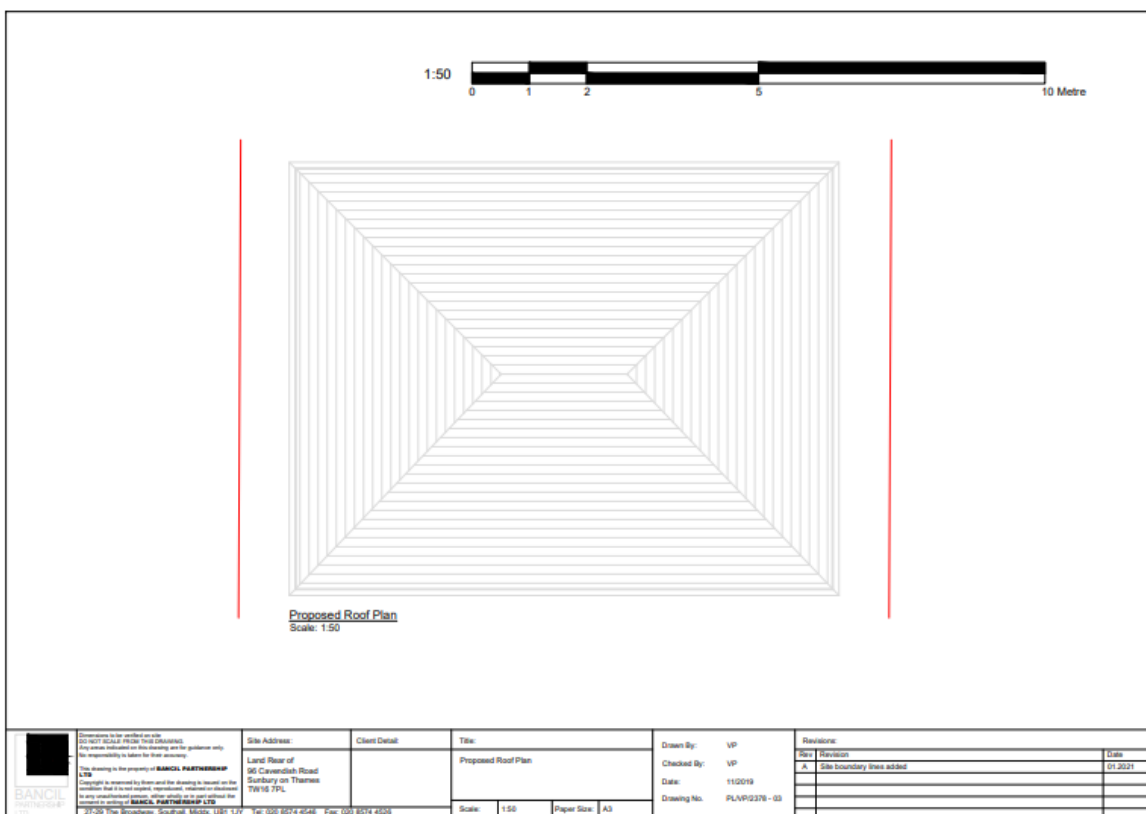
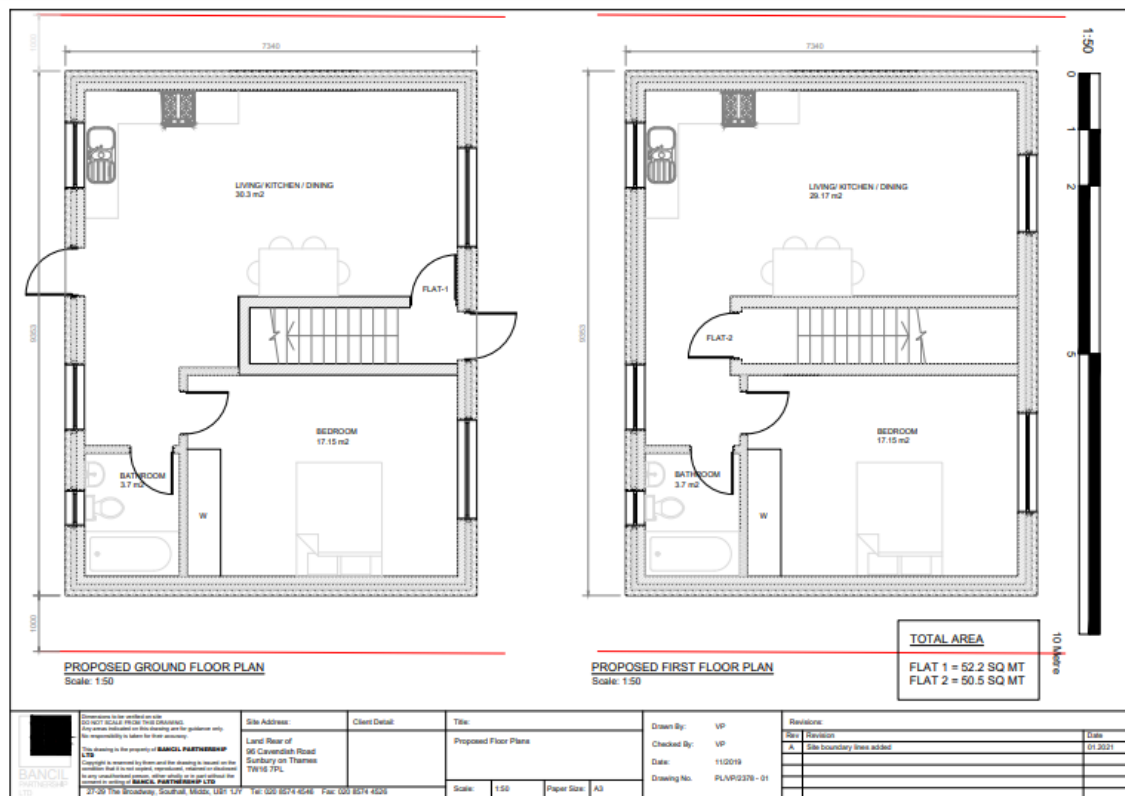


Location & Block Plan

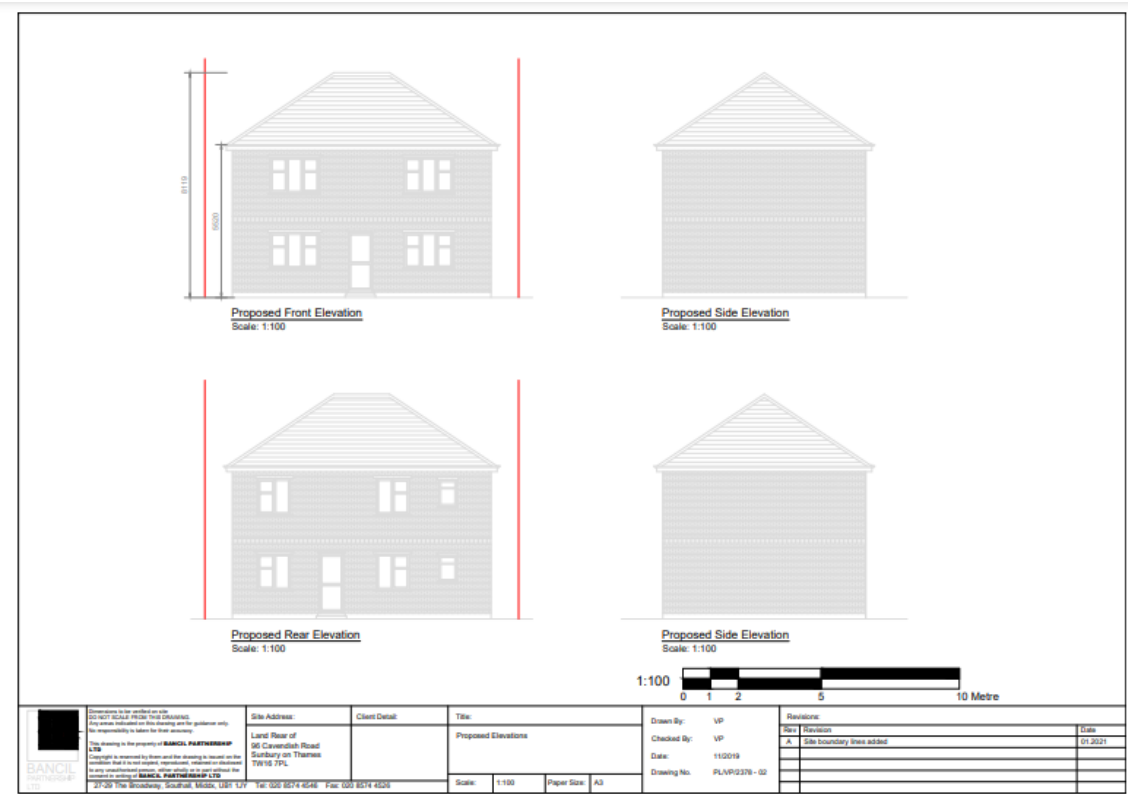


Site Layout

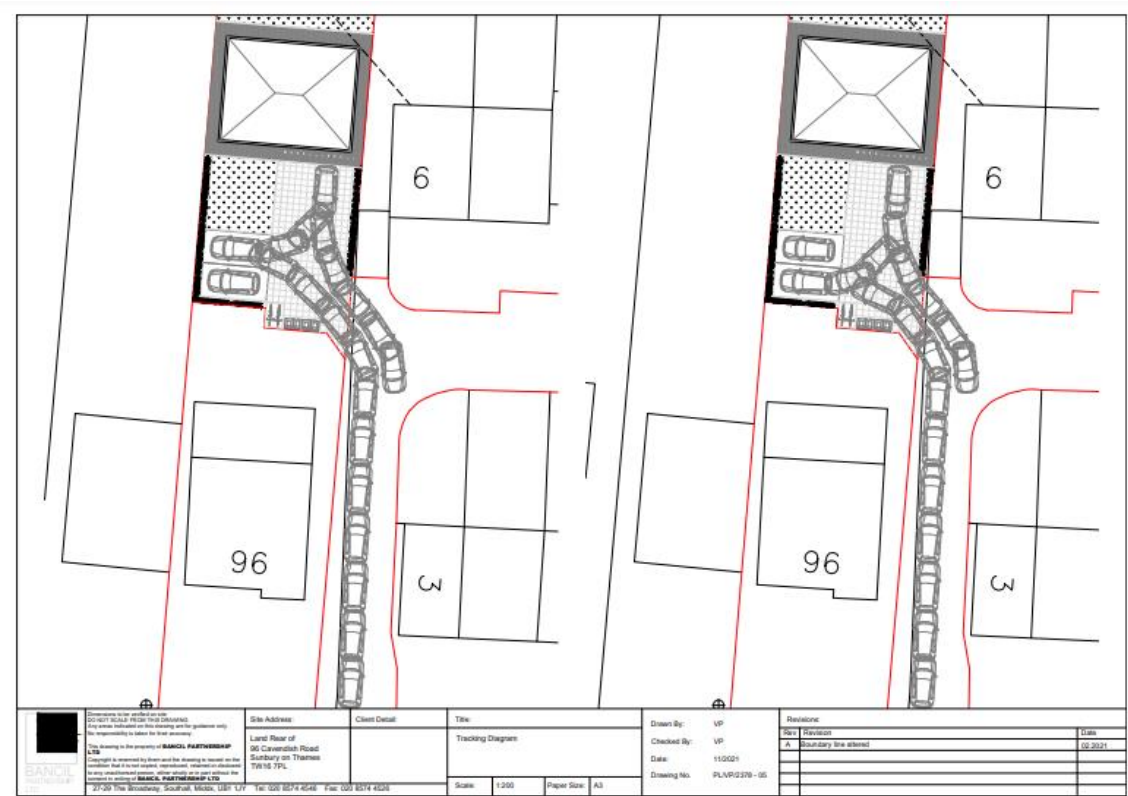




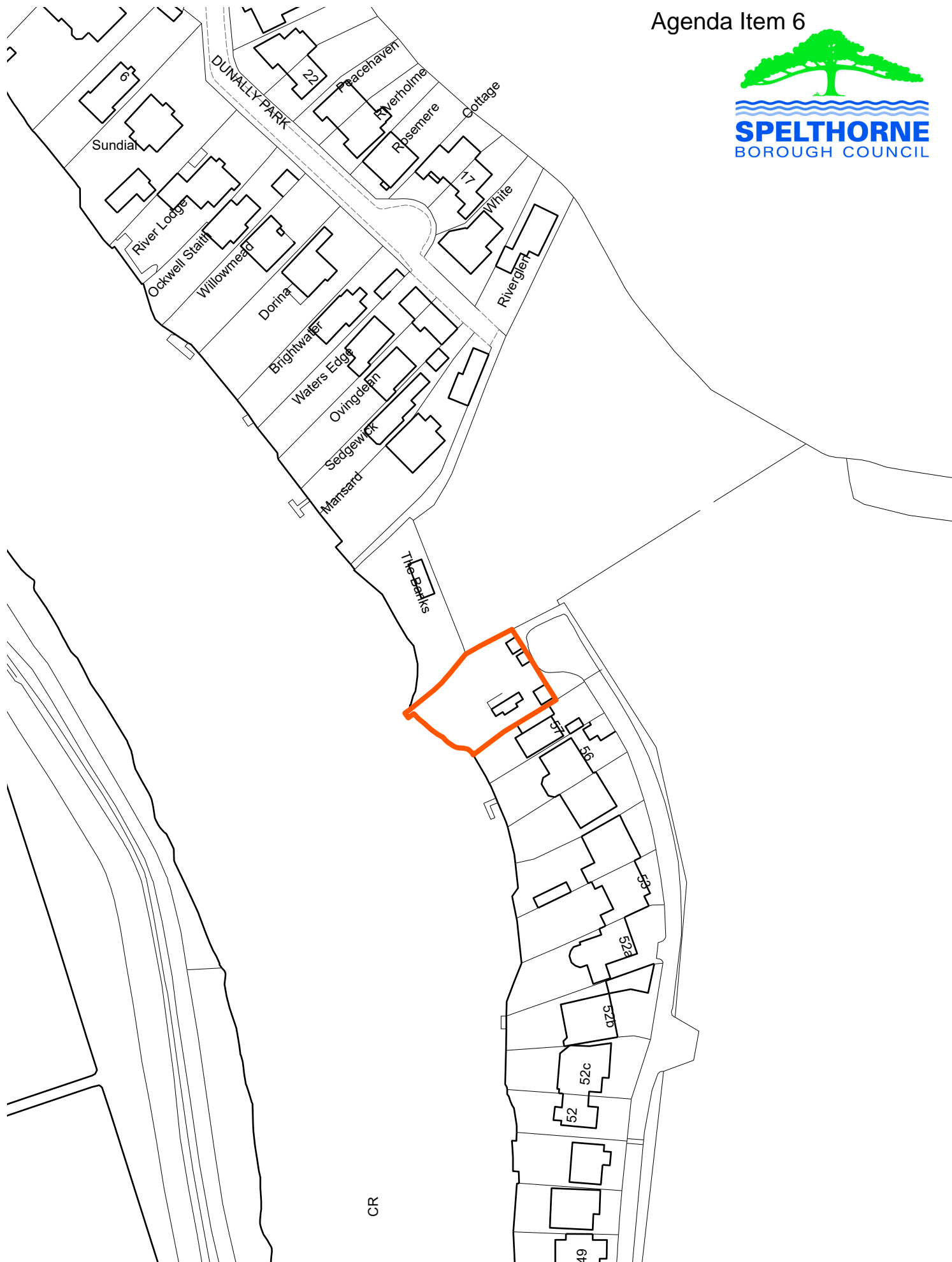
Elevation Plans



Vehicle Tracking Plan



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20/01544/FUL - 58 Thames Meadow, Shepperton. TW17 8LT

Scale: 1:1,250

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# Planning Committee

3 March 2021



<b>Application No.</b>	20/01544/FUL		
<b>Site Address</b>	58 Thames Meadow, Shepperton, TW17 8LT		
<b>Applicant</b>	Mr and Mrs Noble		
<b>Proposal</b>	Erection of a dwelling house (use class C3) with associated car parking and landscaping following removal of existing 'summer accommodation'		
<b>Officers</b>	Kelly Walker		
<b>Ward</b>	Shepperton Town		
<b>Call in details</b>	The applicant is a Spelthorne Borough Councillor		
<b>Application Dates</b>	Valid: 17.12.2020	Expiry: 11.02.2021	Target: Extension of Time agreed
<b>Executive Summary</b>	<p>This planning application seeks the erection of a dwelling following the removal of existing 'summer accommodation' consisting of a number of wooden outbuildings, and the removal of the caravan. The site does not benefit from a permanent residential use and has been used for recreational purposes.</p> <p>The proposal is considered contrary to both Green Belt and flooding policies, in particular given the site's existing use and would put more people at risk during a flood event. The proposed building is considered to be acceptable in regard to the Council's Plotland policy and design. It is considered to have an acceptable impact on the amenity of neighbouring properties.</p> <p>The application is considered contrary to Green Belt and flooding policies and is recommended for refusal.</p>		
<b>Recommended Decision</b>	The application is recommended for refusal.		

## MAIN REPORT

### 1. Development Plan

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

- SP1 (Location of Development)
- LO1 (Flooding)
- SP2 (Housing Provision)
- HO1 (Providing for New Housing Development)
- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN2 (Replacement and Extension of Dwellings in the Green Belt including Plotland Areas).
- EN9 (River Thames and its tributary)
- EN15 (Development on Land Affected by Contamination)
- SP7 (Climate Change and Transport)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC3 (Parking Provision)

1.2 In addition, Saved Local Plan Policy

- GB1 (Green Belt)

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

- SPD on Design of Residential Extensions and New Residential Development 2011
- SPG on Parking Standards Updated 2011
- SPD on Flooding (2012)

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

### 2. Relevant Planning History

05/00985/CPD	Application for a Certificate of Lawfulness for the existing use of a mobile home as a year round permanent residence.	Refused 29.11.2005
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02/00203/FUL	Use of land for siting 1 static caravan for recreational use	Refused 18.07.2002
99/00010/CLD	Use of the land for the siting of one touring caravan for occasional recreational use, not including the permanent residential use of the caravan.	Grant CLD 03.11.1999
SP/FUL/90/708	Erection of detached bungalow of 88 sq m (288 sq ft) gross floor space with attached car port	Refused 06.03.1991
SPE/FUL/85/312	Erection of a detached bungalow.	Refused 03.07.1985
SPE/FUL/84/605	Construction of leisure and amenity building for recreational and study use.	Withdrawn 19.09.1984
PLAN S/FUL/77/663	Erection of two detached bungalows each with car parking spaces.	Refused 23.11.1977
PLAN S/FUL/75/833	Erection of a detached bungalow with parking facilities.	Refused 26.01.1976
PLAN S/FUL/75/823	Erection of a detached bungalow with parking facilities.	Refused 26.01.1976

As listed above, many planning applications for new dwellings at the site in the past (going back to 1976) have been refused for both Green Belt and flooding reasons. Permission for a Certificate of Lawfulness for a touring caravan for occasional recreational use was approved in 1999 (99/00010/CLD). Later a larger static caravan was refused planning permission (02/00203/FUL) given it would be of a more permanent nature and could not be removed from the land as readily as a touring caravan, and most recently (05/00985/CPD) permission was refused for a permanent residence in the caravan.

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

- 3.1 The site is located on the southern side of Thames Meadow, at the very end of the cul du sac, where there is a large turning circle for vehicles. The site is located on the banks of the River Thames, to the south west of the plot. To the south east is a detached single storey dwelling with a low pitched roof (no. 57), and there are several other dwellings along Thames Meadow with gardens adjacent to the River Thames. To the north west are fields and a dwelling, 'The Banks' at Dunally Park. This dwelling is low level and set well away from the boundary with the application site. Thames Meadow itself is located to the north east and is an open grassland. The road is characterised by detached dwellings with a river frontage. Most were originally built for

recreational purposes and in the past, most have gained residential status, unlike the application site. Many have been extended or replaced, often with the properties being raised above ground level, for flooding purposes. As such the character is mixed but most buildings are single storey in nature with some accommodation within the roof space.

- 3.2 The subject plot has a caravan located central to the site, but closer to the south eastern boundary with no. 57, perpendicular to the river. The caravan has wheels and a tow bar. It is 2.2m from ground level, approx. 8.8m in length and 2.3m in width, with an element that can retract in and out providing a further 4m x 1m of internal space, on the side of the caravan. In addition, there is a raised terrace area adjacent to the caravan, and a number of outbuildings located close to the north eastern boundary with the road. These structures are small in footprint, overall size and height and made of wood, appearing very much like garden sheds. The largest of the three is an ancillary structure of some 13 sq. m in footprint and contains a kitchen and bathroom. The 2 other stores are less than 10 sq m each, and all three structures do not exceed 3m in height. The plot is mostly laid to lawn with shrubs/trees on the western boundary. The site has been used for recreational purposes for a number of years. As noted before, there is no permanent residential use at the site.
- 3.3 The site is located within the Green Belt and within the functional, (1 in 20 year) flood zone, otherwise known as flood zone 3b.
- 3.4 The proposal is for the removal of the caravan and demolition of the existing structures on site and the erection of a dwelling. The dwelling will be approx. 12m in length and 5m in width, located across the plot, in line with neighbouring properties along Thames Meadow. It will be raised above ground level for flooding purposes, with a large decked area facing towards the river. It will consist of single storey accommodation, providing a bedroom and living space, with doors opening up onto the decked area. The dwelling is designed with 2 parts to the building, both at a slightly different angle to each other, in order to maximise the river view. It will be raised approx. 1.2m from ground level and have a height of 4.2m to the eaves and a maximum height of 6.2m to the ridge. It will have a large, relatively steep pitched roof and be made from natural materials including timber cladding on the walls and roof. A number of sustainable technologies are proposed to be incorporated within the building including structural insulated panels, rainwater harvesting, photovoltaic solar panels and triple glazing.
- 3.5 The proposed indicative site layout is provided as an Appendix.

#### **4 Consultations**

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

<b>Consultee</b>	<b>Comment</b>
County Highway Authority	No objection, Thames Meadow is a private road.
Environment Agency	Object to the introduction of a dwelling into

	the flood zone putting more people at risk during a flood event
Sustainability Officer	No objection. Recommends a condition
Environmental Health Officer (Contamination)	No objection. Recommends conditions
Elmbridge BC (Neighbouring Authority)	No objection

## 5. Public Consultation

- 5.1 A total of 3 properties were notified of the planning application. Only one letter of representation was received from SCAN, noting that although a platform lift is shown to provide access to the ground floor of the property a condition should be imposed to require the dwelling to satisfy Category 3 of Part M of the Building Regulations to ensure that the lift is installed. (Officer note: The PPG on the use of planning conditions advises that they should not be imposed where requesting compliance with other regulatory requirements e.g., Building Regulations).

## 6. Planning Issues

- Principle of the development
- Green Belt
- Flooding
- Design and appearance.
- Residential amenity
- Highway issues

## 7. Planning Considerations

### Housing Land supply

- 7.1 When considering planning applications for housing, local planning authorities should have regard to the government's requirement that they significantly boost the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF) 2019.
- 7.2 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five year housing land supply should be measured against the area's local housing need calculated using the Government's standard method<sup>1</sup>. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 606 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.

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<sup>1</sup> Planning Practice Guidance Reference ID: 68-005-20190722

- 7.3 The NPPF requires a local authority to demonstrate a full five year supply of deliverable sites at all times. For this reason, the base date for this assessment is the start of the current year 1 April 2020, but the full five year time period runs from the end of the current year, that is, 1 April 2021 to 31 March 2026. The 20% buffer will therefore be applied to this full period. National guidance sets out that the buffer should comprise sites moved forward from later in the plan period. A 20% buffer applied to 606 results in a figure of 727 dwellings per annum, or 3636 over five years.
- 7.4 In using the objectively assessed need figure of 727 as the starting point for the calculation of a five year supply it must be borne in mind that this does not represent a target as it is based on unconstrained need. Through the Local Plan review, the Borough's housing supply will be assessed in light of the Borough's constraints, which will be used to consider options for meeting need. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period.
- 7.5 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised five year housing land supply figure. Spelthorne has identified sites to deliver approximately 3518 dwellings in the five year period.
- 7.6 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.8 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.
- 7.7 Government guidance (NPPF para 73) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years". In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority's five year land supply and a presumption in favour of sustainable development if the figure is below 75%. The Housing Delivery Test result for Spelthorne Borough Council was published by the Secretary of State in January 2021, with a score of 50%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of sustainable development because the test score of 50% is less than the 75% specified in the regulations. The figure of 50% compares with 60% last year and 63% in 2019. The Council's Housing Delivery Test Action Plan will be updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.
- 7.8 Usually as a result of the above position in Spelthorne relating to the 5 year housing land supply and the recent Housing Delivery Test, current decisions on planning applications for housing development need to be based on the 'tilted balance' approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the

benefits when assessed against the policies in this Framework taken as a whole'. However, the NPPF at para 11d) i) makes clear that the presumption in favour of development does not apply where, '*...: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed...*'

In footnote 6 to this section of the NPPF, areas which are excluded from the presumption in favour of development include "land designated as Green Belt" and also "areas at risk of flooding". The application site falls within both of these designations.

#### Principle of the development

- 7.9 As noted above, Policy HO1 of the Local Plan is concerned with new housing development in the Borough. HO1 (c) encourages housing development on all sustainable sites, taking into account policy objectives and HO1 (g) states that this should be done by:

*"Ensuring effective use is made of urban land for housing by applying Policy HO5 on density of development and opposing proposals that would impede development of suitable sites for housing."*

- 7.10 This is also reflected in the NPPF paragraph 117 which emphasises the need for the effective use of land in meeting the need for homes, whilst safeguarding the environment
- 7.11 However, the site is not located within the urban area and is located in the Green Belt. Currently, there is not an existing permanent residential use on the site, the existing structures are used for recreational use only and is not the permanent residence of the owners. The submitted Planning Statement states that the applicants have lived at the site during the summer months for at least the last five years. In addition, the site is also located within a high risk flood area. Therefore, the presumption in favour of development does not apply for this proposal as set out in para 7.8 above which refers to para 11 (d) (i) of the NPPF and the principle of the development is, therefore, unacceptable. These matters are discussed further below.

#### Green Belt

- 7.12 The site is located within the Green Belt. Section 13 of the NPPF sets out the Government's policy with regard to protecting Green Belt Land. It states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The policy is similarly reflected in the Council's Saved Local Plan Policy GB1.
- 7.13 Paragraph 134 of the NPPF sets out the five purposes of the Green Belt. These are:
- *To check the unrestricted sprawl of large built-up areas;*
  - *To prevent neighbouring towns merging into one another;*

- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

7.14 The Council's Saved Local Plan Policy GB1 is similar to the Green Belt policy set out in the NPPF, but it should be noted that Policy GB1 was saved from the 2001 Local Plan and therefore pre-dates the current NPPF. Although there is a degree of consistency with the NPPF, Policy GB1 does not allow for any development unless it is one of a number of acceptable uses set out in the policy and also maintains the openness of the Green Belt. This differs from the more recent and more up to date national policy which allows exceptions to this when the identified harm to the Green Belt is clearly outweighed by other considerations that constitute very special circumstances. Because of this inconsistency with the NPPF, the impact of the development on the Green Belt should be considered primarily against the policies of the NPPF.

#### Inappropriate Development

7.15 The proposal is considered to constitute inappropriate development in the Green Belt. The development does not fit into any of the 'exceptions' (i.e., not inappropriate development) stipulated in Paragraphs 145 and 146 of the NPPF. With regard to Paragraph 145 (d), this does state that the replacement of a building is not inappropriate provided the new building is in the same use and not materially larger than the one it replaces. However, the proposed dwelling is not in the same use as the existing recreational use, and in any case, it is materially larger. With regard to Paragraph 145 (g), this allows for *'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development'*. However, the proposal would not fit into this particular 'exception' as the site is not *previously developed land* (PDL), and moreover the proposal would have a greater impact on the openness of the Green Belt (see section below).

7.16 A definition of PDL is provided in the NPPF:

*'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'*

7.17 With regard to the current site, it is important to note that the main structure on the site (the caravan) is not a permanent structure, whilst the vast majority of the remaining site is free of development and laid to lawn serving as a garden

to the recreational use. As mentioned above, the site is not considered to constitute PDL.

7.18 Paragraph 143 of the NPPF states that:

*"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."*

7.19 Paragraph 144 of the NPPF states that:

*"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*

#### Harm

7.20 The proposal will result in a substantial loss of openness of the Green Belt. Most of the site is not occupied by structures and replacing the existing small outbuildings and mobile caravan with a much larger scale permanent building, results in a loss of openness, both spatially and visually. It is considered that the loss of openness within the site is harmful and contrary to Green Belt policy, weighing heavily against the merits of the development.

7.21 Below is a table setting out the existing structures to be demolished and caravan to be removed, along with the proposed floor area, height and volume. (The volume does not include the raised section of the proposed dwelling).

		Footprint	Max Height	Volume (cu m)
Existing	Structure 1 caravan Structure 2 ancillary Structure 3 store Structure 4 summer <b>Total</b>	25 sq m 13 sq m 7.2 sq m 8.64 sq m <b>53.84sq m</b>	2.2m 2.3m 2.6m 3m	55 28.6 18.72 24.2 <b>126.5</b>
Proposed	Proposed dwelling	64 sq m	6.2m (eaves 4.2m)	256
Percentage Increase on existing		18.5%	106%	102%

7.22 The existing site is largely free of development and laid to lawn whilst there are some outbuildings located on the north eastern boundary these are small in scale. The existing caravan is also limited in size and a mobile structure of a temporary nature. The proposed dwelling will be larger in scale and appear considerably bigger than the existing structures. It will measure approx. 12m in length and 5m in width and will be positioned across the width of the plot, although set in from the side boundaries. This is a different alignment to the

existing caravan at the site, which is positioned from north east to south west, perpendicular to the river, rather than across the plot. The above figures demonstrate that there will be a substantial increase in built development on the site. The proposed dwelling will be raised up from the ground level (for flooding purposes) by approx. 1.2m. It will also have a tall, pitched roof with a height of 6.2m to the ridge (3m is the maximum height of any existing structures) and will appear much more substantial, dominating the plot compared to the existing structures. Consequently, the proposal will result in a loss of openness in the Green Belt at the site. The harm caused by the loss of openness will weigh heavily against the merits of the scheme, this is in addition to the harm to the Green Belt due to inappropriateness.

- 7.23 The proposal is considered to harm the visual amenities of the Green Belt, which will further diminish openness. It will result in the site having a much more built-up appearance compared to the existing site, not only in terms of the increase in the scale and height of the buildings (i.e., volumetric approach) but also from a visual dimension. The new house will be highly visible when viewed from across the river and when travelling to the end of Thames Meadow as well as from some neighbouring plots and will appear significantly more built up and greater in scale compared to the existing. The proposed development will also be seen from Thames Meadow itself.
- 7.24 Under the Green Belt Review as part of the work for the New Local Plan this site is identified as strongly performing Green Belt. The proposed development is considered to conflict, with two of the purposes of Green Belts in Paragraph 134 of the NPPF. This includes to check the unrestricted sprawl of large built-up areas and in addition to prevent neighbouring towns merging into one another.

#### Flooding

- 7.25 Policy LO1 states that the Council will seek to reduce flood risk and its adverse effects on people and property within Spelthorne, by not permitting residential development or change of use to other more vulnerable uses within Zone 3a (between 1 in 20 year and 1 in 100 year chance of flooding) where flood risks cannot be overcome. The policy also states that the Council will maintain the effectiveness of the more frequently flooded area (Zone 3b) of the flood plain to both store water and allow the movement of fast flowing water by not permitting any additional development including extensions.
- 7.26 The proposed dwelling would be located within Zone 3b which has an even greater risk of flooding than Zone 3a. The principle of introducing an additional household (i.e., more vulnerable use) into the flood plain would be unacceptable and would fail to comply with the requirement of Policy LO1. The proposal cannot provide a dry means of escape and future residence would not be able to escape from the site to an area wholly outside of the flood zone, during a flood event. It would place more people at risk from flooding and increase pressure on the emergency services, during a flood event. The site is currently used for recreational purposes, there is no planning permission for a permanent dwelling and as such the occupants will have alternative accommodation during a flood event. Therefore, if the application was approved for a new dwelling at the site, it would put more people at risk from flooding.



7.27 In addition, although the proposal will be raised from ground level, in accordance with flooding requirement, the existing outbuildings on site are relatively small and built of natural materials and in effect could allow flood water to penetrate them, as such they would have only limited impact on the flood water flows. The caravan is a mobile structure and could be removed from the site if a flood event was imminent. As such it is not considered that the proposal would have a better situation during a flood event than the current site.

7.28 The Environment Agency (EA) has been consulted and notes the following:-

*'We understand this proposal is for a new, permanent residential dwelling. The site is adjacent to a main river, the River Thames. According to our Flood Map for Planning the site is located in Flood Zone 3 and Flood Zone 2. Flood Zones 3 and 2 are defined by the Planning Practice Guidance (PPG) as having a high and medium probability of flooding respectively. According to our detailed modelling (Thames 2019) the site lies entirely within the 5% annual exceedance probability (AEP) flood extent.'*

7.29 The EA states further that, *'...We object in principle to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the NPPF and its associated Planning Practice Guidance (PPG). We recommend that planning permission is refused on this basis.'*

7.30 The EA also notes that the reason for the objection is because the PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each flood zone. This site lies within Flood Zone 3b - Functional Floodplain, which is land defined by the PPG as having a high probability of flooding. The development is classed as more vulnerable in accordance with Table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted

7.31 As such the proposal is contrary to Policy LO1 and is unacceptable on flooding grounds.

#### Design and appearance, and Plotland Areas

7.32 Policy EN1a of the CS & P DPD states that *"the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land."*

7.33 Policy EN2 refers to Plotland Areas and states that within Plotland Areas the rebuilding and extension of structures are required to be compatible in size

with traditional plotland dwellings and with the scale of adjoining properties. It is noted that this proposal is not in fact for an extension or replacement dwelling due to the existing use of the site. Nevertheless, regard would need to be given to the Plotland Areas requirements. The policy states that the properties should be set in from the flank boundaries to maintain existing gaps in the river frontage, single storey with a low profile roof and not project towards the river further than the existing building or adjoining properties.

- 7.34 The proposed building will be set back from the river frontage a similar distance to the adjoining properties to the south east and indeed maintains gaps from the side boundaries. However, the proposed dwelling has a relatively steep angled roof. Nevertheless, taking into account the dwellings nearby, it will not appear unduly out of keeping with plotland style dwellings and those located adjacent to the site for reasons relating to policy EN2. As such and on balance, the proposal is not considered to be contrary to the requirement of the plotland policy and complies with Policies EN1 in respect of design and appearance and EN2. In addition, the proposal is considered to comply with Policy EN8 which aims to ensure that the setting of the river and its tributaries is protected and where possible enhanced.

Impact on neighbouring residential properties

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

*“New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.”*

- 7.36 Consideration needs to be given to ensure that there is an acceptable relationship and that existing residential properties will not be significantly adversely affected by the proposal. The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policies requirements in order to ensure this is the case.
- 7.37 The SPD in para 3.6 acknowledges that ‘most *developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.*’ It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook.
- 7.38 The proposed built form will be raised from ground level which does make the building much larger in overall scale, than the neighbouring properties. However, the proposal will be set in from the side boundaries. In addition, neighbouring properties are located on either side of the site only with the river to the south west and Thames Meadow to the north east. The dwelling to the north west at The Banks, Dunally Park is set well away from the boundary as is the subject proposed dwelling, as such the proposal will have an acceptable impact on the amenity of the occupants of this dwelling. The adjacent dwelling to the south east along Thames Meadow is much closer to the boundary. The proposed dwelling will be located further away from the

side boundary than the existing caravan on the site, however it will be raised up, with a height of 4.2m the eaves and 6.2 m in total height. It will be set back some 4.5m from the eastern side boundary at its closest point. The dwelling will be raised 1.2m from ground level. The decked area protrudes in front and will be closer to the side boundary at some 3.4m at its closest point. However, it will not protrude past the rear building line of the adjacent property. As such it is considered that the proposal will have an acceptable relationship and therefore impact on the amenity of the adjacent dwelling at 57 Thames Meadow in terms of not causing a significant overbearing or loss or light impact.

- 7.39 The raising up of the property above ground level for flooding purposes also increase the prospect of overlooking, in particularly from a raised deck. However, it is considered that screening could be provided in order to ensure the proposal did not result in a significant overlooking impact. It is acknowledged that river frontage properties do often have more of a sense of being overlooked, due to the open frontage nature with terraces, balconies and decked areas to benefit from the river location and views of it. In addition, the set in and relationship is likely to ensure this is minimal. As such a screening condition could be attached to any consent to ensure there is no overlooking or loss of privacy to neighbouring properties. Therefore, the proposal is considered to have an acceptable impact on the amenity of existing neighbouring residential properties, conforming to the Design SPD and Policy EN1.

#### Other matters

- 7.40 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards. The existing site has space for parking a number of vehicles and this would also but the case for the proposed dwelling, which shows parking for at least two cars to the front of the property, adjacent to the road. The County Highway Authority (CHA) was consulted on the planning application and has raised no objection to the proposed parking provision. As such it is considered that the scheme is acceptable in terms of policy CC3 on highway and parking issues.
- 7.41 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sq. m to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development. The applicant is proposing to use photovoltaic solar panels on the roof. A condition would be attached to any consent approved to require this.
- 7.42 The Council's Pollution Control Officer has raised no objection but requested standard conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures given the proposal is for a new dwelling. Subject to these conditions, the proposal is considered acceptable in accordance with Policy EN15. In addition, an EV charging point would be required for a new dwelling and could be subject to a condition.

#### Equality Act 2010

- 7.43 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
- 7.44 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.
- 7.45 The applicants provide a lift to allow people with disabilities to access the property despite it being raised for flood purposes. Any approval would have a plan number condition requiring the proposal to be built in accordance with the approved plan. However, the site is located within the functional flood plain and would put people at risk during a flood event, which could be even more of an issue for people with disabilities, in particular in terms of being rescued. As such the application has been considered in light of the Equality Act and the scheme is considered to have due regard to this.

#### Human Rights Act 1998

- 7.46 This planning application has been considered against the provisions of the Human Rights Act 1998. and the following articles were found to be particularly relevant:-
- 7.47 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.48 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e., peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.49 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 refusal 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

- 7.50 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is

considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development and will generate a CIL payment based on a rate of £140 per sq. metre of net additional gross floor space (although the scheme may be eligible for a self-build exemption). This is a material consideration in the determination of this planning application. The proposal will also generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

#### Other considerations

- 7.51 The applicants have not identified material considerations in their Planning Statement to justify the proposed development on this site as very special circumstances. However, they have put forward that the proposal should be regarded as an appropriate form of development in principle, specifically in relation to paragraph 145 set out below:-
- 7.52 Paragraphs 145 and 146 of the NPPF allow for some exceptions to inappropriate development, one of which is 145(g):
- “Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
- not have a greater impact on the openness of the Green Belt than the existing development;*
- 7.53 The applicants note that the proposed new dwelling will replace the existing structures on the site which have been in existence for at least 15 years and is (PDL). They say that the proposed dwelling will have a similar footprint and has no greater impact on the openness and therefore should be regarded as an appropriate form of development (i.e., not inappropriate) in principle as the site is already in this use, in an existing built up area.

#### **Response:-**

- 7.54 Previously developed land (PDL) is defined as the following in the NPPF:
- “Land which is or was occupied by a **permanent structure** {Officer emphasis}, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.”*
- The council do not consider that the site is PDL and consequently it does not fit into the exception noted above in para 145(g)
- 7.55 It is considered that the existing outbuildings located to the north east of the application site are only shed type structures. In addition, the caravan is not a

permanent structure. It is of a temporary nature and a moveable structure, as it has wheels and a tow bar, and can be moved from the site. Moreover, even if the out buildings and/or the caravan were considered to be a permanent structure, the proposed dwelling is significantly greater in scale than the existing structures on site and has a greater impact on the openness of the Green Belt site, as described in more detail in the Green Belt section above.

- 7.56 Consequently, the proposal does not meet the exceptions test referred to above and it is considered inappropriate development.

### Conclusion

- 7.57 The development constitutes inappropriate development in the Green Belt and this, in itself, weighs heavily against the merits of the scheme. Indeed, the NPPF advises that “*substantial weight should be given to any harm to the Green Belt*”. The development will result in a reduction in the openness of the Green Belt and this adds substantial weight against the proposal, in addition to the harm from inappropriateness.
- 7.58 There will be a large increase in the amount of development on the site, compared to the existing development. It will harm the visual amenities of the Green Belt, which adds substantial weight against the merits of the scheme.
- 7.59 The site is also located in the functional flood zone and the proposal would result in putting more people at risk during a time of flood, this also weighs heavily against the scheme.
- 7.60 It is recognised that the current application site includes some existing structures, however, it is not considered that it would comply with any of the exceptions to inappropriate development in the Green Belt and it is not considered that there are any very special circumstances to justify the inappropriate development in the Green Belt. The proposal is therefore contrary to the Section 13 of the NPPF and Saved Local Plan Policy GB1.
- 7.61 Accordingly, the application recommended for refusal.

## **8. Recommendation**

- 8.1 REFUSE the planning application for the following reasons:

1. 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 purpose of including land within it. The proposal is therefore contrary to Section 13 (Protecting Green Belt Land) of the Government's National Planning Policy Framework 2019, and Saved Local Plan Policy GB1.
2. The development will introduce an additional household into the high risk Flood Zone 3b and will put more people at risk during a flood event. This will also put more pressure on the emergency services during a flood event. As such the proposal is considered contrary to Policy LO1 of the Core Strategy

and Policies DPD 2009, the Supplementary Planning Document on Flooding 2012, and the National Planning Policy Framework 2019.

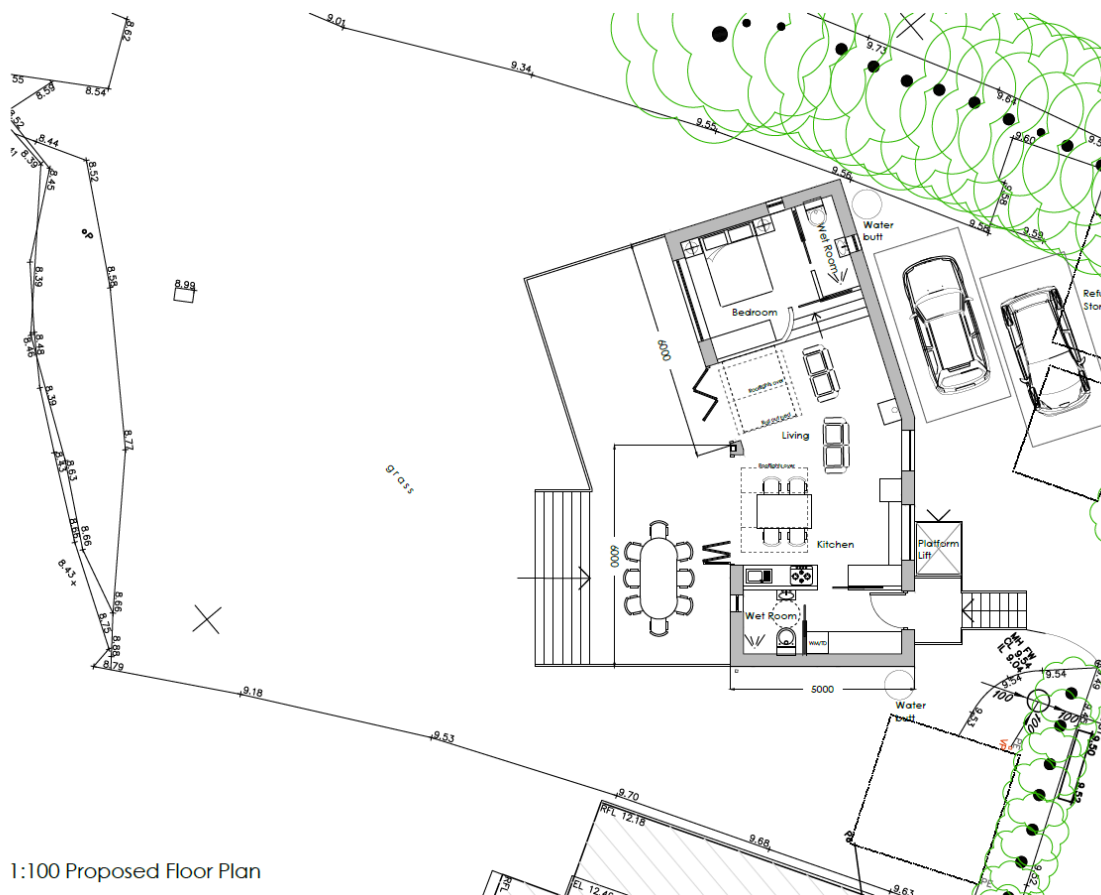
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### Existing layout

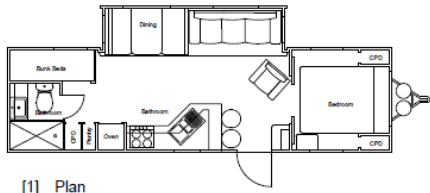


### Proposed Layout- Ground Floor Plan

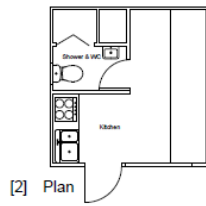


## Existing and Proposed elevations/plans

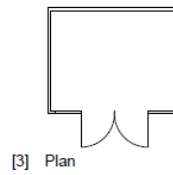
[1] Winnebago Caravan



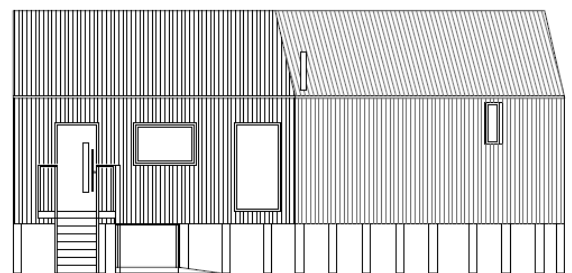
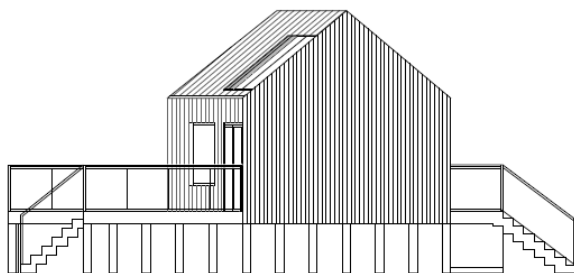
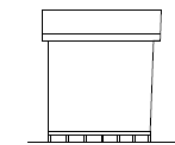
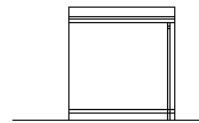
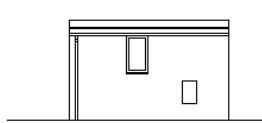
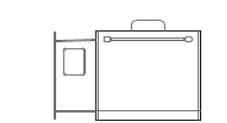
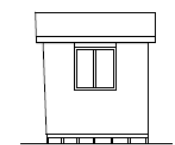
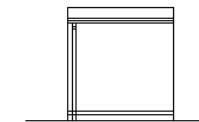
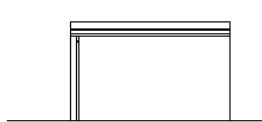
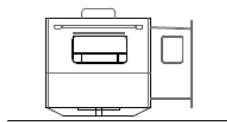
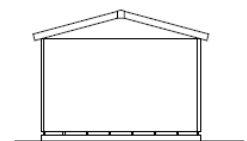
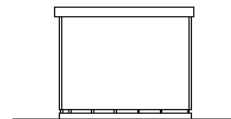
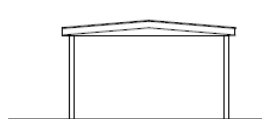
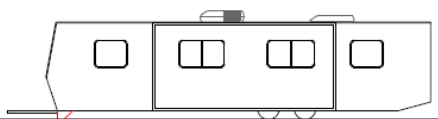
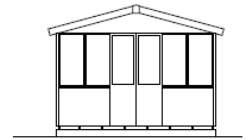
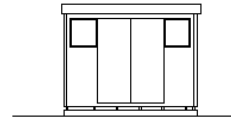
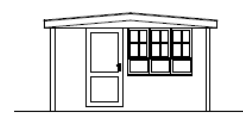
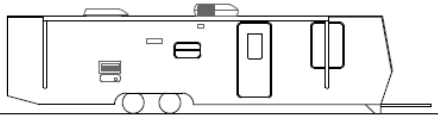
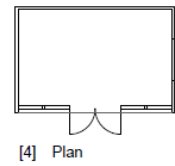
[2] Ancillary building



[3] Storage Shed

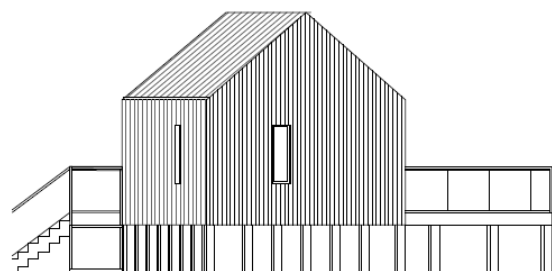
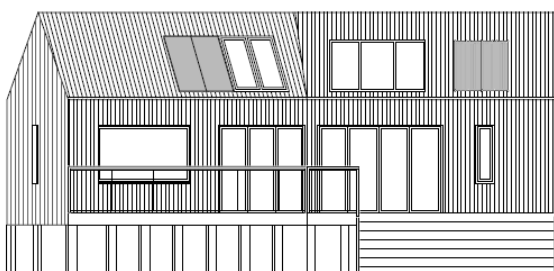


[4] Summer House



:100 South East Elevation

1:100 North East Elevation



:100 South East Elevation

1:100 North East Elevation

## Major Applications

This report is for information only

The list below comprises current major applications which may be brought before Planning Committee for determination. These applications have either been submitted some time ago but are still not yet ready for consideration or are recently received applications that are not ready to be considered by the Planning Committee. The background papers for all the applications are contained on the Council's website (Part 1 Planning Register).

All planning applications by Spelthorne Borough Council and Knowle Green Estates will be brought before the Planning Committee for determination, regardless of the Planning Officer's recommendation. Other planning applications may be refused under officers' delegated powers.

If you wish to discuss any of these applications, please contact the case officer(s) in the first instance.

App no	Site	Proposal	Applicant	Case Officer(s)
20/00429/FUL	Action Court, Ashford Road, Ashford TW15 1XB	Extension, alterations and reconfiguration of existing warehouse building, including alterations to car park and site layout (Amended Plans)	Valor REP	Matthew Churchill

App no	Site	Proposal	Applicant	Case Officer(s)
20/00802/FUL	Victory Place	Redevelopment of surplus hospital car park for 127 residential units comprising 122 flats and 5 terraced houses, in buildings ranging from 2 to 5 storeys in height, with associated access, parking, services, facilities and amenity space.	Spelthorne Borough Council	Matthew Churchill/Fiona Tebbutt
20/01199/FUL	The Old Telephone Exchange, Masonic Hall And Adjoining Land Elmsleigh Road Staines-upon-Thames	Demolition of the former Masonic Hall and redevelopment of site to provide 206 dwellings together with car and cycle parking, hard and soft landscaping and other associated works.	Inland Homes Ltd	Paul Tomson / Kelly Walker
20/00975/FUL	280-284 Staines Road East, Sunbury On Thames, TW16 5AX	Erection of a 50 bed care home, alongside associated facilities, parking and landscaping, following the demolition of 3 existing dwellings and outbuildings.	Deansgate M3 Ltd	Kelly Walker
19/01211/FUL	Benwell House 1 Green Street Sunbury On Thames	Erection of 5 storey residential block to provide 39 units, with a mix of 12 x 1-bed, 24 x 2-bed and 3 x 3-bed units together with associated parking, landscape and access.	Knowle Green Estates	Russ Mounty

App no	Site	Proposal	Applicant	Case Officer(s)
	TW16 6QS			
20/00344/FUL	Thameside House South Street Staines-upon-Thames TW18 4PR	Demolition of existing office block and erection of 140 residential units in two buildings, with flexible commercial and retail space, associated landscaping, parking and ancillary facilities.	Spelthorne Borough Council	Russ Mounty/Vanya Popova
19/01731/FUL	Littleton Industrial Estate Littleton lane Shepperton	Demolition of the existing buildings, retention of existing buildings 1, 15 and 17 and part retention of building 10 (as defined in CLUED 18/01054/CLD), creation of new buildings ranging between 1 and 2 storeys providing up to approximately 4,358.7sqm of floorspace for use classes A3, B1, B2 and B8, creation of outside storage areas for use class B2, creation of hardstanding and access routes, car parking, cycle storage, servicing, plant areas, creation of green areas and landscaping and other associated works.	Brett Aggregates Limited	Russ Mounty
20/01112/FUL	Charter Square Phase 1C London Road Staines	Redevelopment of the site to provide 66 new residential units (Use Class C3) with flexible commercial, business and service floorspace (Use Class E) and drinking establishment floorspace (Sui Generis) at ground floor, rooftop amenity space; landscaping and enhancements to the central public square,	London Square Development s Ltd.	Matthew Churchill

App no	Site	Proposal	Applicant	Case Officer(s)
		associated highway works, and other ancillary and enabling works.		
20/00780/FUL	Hitchcock and King	Sub-division of existing retail warehouse, and change of use to create an A1 foodstore, and an A1 / D2 Use Class Unit, with reconfiguration of the site car park, elevational changes, installation of plant equipment, and other ancillary works.	Lidl Great Britain	Matthew Clapham
20/01486/FUL	Spelthorne Leisure Centre and Open Space to the east Knowle Green Staines-upon-Thames TW18 1AJ	Construction of a new leisure centre with associated parking, pedestrian access, landscaping and public realm, and the demolition of the existing leisure centre	Spelthorne Borough Council	Paul Tomson/Kelly Walker
20/01506/FUL	Sunbury Cross Ex Services Association Club Crossways Sunbury On Thames TW16 7BG	The demolition of existing Sunbury Ex-Servicemen's Association Club and re-development of the site including the erection of three residential buildings of 4-storey, 6-storey and 9-storey comprising 69 flats with associated car-parking, cycle storage, landscaping and other associated works.	SUN EX-21 Ltd	Paul Tomson/Vanya Popova

<b>App no</b>	<b>Site</b>	<b>Proposal</b>	<b>Applicant</b>	<b>Case Officer(s)</b>
20/01555/FUL	Land to the North of Hanworth Road (Lok N Store and Johnson and Johnson) Sunbury On Thames TW16 5LN	Demolition of existing buildings and structures and redevelopment of the site to include the erection of two new warehouse buildings for flexible use within Classes B2, B8 and/or light industrial (Class E), revised junction layout (A316 slip lane) and associated parking, servicing, landscaping and access and infrastructure works.	Diageo Pension Trust Ltd	Paul Tomson/Drishti Patel
21/00010/FUL	Renshaw Industrial Estate Mill Mead Staines-upon-Thames TW18 4UQ	Demolition of existing industrial buildings and redevelopment to provide 2 new buildings (5-13 storeys) comprising 397 build-to-rent residential apartments (Use Class C3) including affordable housing, ancillary residential areas (flexible gym, activity space, concierge and residents lounge), landscaping, children's play area and car and cycle parking.	Mill Mead Nom 1 and Mill Mead Nom 2	Russ Mounty
20/01483/FUL	487 - 491 Staines Road West Ashford TW15 2AB	Erection of 14 no. apartments comprising 7 no. one bed units and 7 no. two bed units with associated car parking, landscaping and amenity space. following demolition of existing bungalows and outbuildings .	Herons Rest Developments Limited	Kelly Walker





**Planning Appeals Report – V2.0 ISSUED**

**List of Appeals Started between 21 January 2021 – 19 February 2021**

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature
19/01022/OUT  <b>Bugle Nurseries Upper Halliford Road Shepperton</b>	28.01.2021	Hearing	APP/Z3635/W/20/3252420 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.  As shown on drawing nos.' F0001 Rev. P1; F0010 Rev. P1; F0100 Rev. P1; F0200 Rev. P1; F1500 Rev. P1; D0100 Rev. P1; D0110 Rev. P1; D0120 Rev. P1; D0400 Rev. P1; D1001 Rev. P1; D1003 Rev. P1; D1200 Rev. P1; D1201

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature
			Rev. P1; D1300 Rev. P1; D1400 Rev. P1; D1401 Rev. P1 received 24th July 2019.

**Appeal Decisions Received 21 January 2021 – 19 February 2021**

None.

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments

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