



Please reply to:

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Date: 17 December 2021

Notice of meeting

Planning Committee

Date: Wednesday, 5 January 2022

Time: 7.00 pm

Place: Council Chamber

To the members of the Planning Committee

Councillors:

T. Lagden (Chairman)	J.T.F. Doran	R.J. Noble
R.A. Smith-Ainsley	(Vice- N.J. Gething	R.W. Sider BEM
Chairman)	M. Gibson	B.B. Spoor
C. Bateson	H. Harvey	J. Vinson
A. Brar	N. Islam	
S. Buttar		

Substitute Members: Councillors S.M. Doran, S.A. Dunn, L. E. Nichols, O. Rybinski,
J.R. Sexton and V. Siva

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

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Agenda

Page nos.

1. Apologies and Substitutions

To receive any apologies for non-attendance and notification of substitutions.

2. Minutes

5 - 24

To confirm the minutes of the meeting held on 10 and 17 November 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 application 21/01182/FUL - Shepperton Studios, Studios Road, Shepperton, TW17 0QD

25 - 50

Ward

Laleham and Shepperton Green

Proposal

Construction of a workshop (plot1.4), utility building and security barriers, turnstile and guard shelter, with associated enabling works, access and parking at Shepperton North West.

Recommendation

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

5. Planning application 21/01547/FUL - Shepperton Studios, Studios Road, Shepperton, TW17 0QD

51 - 84

Ward

Laleham and Shepperton Green

Proposal

Use of 6 acres of land for backlot in association with Shepperton studios, including the construction of utility buildings, security barriers and guard shelters, with associated enabling works, access, landscaping, surface parking and amended car park access at land north of Shepperton Studios.

Recommendation

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

- | | | |
|-----------|--|------------------|
| 6. | Housing Delivery Test Action Plan 2021 | 85 - 144 |
| | To consider The Housing Delivery Test Action Plan 2021 and agree the following: | |
| | a) The Housing Delivery Test Action Plan 2021 and | |
| | b) To publish the Housing Delivery Test Action Plan 2021 on the Council's website. | |
| 7. | Consultations on Emerging Planning Proposals | 145 - 148 |
| | To consider and note the Consultation on Emerging Planning Proposals briefing note. | |
| 8. | Major Planning Applications | 149 - 154 |
| | To note the details of future major planning applications. | |
| 9. | Planning Appeals Report | 155 - 160 |
| | To note details of the Planning appeals submitted and decisions received between 21 October 2021 and 15 December 2021. | |

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**Minutes of the Planning Committee
10 November 2021**

Present:

Councillor T. Lagden (Chairman)
Councillor R.A. Smith-Ainsley (Vice-Chairman)

Councillors:

C. Bateson	M. Gibson	R.W. Sider BEM
A. Brar	H. Harvey	B.B. Spoor
J.T.F. Doran	N. Islam	J. Vinson
N.J. Gething	R.J. Noble	

In Attendance: Councillors Beecher and Fidler

519/21 Minutes

The minutes of the meeting held on 13 October 2021 were approved as a correct record.

520/21 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

Councillors T Lagden reported that he had received correspondence in relation to Application 19/01567/FUL and Councillors H Harvey, R Noble and R W Sider BEM had visited the application site but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors J Doran, H Harvey, N Islam, R W Sider BEM and R Noble reported that they had received correspondence in relation to application 20/00780/FUL and Councillor R Noble reported that he had visited the application site but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor N Islam reported that he had received correspondence in relation to application 20/00802/FUL and Councillors R Smith-Ainsley, H Harvey, R Noble and R W Sider BEM reported that they had visited the application site

but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors R Smith-Ainsley, J Doran, N Gething, H Harvey, N Islam, R Noble and R W Sider BEM reported that they had received correspondence in relation to application 21/00614/OUT and Councillors N Gething and R Noble. They all reported that they had visited the application site but had maintained an impartial role, had not expressed any views and had kept an open mind.

521/21 Planning application 19/01567/FUL - Florida Court, Station Approach, Staines-upon-Thames, TW18 4LZ

Councillor N Gething was not in attendance for the start of the presentation so was able to take part in the debate but was unable to vote on the application

Description:

The creation of an additional floor above the existing building to create 7 x 1 bedroom units and 2 x 2 bedroom units and the creation of 2 additional car parking spaces.

Additional Information:

Paragraphs 7.19 should be amended to as follows:

‘However, when measured from 10 of the 12 windows it is considered that the 25 degrees when only be breached at the ~~very edge~~ top of the ~~roof proposed over the~~ additional storey, and the breach is not considered to be significant’.

The following addition is also made to paragraph 7.30:

‘The proposal is also considered to have an acceptable impact upon the privacy of the existing units, particularly as the current first floor overlooks the central courtyard’.

Condition 2 should be amended as follows:

“The development hereby approved shall be carried out in accordance with the following approved plans: 19027 PL/01 19027 PL/02 Rev C, 19027 PL/04, 19027 PL/03 Rev C 19027 PL/05 Rev A (Received 02.06.2021) 19027 PL/06 Rev A (Received 15.10.2021) 19027 PL/07 Rev L (Received 20.10.2021).”

Public Speaking:

In accordance with the Council’s procedure for speaking at meetings, John Robinson spoke against the proposed development raising the following key points:

- 4 out of 18 existing flats would suffer with insufficient light in their living spaces

- 6 out of 18 existing flats would suffer with insufficient light in their bedrooms
- Current parking arrangements were not adequate so an increase in residents would make parking more problematic
- An assumption was being made that being located near to a train station would result in less parking but this was not based on any evidence

In accordance with the Council's procedure for speaking at meetings, the Committee Manager read out a statement for the proposed application on behalf of Mr A Gunne-Jones (agent) raising the following key points:

- The development would add to the Borough's housing supply and would contribute to addressing the housing under-supply that exists in the Borough
- All the residential units would comply with the Technical Housing Standards
- The heritage comments concerning the pitch of the proposed roof had been addressed
- Energy conservation measures would be put in place eg solar panels

Debate:

During the debate the following key issues were raised:

- Good transport links therefore parking ratio can be less than normally asked for
- The existing site is very cramped
- Raising the roof will change the look of the site and it would appear more cramped
- The additional 9 units would contribute to the Council's shortfall in housing provision
- There would be a major negative impact on existing residents whilst construction work is taking place
- Some flats would see reduced levels of lighting either within the lounge or bedroom due to the additional storey
- The assumption can not be made that being near to a train station would mean that residents would not use their cars so adequate parking provision still needed to be provided
- Increase in the number of wheelie bins would have a detrimental impact on the site
- This building is not a listed building but is unique and should not be developed
- Existing residents already have to park on amenity land due to lack of adequate parking so an increase in the number of residents would exacerbate the problems

The Committee voted on this application as follows:

For – 1
Against – 11

The motion to approve the application FELL

The meeting was adjourned at 20:01
Councillor Gibson left the meeting

It was proposed by Councillor Lagden and seconded by Councillor Bateson that the application be refused as it was in contravention of Policy EN1(b) of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

For – 11

Decision: The application was **REFUSED** for the following reasons:

The proposed development would, be reason of its additional bulk and height, result in an unacceptable loss of light to the existing residential units on the ground floor at flats 3, 6, 14 and 17, contrary to policy EN1(b) of the Core Strategy and Policies DPD 2009, the Design of Residential Extensions and new Residential Development SPD 2011 and the National Planning Policy Framework 2021.

522/21 Planning application 20/00780/FUL - Hitchcock and King Retail Warehouse, Stanwell Road, Ashford, TW15 3DX

Description:

Sub-division of existing retail warehouse, and change of use to create two Class E 'commercial' units, with reconfiguration of the site car park, elevational changes, installation of plant equipment and other ancillary works.

Additional Information:

Three further letters of representation including one letter of support and two objecting raising concerns regarding

- traffic generation
- impact on existing town centre and
- design / appearance.

In addition, a letter was received from planning consultants acting on behalf of Tesco's. Three specific points were raised:

1. Failure to satisfy the requirements of the sequential test.
2. Lack of necessary conditions restricting the proposed units to uses within the wider Use Class E
3. The need to utilize scarce urban land for housing

A response was subsequently received from the agents acting on behalf of Lidl to address the three issues raised.

1. The application was submitted with a sequential test and a retail impact assessment. The Officers report refers to the sequential test and both this test and the retail assessment were taken into account in reaching the recommendation. Officers are satisfied that the conclusions reached are reasonable and that due-process has been followed. The site is located in Ashford and is some distance from Staines and it is not considered that these are comparable areas for the purposes of considering this application.

2. Class E was introduced on the 1st September 2020 and replaced a number of previous use classes. Class E a) relates to this proposal which is for the 'Display or retail sales of goods other than hot food', although there are other sub-groups within Class E

The revisions to the Use Classes Order were introduced by the Government to streamline the Use Classes. The Government's guidance on the use of planning conditions states that conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity.

Class A1 and D1 were revised to Class E, notwithstanding schools, libraries, places of worship etc. which became F.1, and it is not considered that there is an overriding reason to restrict the revised Use Class on this site.

3. The site was identified within the Preferred Options Consultations, Preferred Site Allocations Officers Site Assessment. However, Members will be aware that the Local Plan is at an early stage and the Regulation 19 is due for consultation early 2022.

As such, this document carries negligible weight in the consideration of this application.

In respect of the report, as a major application, flooding and drainage is a consideration and a Flood Risk Assessment was submitted with the application. As the site falls outside of a designated flood risk area, no flooding or drainage concerns are considered to arise.

The proposed footpath on the eastern side of Stanwell Road would result in the loss of a small length of open land designated as Protected Open Urban Space. Policy EN4 applies. Due to the small scale of the pavement being only 1.2m wide, no significant adverse impacts upon the provision of urban space are considered to arise.

In paragraph 7.22 the Transport Consultant has incorrectly stated that the new footpath is on the western side of Stanwell Road, however it is on the eastern side.

In paragraph 7.28 reference is made to a refuge area on Stanwell Road, however this is no longer being proposed.

In terms of conditions, the applicant has requested that conditions 3, 6, 8 and 21 are amended to be pre-commencement conditions rather than having a time limit of two months which is considered acceptable.

The approved plans condition 2 is also amended to remove drawing no. 102-p15 and replace it with 4415-0101-P26.

Similarly Condition 18 should be amended to drawing no. 4415-0101-P26.

With regard to condition 12, there is a requirement for 14 fast charging points. The applicant's preference is to provide 2 rapid and 6 fast charging bays with a further 12 passive spaces provided for the future.

The final condition is without a number and should be condition 21.

The applicant has suggested that they would accept conditions relating to the specific uses and floor area restrictions if Committee members would wish these to be imposed.

Informative 5 should be amended to refer to Condition 12.

Public Speaking:

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

- Vehicle access – the current driveway has an unusual camber and when vehicles turn they scraped the tarmac due to the design
- Access to the site would be problematic and potentially dangerous for pedestrians due to lack of a pavement and a steep incline on a grass bank
- Extra noise from business activity would cause excessive intrusion to nearby residents
- Light intrusion from the expected illuminated signs

In accordance with the Council's procedure for speaking at meetings, Bradley Searle, Senior Acquisitions Consultant Lidl spoke for the proposed development raising the following key points:

- This proposal made efficient use of an existing vacant retail warehouse building
- A need had been identified for an additional food store provision in Ashford
- 88% of residents confirmed their support for this application
- An independent highways expert had raised no highways safety concerns with the scheme
- Improvements to the local highways network will be undertaken
- A new informal pedestrian crossing would improve pedestrian access to the site

- The access junction to and from the site would be widened
- This application would create 50 new local jobs
- Electric vehicle charging points would be installed
- The proposed food store would increase local consumer choice

Debate:

During the debate the following key issues were raised

- The application is an improvement on what is currently on the site
- Electric vehicle charging points would be a positive
- Good use of an empty building
- Illuminated sign on the western wall of the building would have a detrimental effect on local residents
- Additional traffic would result in highway safety issues
- Would like to see an increase in the green credentials and the number of Electric Vehicle Charging points

For – 10

Against – 2

Decision: The application was **APPROVED** subject to an amendment to condition 9 as follows:

Details of the lighting levels, including surface brightness of the self-illuminated lighting fixtures on any façade of the development which faces towards residential accommodation and will be lit between 21.00hrs-07.00hrs, shall be submitted to and agreed in writing by the Local Planning authority prior to any installation. The lighting shall be implemented in accordance with the agreed details.

Reason: In the interests of amenity and protection of nearby residents from potential light nuisance.

523/21 Planning application 20/00802/FUL - Car Park to Rear of Tesco, Ashford Hospital, London Road, Ashford, TW15 3AA

Description:

Redevelopment of surplus hospital car park for 127 residential units comprising 123 flats and 4 terraced houses, in buildings ranging from 2 to 5 storeys in height, with associated access, parking, services, facilities and amenity space.

Additional Information:

The applicant has agreed to make a contribution of £45,000 to off-site improvements to existing open spaces in the borough. The figure of £35,000 at paragraphs 7.52, 7.147 and 9 should be revised to £45,000.

Since publication of the officer's report the Local Planning Authority has received a consultation response from the Surrey Fire Service. The Fire Service has objected on the grounds that the existing barrier between the

application site and Victory Close would be retained and would restrict access to this road. The Fire Service advises that there is insufficient detail provided to assess whether it will meet with the access requirements of Approved Document B Section B5 of the Building Regulations when the initial notice is submitted. The Fire Service advises that a sprinkler, water mist system should be provided.

Officer note: it is considered that the matters relating to fire safety can be dealt with at the Building Regulation stage.

The Local Planning Authority does not have a specific planning policy relating to fire safety. However, at paragraph 4.27, the Council's SPD on design states that accessways in excess of 45 metres in length require a width of 4 metres to accommodate a fire engine. When measured from the proposed site plan, the LPA has calculated that the access throughout the site would exceed 4 metres in width.

The applicant has also provided a response stating that the barrier has never been in use by the Fire Service when in the previous hospital use. The applicant also notes that the nearest fire station is located on the A308, and the access to the site would more likely be from London Road/Town Lane. The applicant has also confirmed that Block A and Block B would both be provided with an automatic sprinkler system and arc fault detection devices, which reduce the risk of fire from appliances.

The applicant has submitted a further ground floor plan for Block C, which when measured from the plan shows that the ground floor unit in this block would exceed the minimum floor space requirements set out in the Technical Housing Standards (March 2015). Paragraph 7.19 should therefore be revised to state that the ground floor unit in Block C would be in accordance with the minimum floor space requirements for a unit of this size.

The revised plan also clarifies the garden sizes for the units in Block C, with the LPA calculating that 3 of the units would contain gardens measuring approximately 59m² and one of the gardens would measure in excess of 60m², although the applicant's architect has stated that their calculations show that the gardens would measure 60m². As a consequence of this, plan number 1345-DNA-B1-G1-DR-A-1070 Rev P1 should be amended to plan 1345-DNA-B1-G1-DR-A-1070 Rev P2 (Received 04.11.2021) in Condition 2.

Condition 18 should be amended to include plan number 19008-01-006 Rev C rather than 19008-01-006 Rev B.

Condition 16 should be amended to refer to plan 1345-DNA-ZZ-GF-DR-A-0010 Rev P1 (received 07.09.2021), instead of plan 1345/ PL/1000 Rev B

A further condition is recommended as follows:

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

Reason: "In the interests of the amenity of neighbouring and adjoining occupiers"

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Suzanne Rankin (NHS) and Ian Anderson (Agent) spoke for the proposed development raising the following key points:

- This development would provide much needed accommodation for key workers within the Borough
- The total provision of amenity space would be 42% greater than that required
- A £45,000 contribution to play/activity space off site would be provided by the Developer
- Two children play areas would be created on the site
- The revised design now achieved 44% energy savings which was double the savings achieved by the initial proposed design
- 22 S106 affordable housing units would be provided within the development
- 105 units would be prioritised for local NHS workers, then other key workers within the Borough
- The site is close to existing facilities
- The site adjoins Ashford Hospital where most of the residents would work
- Public transport infrastructure is close to the site
- The development makes good use of a brownfield site
- The development is acceptable on the grounds of housing size and type, character and density, impact upon existing residential dwellings, affordable housing, parking provision and highways

Debate:

During the debate the following key issues were raised:

- Developers have addressed most of the concerns raised by the Committee in January 2021
- Will help address the shortfall in the Council's housing target figures
- Will provide affordable housing for key workers in the Borough
- Significant increase in the green credentials of this application
- Improvement in the size of the gardens
- Developer may wish to consider decreasing the height of Block B
- Some units do not meet the minimum size requirement
- Inadequate open space within the development
- Inadequate parking provision within the development
- Shortfall on the Local Planning Authority's distance guidance
- Would like to see a car club set up within this development
- Many of the residents would work at the nearby Ashford Hospital and therefore would not need to use their cars to get to work

For – 7

Against - 5

Decision: The application was **APPROVED**.

21:38 the meeting was adjourned

21:44 the meeting reconvened

524/21 Planning Application 21/00614/OUT - 36 & 38 Minsterley Avenue, Shepperton, TW17 8QT

Description:

Outline Planning permission with appearance and landscaping reserved for the erection of 5 detached dwellings, comprising 4x4 bedroom dwellings and 1x5 bedroom dwelling, with associated parking and amenity space following the demolition of 36 Minsterley Avenue.

Additional Information:

The Council has received 7 additional letters of representation in objection to the application raising the following concerns:

- The proposal is not in keeping with existing architecture.
- The loss of the existing garages will create a greater loss of existing parking provision.
- Access to public transport and cycling are difficult at the site.
- The proposed density would be lower if no.38 Minsterley Avenue is not included in calculations.
- The width of the proposed dwellings would be significantly smaller than other dwellings in the road.
- The proposal cannot be described as good design.
- The proposal would represent 'backland' style development.

Condition 2 should be amended to as follows:

"The development hereby permitted shall be carried out in accordance with the following approved plans: ~~626 PL100 B~~, 626 PL002, 626 PL200 Revision C, 626 PL101 Revision C, 626 PL020 Revision A, 626 PL020 Revision A, 626 PL100 F, PL001 A "

An additional condition is also recommended as follows:

"The development shall be carried out in accordance with the Arboricultural Method Statement (Received 22.10.2021) unless otherwise agreed in writing with the Local Planning Authority

Reason: In the interests of biodiversity and visual amenity."

Public Speaking:

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

- 72 households in Minsterley Avenue and Chestnut Walk lodged objections to the application
- There is a symmetry of design and proportion with the existing properties surrounding the application site and the proposed properties would not be in keeping
- The proposed development would have a negative impact on the character of the surrounding area
- Five properties on this site would be overbearing
- Lack of adequate parking provision and no safe on-street parking

In accordance with the Council's procedure for speaking at meetings Edward Roberts (Architect) spoke for the proposed development, raising the following key points:

- The original application had been for 8 dwellings and this had now been reduced to 5
- All objections relating to planning policies had been addressed
- The retention of no. 38 Minsterley Avenue would keep the appearance the same and would have little impact on the street scene
- The proposed development would not impact on highway safety

In accordance with the council's procedure for speaking at meetings, Councillor Fidler spoke as Ward Councillor against/for the proposed development raising the following key points:

- The Developer had not sought the views of local residents
- The surrounding properties are large family homes and the smaller proposed houses would not be in keeping
- The lack of adequate off-street parking would cause issues
- The access, layout and scale of the proposed houses had been compromised to fit more on the site
- The development would negatively affect the street scene

The Committee voted to suspend Standing Orders so that the meeting could carry on until 22:30.

Debate:

During the debate the following key issues were raised:

- The proposed houses are significantly different in appearance from the existing surrounding properties
- Scale, layout and access to the development site would have an unacceptable impact on the character of Minsterley Avenue
- 4 trees on the site that have TPOs will need to be felled
- The southern most property will overlook the back of no. 34 Minsterley Avenue causing privacy issues

- Wildlife on the site may be affected
- This would be an overdevelopment due to the size of the plot.

For – 0

Against – 10

Abstain – 2

The motion for approval FELL

It was proposed by Councillor Lagden and seconded by Councillor Bateson that the application be refused as it was in contravention of EN1 (a) of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

For – 12

Against – 0

Decision: The application was **REFUSED** for the following reasons:

The proposed development, by reason of its layout and location to the rear of the existing dwellings and its failure to provide a street frontage, would result in a development which fails to pay due regard to the existing proportions and building lines of the locality and fails to make a positive contribution to the street scene, resulting in a development which would be out of character with the surrounding area, contract to policy EN1(a) of the Core Strategy and Policies DPD 2009, the Design of Residential Extensions and new Residential Development SPD 2011 and the National Planning Policy Framework 2021.

The Chairman closed the meeting at 22:26

A second meeting of the Planning Committee would be held on Wednesday 17 November to consider the remaining items on the agenda.

525/21 Planning Appeals Report

This item was carried over to the next meeting of the Committee to be held on Wednesday 17 November 2021.

526/21 Major Applications Report

This item was carried over to the next meeting of the Committee to be held on Wednesday 17 November 2021.

527/21 Exclusion of Public and Press

This item was carried over to the next meeting of the Committee to be held on Wednesday 17 November 2021.

**528/21 Planning App 21/00010/FUL - Renshaw Industrial Estate, Mill
Mead, Staines-upon-Thames, TW18 4UQ**

This item was carried over to the next meeting of the Committee to be held on
Wednesday 17 November 2021.

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**Minutes of the Planning Committee
17 November 2021**

Present:

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

Councillors:

C. Bateson	N.J. Gething	R.W. Sider BEM
A. Brar	M. Gibson	J. Vinson
J.T.F. Doran	R.J. Noble	

Apologies: Apologies were received from Councillor T. Lagden and Councillor B.B. Spoor

In Attendance:

Councillor M. Beecher

Councillor H. Harvey was in attendance virtually, but was not allowed to vote.

569/21 Disclosures of Interest

No further disclosures of interest were made.

570/21 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.

571/21 Major Applications Report

The Planning Development Manager submitted a report outlining major applications that may be brought before the Planning Committee for determination.

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

572/21 Exclusion of Public and Press

It was proposed by Councillor Bateson and seconded by Councillor Gething and **resolved** to move the exclusion of the Press and Public for the remaining item on the agenda in view of the likely disclosure of exempt information within the meaning of Paragraph Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to Information) (Variation) Order 2006.

573/21 Planning App 21/00010/FUL - Renshaw Industrial Estate, Mill Mead, Staines-upon-Thames, TW18 4UQ

Councillor A. Brar was not present for the beginning of this item, was not allowed to take part in the debate, and was not allowed to vote.

Councillor H. Harvey was in attendance virtually, was allowed to take part in the debate, but was not allowed to vote.

Description:

The Planning Committee considered a report from Officers containing advice from the Council's consultants and legal advisors about matters arising from an appeal against refusal of permission.

Members considered matters arising from the report and debated them.

Decision:

The Committee agreed to **approve** the recommendation.

Given that this advice is legally privileged, the report arising from it and the discussions of members are necessarily confidential and cannot be published at this time.

This confidentiality is in the public interest as it allows the Council to progress the legal proceedings without prejudicing its position.

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

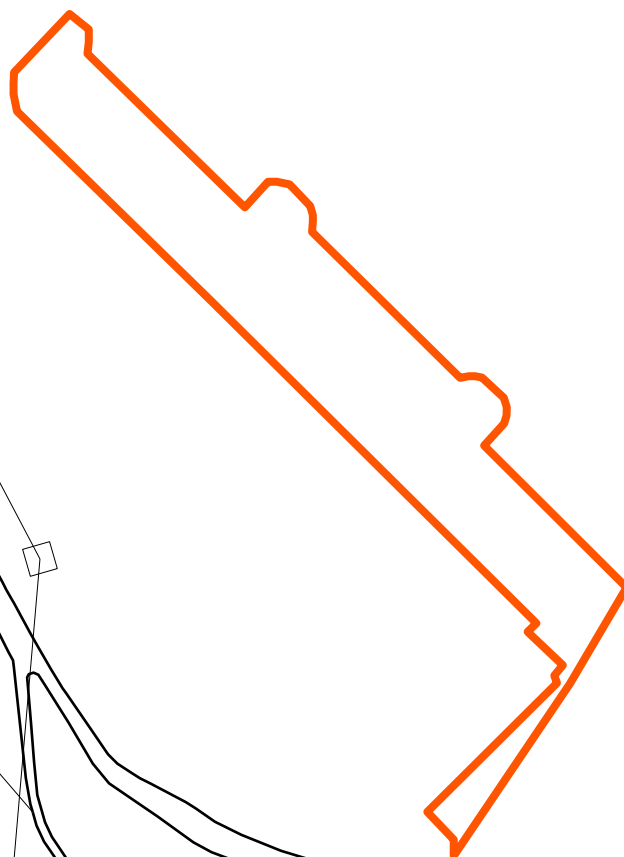
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21/01182/FUL - Shepperton Studios, Studios Road, Shepperton TW17 0QD

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Planning Committee

5 January 2022



Application No.	21/01182/FUL
Site Address	Shepperton Studios Studios Road Shepperton TW17 0QD
Applicant	Shepperton Studios Limited
Proposal	Construction of a workshop (plot 1.4), utility building and security barriers, turnstile and guard shelter, with associated enabling works, access and parking at Shepperton North West
Case Officer	Drishti Patel
Ward	Laleham and Shepperton Green
Called-in	N/A

Application Dates	Valid: 19.07.2021	Expiry: 13.09.2021	Target: Extension of Time Agreed
Executive Summary	<p>The proposal is for the construction of a workshop (plot 1.4), utility building and security barriers, turnstile and guard shelter, with associated enabling works, access and parking at Shepperton (North-West of the area of the studios expansion and north of the River Ash). The proposal has been submitted and reviewed on the basis that it would not add any additional floorspace from that approved under the outline permission i.e the workshop would be counted against the 112,849m² net additional space approved under the outline application (18/01212/OUT)..</p> <p>The proposal represents inappropriate development in the Green Belt, which is recognised by the applicant, and is by definition harmful and should not be approved except in very special circumstances. The protection of the Green Belt is a national policy objective, and the Government attaches substantial weight to it. Development should not be approved except in very special circumstances, which will not exist unless the potential harm to the Green Belt and any other harm is clearly outweighed by other considerations.</p> <p>The applicant has put forward a number of considerations that they believe support a case for approval.</p> <p>The main planning considerations are the impact on the Green Belt and the design and appearance of the workshop. There is harm to the Green Belt and its openness. However, it is deemed that other considerations in favour of the development clearly outweigh the harm to the Green Belt</p>		

	and that 'very special circumstances' exist. The design and appearance are considered acceptable. It is recommended the application be approved.
Recommended Decision	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:

- Strategic Policy SP1: Location of Development
- Strategic Policy SP3: Economy and Employment Land Provision
- Strategic Policy SP6: Maintaining and Improving the Environment
- Strategic Policy SP7: Climate Change and Transport
- Policy LO1: Flooding
- Policy EM1: Employment Development
- Policy EN1: Design of New Development
- Policy EN3: Air Quality
- Policy EN8: Protecting and Improving the Landscape and Biodiversity Policy EN11: Development and Noise
- Policy EN13: Light Pollution
- Policy EN15: Development on Land Affected by Contamination
- Policy CC1: Renewable Energy, Energy Conservation and Sustainable Construction
- Policy CC2: Sustainable Travel
- Policy CC3: Parking Provision

1.2 It is also considered that the following Saved Local Plan policies are relevant to this proposal:

- GB1 (Green Belt)

1.3 The advice contained within the National Planning Policy Framework (NPPF) 2021 is also relevant.

2. Relevant Planning History

2.1 The site has the following planning history:

Ref No.	Proposal	Decision and Date
18/01212/OUT	Outline planning permission with all matters reserved (except for principal points of access) for the redevelopment and expansion of Shepperton Studios, comprising the partial demolition and replacement of existing accommodation; construction of new sound stages, workshops, office accommodation, entrance structures and reception, security offices and backlots; creation of new vehicular and pedestrian access from Shepperton Road and the relocation of existing access off Studios Road; with associated car parking; landscaping and ecological enhancements. (AMENDED PLANS)	Granted 04.07.2019
20/01108/RMA	Application for approval of reserved matters for land to the north of the River Ash comprising details of sound stages, production buildings including offices and workshops, security hut, backlot and associated infrastructure, car parking, landscaping and other works pursuant to condition 2 of planning permission 18/01212/OUT dated 4th July 2019.	Granted 03.02.2021
21/01547/FUL	Use of 6 acres of land for backlot in association with Shepperton studios, including the construction of utility buildings, security barriers and guard shelters, with associated enabling works, access, landscaping, surface parking and amended car park access at land north of Shepperton Studios.	Pending Consideration. (On the current Planning Committee agenda)

3. Description of Current Proposal

Background

3.1 The application is made by Shepperton Studios Ltd which is part of the Pinewood Studios Group Ltd. There has been a film studio on the site since the early 1930s when it was established within the grounds of Littleton Park Estate and the studio facilities have since then been extended significantly.

The approved expansion offers a wide range of facilities that are essential for film and High End Television (HETV) production, including:

- 14 sound stages
- 31 workshops
- Production offices
- Dressing rooms
- Make-up and hair facilities
- Meeting rooms
- Wardrobe workshops and costume storage and fitting facilities

- 3.2 In the outline application, the applicant stated they were a “market leader with a global reputation” and a provider of “a world class range of facilities and services to the film and HETV production industries” whose primary focus is the production of high budget feature films. The studio’s customers include filmmakers from around the world, but a substantial proportion of its business also comes from UK film and other media producers.

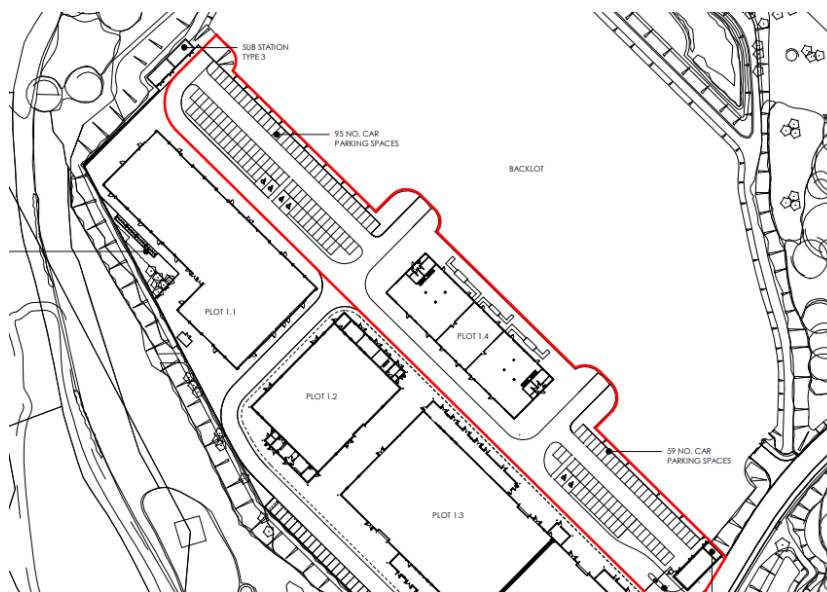
Proposal

- 3.3 The site is located to the northwest of the existing studio and to the south of Queen Mary’s Reservoir. To the east is the residential properties in Studios Estate.

The proposal includes:

- A workshop building
 - Would be used for the construction of sets, costumes, props, scenery, and special effects
 - Situated in a central position of the site
 - 1657 sqm proposed gross external area
 - Would measure 65 metres long and 20 metres wide
 - Single pitched roof design with a height of 9.4 metres with 6.0 metres to the eaves
 - The 5 metal loading doors would be 5.5 metres in height
 - Would have an open plan design which is double height with two mezzanine sections
 - Materials would consist of vertical black/dark grey composite cladding panels for the external walls and similar composite panels for the roof. Proposed to be agreed via condition
- Surface car parking area
 - A total of 154 parking spaces
 - Split into two sections either side of the proposed workshop with 59 parking spaces in the north-western section and 95 parking spaces in the south-eastern section
 - 6 of these would be accessible
- A security hut with vehicular barriers and fencing
 - Situated to the south-eastern side of the site

- 2.25 sqm
- Would have a height of 2.55 metres with grey composite wall panels and a grey roof fascia
- There would be a grey metal door and a glazed window
- A utilities building
 - Situated to the south-eastern side of the site
 - 137 sqm
 - Would have a mono pitched roof design with a maximum height of 5.0 metres and an eaves height of 4.0 metres
 - The external walls would be concrete blockwork with grey composite roof panels on the roof
 - The 3 metal doors are to be dark green in colour



4. Consultations

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

Consultee	Comment
County Highway Authority	Comments awaited
Lead Local Flood Authority	Comments awaited
Environmental Health	With regards to ground works the ongoing remediation and use of the site should be subject to the agreed remediation strategy .
Environment Agency	No Objection

5. Public Consultation

- 5.1 A total of 14 properties were notified of the planning application, a statutory site notice was displayed, and the application was advertised in the local press. No letters of representation have been received

6. Planning Issues

The main planning considerations are:

- Principle of Development
- Green Belt
- Design and layout
- Highway Issues
- Parking
- Landscape
- Flooding and Drainage
- Air Quality
- Contaminated Land
- Noise
- Other Considerations

7. Planning Considerations

Principle of Development

- 7.1 The principle of expanding Shepperton Studios was approved in July 2019, under application 18/01212/OUT. The first reserved matters submission was required within 2 years of the date of the permission, which was received on 23rd September 2020 under reference 20/01108/RMA and works have commenced.
- 7.2 The outline permission approved 112,849 sqm of net additional floorspace across the expansion site as a whole.
- 7.3 The proposal is located in part of development zone D12 (backlot) identified on the Composite Parameters plan approved under 18/01212/OUT.
- 7.4 Therefore, whilst the principle of the expansion of the Shepperton Studios has been considered and agreed, this proposal varies the uses within the approved development zone and would have an additional impact on the openness of the Green Belt.

Green Belt

- 7.5 The site lies within the Green Belt and represents part of the backlot that was approved under 18/01212/OUT on 4th July 2019.
- 7.6 The area was identified as D12 on the PP.4 Development Zones Plan and has been subject to a reserved matters approval under 20/01108/RMA
- 7.7 Paragraph 137 of the National Planning Policy Framework (2021) sets out that:

'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.' This wording is unchanged from previous iterations of the NPPF.

- 7.8 The Council's Saved Local Plan Policy GB1 is mostly reflected in 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. Because of the inconsistency with the NPPF, the impact of the development on the Green Belt should be considered primarily against the policies of the NPPF.
- 7.9 Any application on Green Belt land must be assessed against national and local Green Belt policy including the five purposes of the Green Belt, whether the development is appropriate within the Green Belt and if it is inappropriate whether the harm is clearly outweighed by other considerations which constitute very special circumstances.
- 7.10 The use of this area of land for a backlot was assessed as part of the wider expansion plans under 18/01212/OUT and the reserved matters approval.

Green Belt - Inappropriate Development

- 7.11 Paragraph 148 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.'*
- 7.12 The use of the land as a backlot falls within the definition of inappropriate development and this was considered in respect of the outline application. Both the outline and reserved matters approvals carry substantial weight in the consideration of this proposal.

Green Belt - Openness

- 7.13 The essential characteristics of Green Belt land is its openness and its permanence. These characteristics serve all five purposes of the Green Belt against which the proposed development will be assessed.
- 7.14 Openness is not defined in the NPPF but is commonly taken to be the absence of built development. It is acknowledged that there is an important distinction between openness as being the absence of built development and openness as being the absence of visual impact, however, the visual impact is also an intrinsic part of the assessment of a development against the five purposes of the Green Belt and the two meanings cannot therefore be completely separate. A development may be acceptable in terms of its visual impact on the surrounding landscape but still be unacceptable spatially as it would be contrary to the essential and enduring function of government policy for the Green Belt in keeping land free from development.
- 7.15 The consideration of the outline application for the expansion of the Studios recognised that the proposal would have an impact on the openness of the Green Belt. This site was identified as backlot, which would include temporary structures and ancillary operational development and parking, and reserved matters have been approved. However it is the additional harm deriving from the proposed permanent structure and parking that must now be considered.

Green Belt - Conclusion

- 7.16 The proposal would, by definition, represent harm to the Green Belt as a result of being inappropriate development and would give rise to further Green Belt harm by reason of loss of openness.
- 7.17 The protection of the Green Belt is a national policy objective, and the Government attaches substantial weight to it, with permanence as a key element.
- 7.18 However, there is an existing outline approval for an expansion to the studios and a reserved matters approval for the use of this site as a backlot.
- 7.19 It is acknowledged that the proposed buildings and car parking are permanent whilst the approved backlot area in which the buildings would be sited would only have contained temporary buildings/structures as part of a film set. Consequently, the proposed development in itself would have a greater impact on the openness of the Green Belt compared to those structures associated with approved backlot. However, the proposed floor space of the buildings (1796.25m²), when added to the net additional floor space associated with the approved reserved matters application (102,190m²) would still be substantially below the maximum net additional floor space figure approved at the outline stage (112,849m²). The proposal would therefore not exceed the parameters of the approved outline planning permission.

Design and Layout

- 7.20 Policy EN1 (Design of New Development) from the Council's Core Strategy and Policies DPD 2009 states the Council requires a high standard in the design and layout of new development. Therefore, 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.
- 7.21 The proposed building is a workshop (plot 1.4). It would have a pitched roof measuring 9.5 metres and an eaves level of 6.0 metres. It would have a ground floor space of 1657 sqm. The walls would be finished in cladding panels in black and dark grey. There would be a mix of metal doors and metal roller shutter doors reflecting the style approved at the wider expansion site. The building would be glazed with both high level and level glazing on the ground floor on the northeast and southwest elevations.
- 7.22 The building would be in keeping with the predominantly utilitarian large-scale nature of the studio buildings of the existing studio. It would be shielded from wider views across River Ash and from neighbouring properties by the sound stages and workshop currently being constructed and the intervening landscape and would be sufficiently distant from public viewpoints and residential properties to minimise the visual impact.
- 7.23 There would also be additional smaller ancillary structures proposed including 1 guard shelter (2.25 sqm) and 1 utility building (137 sqm).

- 7.24 The proposed guard shelter would be situated to the southeast and would include vehicle barriers. It would be constructed of composite grey panels with one entrance on the southeast elevation and glazing on the southwest elevation. It would have a small scale with a maximum height of 2.55 metres with a flat roof design. The design is considered acceptable. The utility building would also be situated to the southeast of the application area and to the north of the guard shelter. It would be finished in concrete blockwork wall with a sloping roof. It would have a height of 4.9 metres sloping down to 4.0 metres at the eaves. There would be no glazing however would have three double metal doors in dark green on the northwest elevation.
- 7.25 With regards to the backlot area approved through the outline and reserved matters applications, 2.44 acres (0.99 hectares) would be lost to the proposed scheme and therefore would be left with 6 acres 92.41 hectares). This reflects the size of backlot stated by the applicant as being optimum for film making requirements.
- 7.26 Overall, the design and layout of the proposal is considered to be acceptable and compliant with policies in the NPPF and Core Strategy Policy EN1.

Highway Issues

- 7.27 The Transport Assessment (TA) considers the proposal in terms of the overall studio expansion approved under 18/01212/OUT, noting that transport issues have been resolved through the outline process. As such it recognises that the floorspace of the workshop comprises part of the overall floorspace allowed on the studios expansion.
- 7.28 The County Highway Authority (CHA) was consulted on this application but has not responded. However, on the basis of the position presented in the TA, the proposal would not represent an increase in floor area over the outline approval and would not, therefore, create additional traffic movements from those already addressed through the outline application.
- 7.29 The LPA is satisfied that the proposal would not represent a change to the traffic generation previously considered by the CHA or the planning committee.

Parking

- 7.30 The proposal includes 154 car parking spaces including 6 disabled spaces. The proposed workshop would sit centrally with two car parking areas either side of the building. The northern west car parking area would comprise 95 spaces, with 59 on the southern east area. The application also includes pedestrian access from the south which would connect to the original expansion application. These parking spaces would contribute to the redistribution of the spaces lost in connection with application 21/01547/FUL for the backlot on the G13 (parking) development zone to the east.

Landscape

- 7.31 Policy EN1 of the CS&P DPD refers to high standards of design and layout and the incorporation of landscaping to enhance the setting of the development.

- 7.32 Policy EN8 refers to the protection and improvement of the landscape and biodiversity.
- 7.33 The D12 (backlot) site was approved as an open area with landscaping only on the periphery. The proposed site for the workshop and parking would be wholly within that area and would therefore have no material adverse impact on landscaping.

Flooding

- 7.34 Policy LO1 seeks to reduce flood risk and its adverse effects on people and property in Spelthorne.
- 7.35 The Flood Risk Assessment (FRA) was reviewed by the Environment Agency during the outline application and as a result of the planning conditions attached.
- 7.36 The proposal would have no additional impact on flood risk over and above the existing approved and implemented position.
- 7.37 The Lead Local Flood Authority (LLFA) considered the outline application and raised no objection subject to conditions. The information relating to the discharge of the conditions has also been reviewed and agreed. The LLFA has been consulted on this change to the layout and comments are awaited, however conditions relating to a SUDs scheme have been recommended.

Air Quality

- 7.38 The potential impacts on air quality were considered in respect of the outline application (18/01212/OUT).
- 7.39 The potential effects of this proposal would have no additional materially adverse impact on air quality and would comply with policies SP6 and EN3 of the CS&P DPD.

Contamination

- 7.40 The potential impacts on contamination were considered with the outline application and subsequent discharge of conditions applications.
- 7.41 The Environmental Health Officer (contamination) was consulted and a condition relating to the agreed remediation methodology approved for the outline application has been recommended.

Noise

- 7.42 The potential impacts of noise were considered with respect to the outline application for the studios expansion (18/01212/OUT).
- 7.43 The potential effects of this proposal would have no additional materially adverse impact on noise and would comply with policies SP6 and EN11 of the CS&P DPD.

Equalities Act 2010

- 7.44 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:
- 7.45 The elimination of discrimination, harassment and victimisation; The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it; The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights Act 1998

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

Conclusion

- 7.50 The proposed buildings and car parking constitute inappropriate development in the Green Belt and this in itself carries substantial weight against the merits of the scheme. In addition, the proposal will result in loss of openness in the Green Belt. However, the proposed floor space, when added in combination with the net additional floor space approved under the Reserved Matters application, is still well below the maximum floor space limit associated with the approved outline planning permission. Moreover, the proposed development will be located within the approved development site and will not conflict with the five purposes of the Green Belt. As the proposed/Reserved Matters combined floor space will be less than the approved outline maximum floor space, the overall impact on the openness of the Green Belt will be less. Given this and the national economic benefits of the wider scheme and the current requirement for the proposed use, it is considered that the benefits of the proposal would outweigh the harm to the Green Belt by reason of

inappropriateness, and other harm resulting from the proposal and that 'very special circumstances' exist. Moreover, the proposed design and layout of the scheme and the impact on the amenity on neighbouring properties are considered acceptable. the proposal would not affect the parking provision levels throughout the site or result in additional traffic generation.

- 7.51 Accordingly, the application is recommended for approval.
- 7.52 As part of the statutory regulations, site and press notices were issued for this application. The time period for final comments is 07/01/2022 and therefore the recommendation to approve is subject to no adverse comments being received by this date in relation to these notices.

8. Recommendation

Subject to no objections being received by 07/01/2022 in relation to the statutory notices;

8.1 GRANT subject to the following conditions: -

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:
3755-FBA-XX-XX-DR-A-010901-P1; / 3673-FBA-XX-ZZ-DR-A-01098-P7; / 3755-FBA-XX-XX-DR-A-010902-P1; / 3755-FBA-XX-XX-DR-A-010903-P1 / 3755-FBA-XX-XX-DR-A-010904-P1 / 3755-FBA-XX-XX-DR-A-010905-P1 / 3755-FBA-XX-XX-DR-A-010906-P1 / 3755-FBA-XX-ZZ-DR-A-010960-P2 received 19 June 2021.

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

3. Prior to the construction of the building hereby permitted is first commenced details of the materials and detailing to be used for the external surfaces of the buildings and surface material for parking areas be submitted to and approved by the Local Planning Authority.

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

4. The site shall be remediated in accordance with the remediation strategy outlined and agreed under discharge application 18/01212/DCE2 and contained within the following documents:

- CGL, Northwest land: Geotechnical and Geoenvironmental Interpretative Report, 19 May 2021, Ref: CG/38258/R010, Version 5;
- CGL, Northwest Land, Shepperton Studios: Remediation Method Statement, 19 May 2021, Ref: CG38258A/R002, Version 6;
- CGL Letter titled Northwest Land, Shepperton Studios – Conditions 35b and 37 (18/01212/DCE2), 25 June 2021, Ref CG/38258A; and
- CGL, Backlot Maintenance/ Reinstatement Specification Document, under development.

Any deviation from that agreed strategy will require the express written agreement of the Local Planning Authority.

Reason:-

To protect the amenities of future workers 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.

5. Prior to the first use 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 workers and the environment from the effects of potentially harmful substances.

6. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars to be parked and for vehicles to turn so that they exit the site in forward gear. The parking area and access shall be used and retained exclusively for its designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

7. The development hereby approved shall not be occupied unless and until at least 30 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

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

Reason:-.To safeguard the amenity of neighbouring properties and wildlife.

9. 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.

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

a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy.

Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5.3 litres/sec based on 1.70 l/s/ha.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross reducing features (silt traps, inspection chambers etc.). Including details of any lining required to prevent groundwater ingress.

c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

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

e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

11. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

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

12. No infiltration of surface water drainage into the ground identified in this planning application at Shepperton Studios, Studios Road, Shepperton, TW17 0QD is permitted other than with the written consent of the Local Planning Authority. Any infiltration shall be carried out in accordance with such consent.

Reason:- To prevent deterioration of the Principal and Secondary Aquifer in line with paragraph 183 of the National Planning Policy Framework 2021.

Informatives

- 1 Access by the Fire Brigade
Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings.

There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

- 2 The applicant is 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 with consideration of the nearby hospital 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 covering stockpiles and exposed topsoil, 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 bowsters and wheel washes. The applicant is encouraged to adopt the best practice mitigation measures for construction dust specified within the Institute of Air Quality Management Guidance on the Assessment of Dust from Demolition and Construction;
 - (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.
 - (h) The Pollution Control team should be consulted over placement of continuous PM10 monitoring and upon the methods of dust suppression and mitigation prior to the works.

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

It should be noted that under the Environmental Protection Act 1990 Councils can serve an abatement notice on people responsible for statutory nuisances. This may require whoever's responsible to stop the activity or limit it to certain times to avoid causing a nuisance and can include specific actions to reduce the problem.

- 3 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- 4 The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible

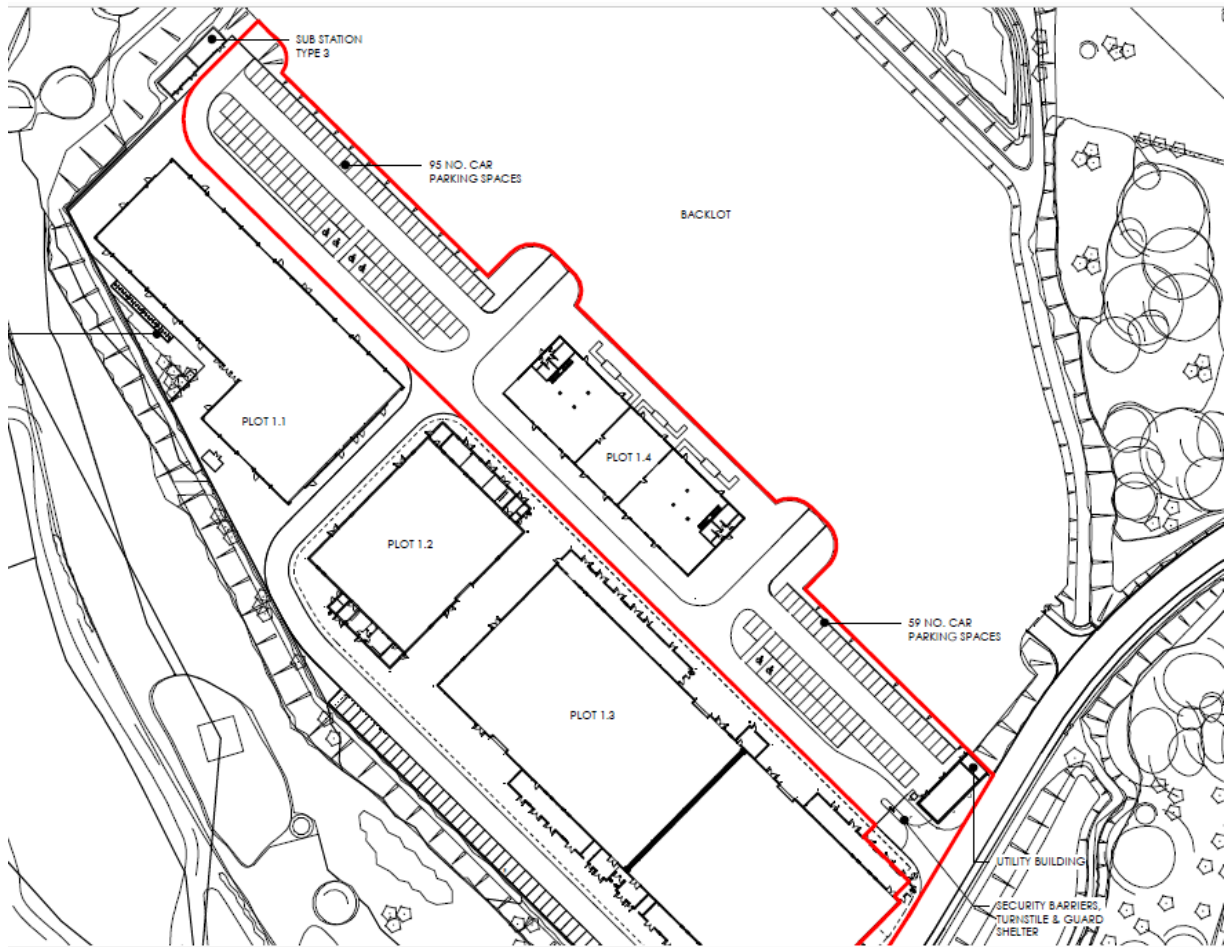
the works take the route of least disruption and occurs at least disruptive times to highway users.

- 5 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to submit to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
- 6 All lighting throughout the proposed development and the wider Studios expansion should be designed in line with the Bat Conservation Trust guidelines on artificial lighting and wildlife (Bat Conservation Trust 2018) and the Institute of Lighting Professionals 3 to minimise adverse impacts on bats and other nocturnal animals in the surrounding area.
- 7 If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk. Please use reference number LLFA-SP-21-0964 in any future correspondence.
- 8 The Town and Country Planning (Development Management Procedure) (England) Order 2015 Working in a positive/proactive manner

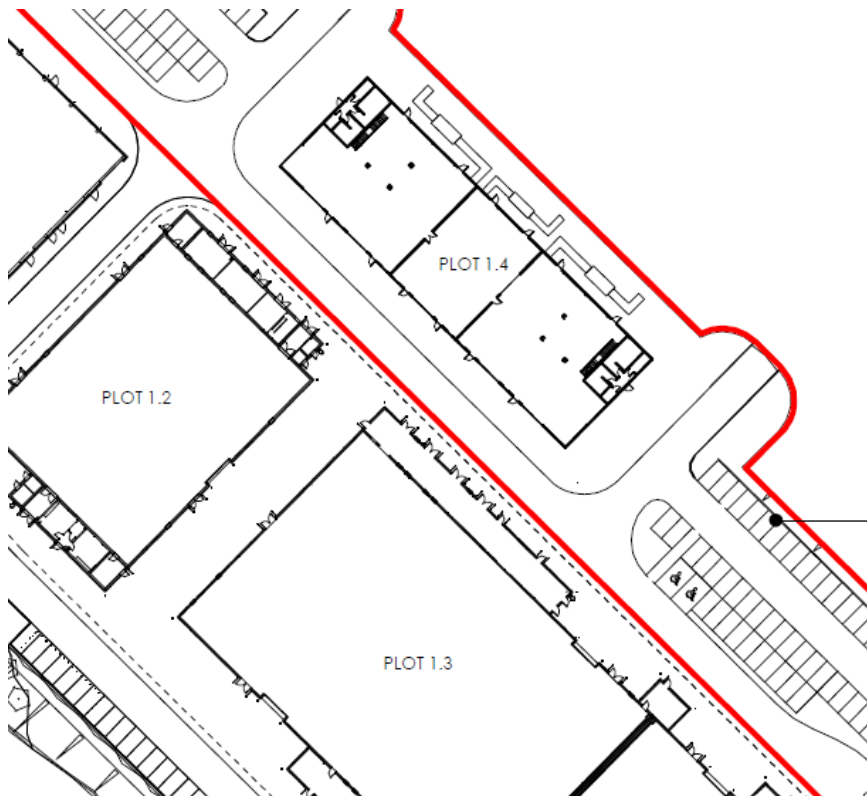
In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of the NPPF. This included the following:-

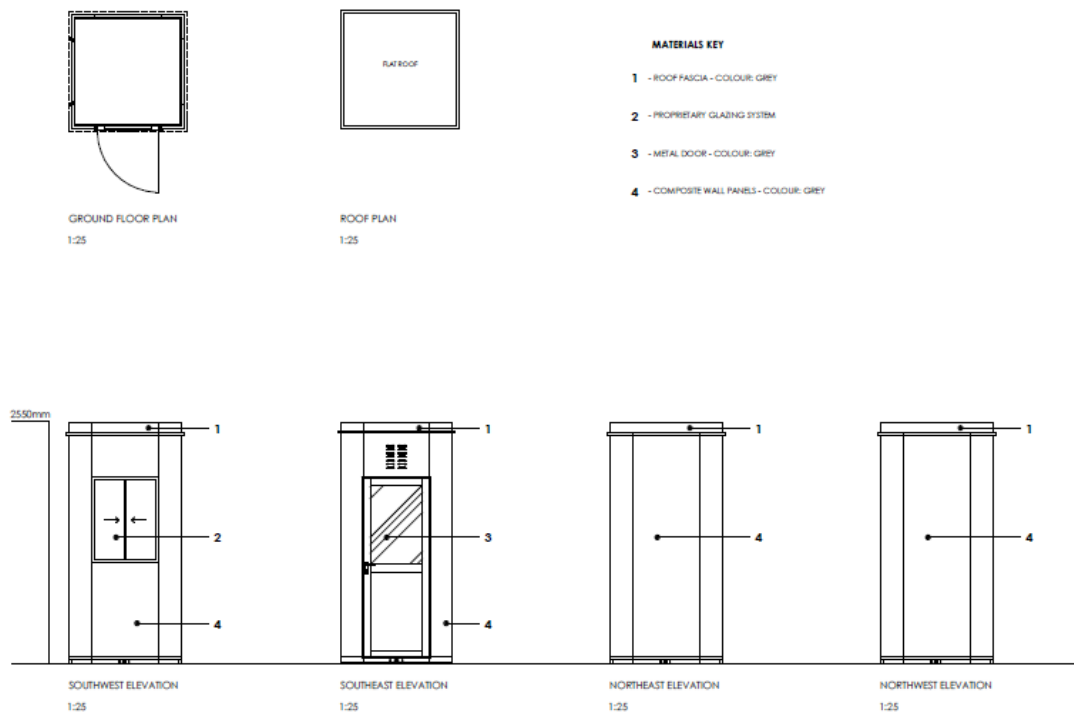
- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application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

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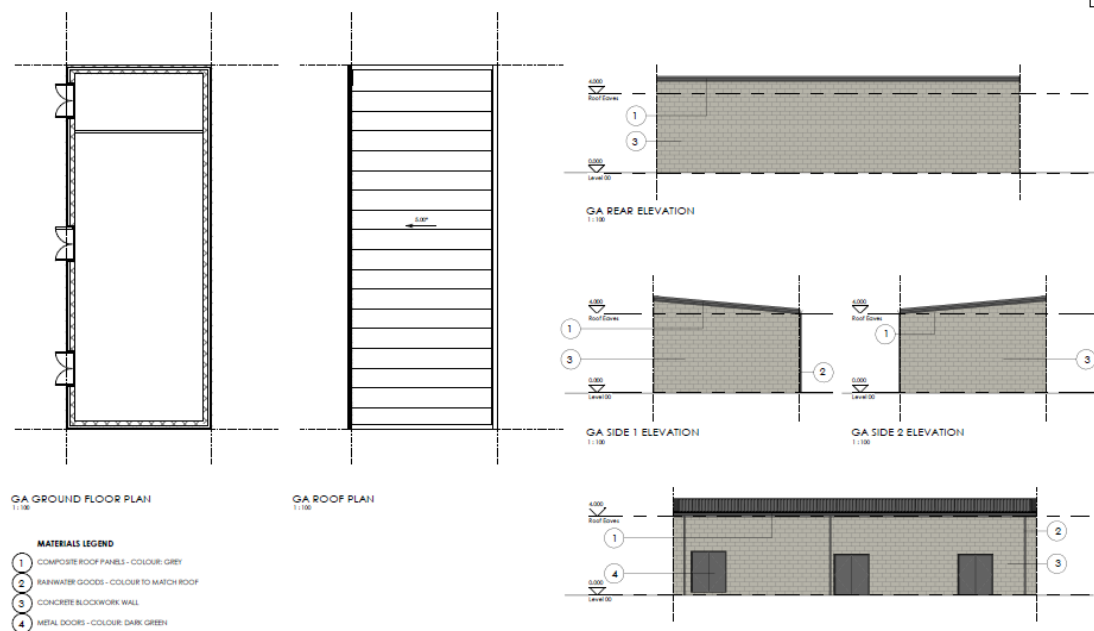


Site Layout





Security Hut



Utility Building

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21/01547/FUL - Shepperton Studios, Studios Road, Shepperton. TW17 0QD

Scale: 1:5,000

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Planning Committee

05 January 2022



Application No.	21/01547/FUL
Site Address	Shepperton Studios, Studios Road, Shepperton, TW17 0QD
Applicant	Shepperton Studios Ltd,
Proposal	Use of 6 acres of land for backlot in association with Shepperton studios, including the construction of utility buildings, security barriers and guard shelters, with associated enabling works, access, landscaping, surface parking and amended car park access at land north of Shepperton Studios
Case Officer	Russ Mounty
Ward	Laleham and Shepperton Green
Called-in	N/A

Application Dates	Valid: 04/10/2021	Expiry:03/01/2022	Target: Extension of Time agreed
Executive Summary	<p>This proposal seeks to alter areas G13 and F14 of the Outline approval, providing a 6 acre backlot space, with alterations to the north car park and landscaping. The approved outline scheme and subsequent reserved matters application proposed a car park on area G13 and an extension to the existing surface car park on area F14. The current proposal seeks to create a backlot on area G13 and revise the existing surface car park, including the extension element into the backlot.</p> <p>The proposal represents inappropriate development in the Green Belt, which is recognised by the applicant, and is by definition harmful and should not be approved except in very special circumstances. The protection of the Green Belt is a national policy objective, and the Government advice in the National Planning Policy Framework 2021 attaches substantial weight to it.</p> <p>The proposal would not affect the parking provision levels throughout the site as this would be accommodated in revised parking provision elsewhere within the site. In addition, there would be no additional traffic generation as the provision of backlots was included in the outline application.</p>		

	<p>Although the proposal does encroach further into the Green Belt, this is a relatively small encroachment, that would not have a material impact on the 5 purposes of the Green Belt. Given the national economic benefits of the wider scheme and the current requirement for the proposed use both nationally and globally, in combination with the commitment to biodiversity enhancements, secured through legal agreement, it is considered that the benefits of the proposal would outweigh the harm to the Green Belt by reason of inappropriateness, and the other harm resulting from the proposal and that 'very special circumstances' exist.</p>
Recommended Decision	<p>Approve the application subject to a S106 agreement and conditions as set out at Paragraph 8 of the Report.</p>

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:

- Strategic Policy SP1: Location of Development
- Strategic Policy SP3: Economy and Employment Land Provision
- Strategic Policy SP6: Maintaining and Improving the Environment
- Strategic Policy SP7: Climate Change and Transport
- Policy LO1: Flooding
- Policy EM1: Employment Development
- Policy EN1: Design of New Development
- Policy EN3: Air Quality
- Policy EN8: Protecting and Improving the Landscape and Biodiversity
- Policy EN11: Development and Noise
- Policy EN13: Light Pollution
- Policy EN15: Development on Land Affected by Contamination
- Policy CC1: Renewable Energy, Energy Conservation and Sustainable Construction
- Policy CC2: Sustainable Travel
- Policy CC3: Parking Provision

1.2 It is also considered that the following Saved Local Plan policies are relevant to this proposal:

- GB1 (Green Belt)

1.3 The advice contained within the National Planning Policy Framework (NPPF) 2021 is also relevant.

2. Relevant Planning History

2.1 The site has the following planning history:

Ref. No.	Proposal	Decision and Date
20/01108/RMA	Application for approval of reserved matters for land to the north of the River Ash comprising details of sound stages, production buildings including offices and workshops, security hut, backlot and associated infrastructure,	Approved 03.02.2021

	car parking, landscaping and other works pursuant to condition 2 of planning permission 18/01212/OUT dated 4th July 2019	
18/01212/OUT	Outline planning permission with all matters reserved (except for principal points of access) for the redevelopment and expansion of Shepperton Studios, comprising the <i>partial demolition and replacement of existing accommodation; construction of new sound stages, workshops, office accommodation, entrance structures and reception, security offices and backlots; creation of new vehicular and pedestrian access from Shepperton Road and the relocation of existing access off Studios Road; with associated car parking; landscaping and ecological enhancements.</i>	Grant Conditional 04.07/2019
21/01182/FUL	Construction of a workshop (plot 1.4), utility building and security barriers, turnstile and guard shelter, with associated enabling works, access and parking at Shepperton North West	Awaiting Decision

3. Description of Current Proposal

Background

- 3.1 This application has been made by Shepperton Studios Ltd which is part of the Pine wood Studios Group. There has been a film studio on the site since the early 1930s when it was established within the grounds of Littleton Park Estate and the studio facilities have since then been extended significantly. The approved expansion offers a wide range of facilities that are essential for film and high end television (HETV) production including:
- 14 sound stages
 - 31 workshops
 - Production offices
 - Dressing rooms
 - Make-up and hair facilities
 - Meeting rooms
 - Wardrobe workshops and costume storage and fitting facilities
- 3.2 In the outline application the applicant stated they were a “market leader with a global reputation” and a provider of “a world class range of facilities and services to the film and HETV production industries” whose primary focus is the production of high budget feature films. The studio’s customers include

filmmakers from around the world, but a substantial proportion of its business also comes from UK film and other media producers.

Proposal

- 3.3 The site is bounded by the Queen Mary Reservoir to the north, which incorporates a 10m grassed embankment, Studios Estate to the south (adjacent to the existing studio site), an area of land forming part of the studios expansion to the west and Studios Road to the east.
- 3.4 The proposed development seeks the use of 6 acres of land, previously approved as surface car park and open land, for backlot in association with Shepperton studios, including the construction of utility buildings, security barriers and guard shelters, with associated enabling works, access, landscaping, surface parking and amended car park access at land north of Shepperton Studios.
- 3.5 The proposal includes:
- The creation of 6 acre backlot north of the Studios Estate
 - A security hut and vehicular barriers located at the south-eastern end of the access road to manage access to the studio site
 - A private electrical substation to the west of the backlot
 - The construction of an attenuation pond to the west of the proposed backlot
 - An adjacent 11KV switch room building, approved as part of the North West reserved matters application, will be reduced in size and repositioned to suit the revised access arrangements;
 - Additional pedestrian turnstile and access gates at the main entrance to the existing Studio site.
 - The relocation of the internal link road further north
 - The reconfiguration of the Studios Estate junction
 - The relocation of the access to the existing carpark to the east.

An extract of the proposed site layout is shown below.



4. Consultations

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

Consultee	Comment
Lead local Flood Authority	No Objection subject to conditions
County Highway Authority	No response received
Environment Agency	Recommend EA standing advice
Biodiversity Officer	No Objection subject to conditions
Environmental Health	No Objection subject to conditions
Surrey Wildlife Trust	Recommends clarification and technical revisions (as discussed below)
Arboricultural Officer	No Objection

5. Public Consultation

5.1 A total of 32 properties were notified of the planning application, a statutory site notice was displayed, and the application was advertised in the local press. One letter of objection has been received raising the following issues:

- Studios and contractors lack of respect of residential proximity
- Inappropriate location of ancillary construction facilities
- Proximity of vehicle parking to residential properties
- Traffic generation and highway safety

6. Planning Issues

- Principle of Development
- Green Belt
- Design and layout
- Highway Issues
- Parking
- Impact on Residential Amenity
- Air Quality
- Landscape
- Ecology
- Flooding and Drainage
- Contaminated Land
- Noise
- Lighting
- Other Considerations

7. Planning Considerations

Principle of Development

7.1 The principle of expanding Shepperton Studios was approved in July 2019, under application 18/01212/OUT. The first reserved matters submission was required within 2 years of the date of the permission, which was received on

23rd September 2020 under reference 20/01108/RMA and works have commenced.

- 7.2 The outline permission approved 112,849 sqm of net additional floorspace across the expansion site as a whole.
- 7.3 The proposal incorporates development zone F14 (car park) and G13 (car park) identified on the Composite Parameters plan approved under 18/01212/OUT. However, it also encroaches into the open space and landscaped areas to the west and north of the development zones.
- 7.4 Therefore, whilst the principle of the expansion of the Shepperton Studios has been considered and agreed, this proposal varies the uses within the approved development zones and further encroaches into the Green Belt, reducing the approved landscape area and reducing biodiversity opportunities.

Green Belt

- 7.5 The site lies within the Green Belt and represents the two car parks and open landscape that was approved under 18/01212/OUT on 4th July 2019.
- 7.6 The area was identified as D13 and F14 on the PP.4 Development Zones Plan and has been subject to a reserved matters approval under 20/01108/RMA
- 7.7 Paragraph 137 of the National Planning Policy Framework (2021) sets out that:
'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.' This wording is unchanged from previous iterations of the NPPF.
- 7.8 The Council's Saved Local Plan Policy GB1 is mostly reflected in 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. Because of the inconsistency with the NPPF, the impact of the development on the Green Belt should be considered primarily against the policies of the NPPF.
- 7.9 Any application on Green Belt land must be assessed against national and local Green Belt policy including the five purposes of the Green Belt, whether the development is appropriate within the Green Belt and if it is inappropriate whether the harm is clearly outweighed by other considerations which constitute very special circumstances.
- 7.10 The use of this area of land for a car park and open space was assessed as part of the wider expansion plans under 18/01212/OUT and the reserved matters approval.

Green Belt - Inappropriate Development

- 7.11 Paragraph 137 of the National Planning Policy Framework (2021) sets out that:
'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.' This wording is unchanged from previous iterations of the NPPF.

- 7.12 Paragraph 148 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.’*
- 7.13 The use of the land as a backlot falls within the definition of inappropriate development and this was considered in respect of the outline application. Both the outline and reserved matters approvals carry substantial weight in the consideration of this proposal.

Green Belt - Openness

- 7.14 The essential characteristics of Green Belt land is its openness and its permanence. These characteristics serve all five purposes of the Green Belt against which the proposed development will be assessed.
- 7.15 Openness is not defined in the NPPF but is commonly taken to be the absence of built development. It is acknowledged that there is an important distinction between openness as being the absence of built development and openness as being the absence of visual impact, however, the visual impact is also an intrinsic part of the assessment of a development against the five purposes of the Green Belt and the two meanings cannot therefore be completely separate. A development may be acceptable in terms of its visual impact on the surrounding landscape but still be unacceptable spatially as it would be contrary to the essential and enduring function of government policy for the Green Belt in keeping land free from development.
- 7.16 The consideration of the outline application for the expansion of the Studios recognised that the proposal would have an impact on the openness of the Green Belt. Part of this site was identified as a parking area and reserved matters have been approved, however it is the additional harm deriving from the proposed use and inclusion of the open landscape that must now be considered.

Green Belt - Conclusion

- 7.17 The proposal would, by definition, represent harm to the Green Belt as a result of being inappropriate development and would therefore give rise to Green Belt harm by reason of loss of openness. In isolation, the provision of land for use as backlot within the Green Belt would also represent clear conflict with two of the five Green Belt purposes, as defined in the NPPF.
- 7.18 The protection of the Green Belt is a national policy objective, and the Government attaches substantial weight to it, with permanence as a key element.
- 7.19 However, there is an existing outline approval for an expansion to the studios and a reserved matters approval for the use of the majority this site as a surface car park.

- 7.20 Although the Planning Statement indicates that this application sits wholly within the areas defined as Development Zones on the approved parameter plans, this is incorrect as the north-west edge of the site was outside any development zone approved in the outline application.



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- 7.21 The need for the studios expansion was assessed during the outline stage and it was agreed, that on balance, this outweighed the harm. However, this proposal seeks to encroach further into the Green Belt.
- 7.22 The Planning Statement suggests that there are material considerations that should be considered a 'very special circumstances'. However, the demonstration of very special circumstances for the outline application does not in itself justify further encroachment into Green Belt and little weight is given to this consideration. The extant permission carries some weight, but the proposal encroaches further into the Green Belt and it cannot therefore justify the current proposal, without additional benefits and limited weight is therefore afforded to this consideration. It is accepted that the backlot is an important element of the overall studios redevelopment, however the expansion was 39ha and included a backlot in the southern section that was revised to a car park. A new backlot could be relocated within the existing approved development areas without further impacting the Green Belt, but this was not done for commercial and operational reasons, and therefore little weight is accorded to this consideration.
- 7.23 It is acknowledged that the studios development would contribute to national objectives of economic growth and support for the film industry, and that the risks identified in respect of the outline application are reduced. As such, given the ability if this proposal to complete the comprehensive development of the studios, it is concluded that the harm to the Green Belt and other identified harm, addressed below, is clearly outweighed by the national economic argument and the support for Government policy aims.

Design & Layout

- 7.24 The 6 acre backlot would comprise a level space of crushed stone, similar to that constructed to the west. There would be landscaping around the

boundary, but with the exception of the southern boundary with Studios Estate, this would be limited.

- 7.25 The security hut and barriers would reflect those agreed in connection with the Reserved Matters application for the area north of the River Ash (20/01108/RMA).
- 7.26 The private substation would measure approximately 12.m x 5.5m with a mono-pitch roof at a maximum height of 3.6m. Constructed of concrete block under a profile metal roof.
- 7.27 The reserved matters application showed two substation buildings within the area, one to the northeast at the boundary with the reservoir and the other to the northwest on the edge of the parking area. One of these was larger than the proposed substation, the other smaller and both incorporated shallow pitched roofs.
- 7.28 The proposed attenuation pond would be set within the area of existing species rich grassland previously set aside for biodiversity net gain. The area was to be overseeded with yellow rattle to improve biodiversity.
- 7.29 The 11 Kw switch room would measure approximately 9.3m x 6.35m with a mono-pitch roof at a maximum height of 3.7m. Constructed of concrete block under a profile metal roof, it would be located adjacent to the revised north car park's north-west entrance.
- 7.30 The approved link road curved around the north of the surface carpark and retained a landscaped edge to the boundary with the Queen Victoria Reservoir. The current proposal uses tighter curves which require additional roadway to accommodate larger vehicles. The distance to the boundary is significantly reduced.
- 7.31 The provision of additional pedestrian turnstile and access gates would reflect those already existing on the studios side and would allow greater flexibility for the movement of pedestrians from the surface car park to the studio, thereby encouraging the use of the car park area rather than on-street parking.
- 7.32 The reconfiguration of the Studios Estate junction has been agreed in principle with the County Council and whilst this proposal would alter the geometry, it would have no additional impact on the operation of the highway for road users or pedestrians. It would, however, require a s278 agreement with the County Highway Authority.
- 7.33 The relocation of the access to the existing carpark to the east would align this better with the main access to the existing studios and would encourage the use of the surface car park area rather than on street parking.
- 7.34 Overall, the design and layout of the proposal is considered to be appropriate. It is generally in accordance with that already approved through the Reserved Matters applications, with a number of enhancements that are likely to improve the flow of pedestrians and vehicles in Studios Road.

Highway Issues

- 7.35 The Transport Assessment states that the parking levels across whole of the Shepperton Studios sites would be consistent with the minimum 2,595 spaces identified in the outline consent.

- 7.36 It also indicates that the original Traffic Assessment included the operation of two backlots at the site and allowed for the pro-rata increase in traffic generation for all development aspects, including any modest traffic impacts of backlot operation, in line with the ratio of floorspace increase from 83,560sqm to 194,409sqm.
- 7.37 It concludes that the proposed new north backlot would not increase the amount of backlot space above that considered during the outline application and traffic generation is therefore intrinsically included and robustly over-estimated within the original Traffic Assessment agreed with the County Highway Authority at the outline consent stage, alongside the agreed mitigation package.
- 7.38 Whilst the County Highway Authority has not responded to the consultation, or subsequent requests, the proposal does not introduce additional floorspace and would not reduce the overall parking availability on site. The provision of backlot's was included in the original Traffic Assessment and there is not considered to be any additional material impact on traffic generation. The LPA is therefore satisfied that the proposal would not raise any new traffic considerations.

Parking

- 7.39 The approved surface car park (G13) that would be replaced with the backlot area was to provide 504 spaces with the north car park extension to provide an additional 291 spaces.
- 7.40 The Transport Statement provided with this proposal indicates that to ensure that the levels of car parking across the Shepperton Studios expansion are consistent with the minimum 2,595 spaces required under Condition 13 of the outline consent, a new 684 space Multi-Storey Car Park (MSCP) is proposed in Shepperton South to off-set the loss of car parking as a result of the new north backlot.
- 7.41 This has been submitted as a reserved matters application as it would sit within the parameters agreed for the outline application (18/01212/OUT).
- 7.42 Additional surface car parking is also proposed in respect of planning application (21/01182/FUL). This would provide an additional 154 spaces within the north west studio hub and would address the 111 shortfall for the studio expansion overall, ensuring the studios does not add to parking stress in the surrounding community. There would be no change to the provision of disabled spaces within the site.
- 7.43 The proposed site plan indicates that the existing north car park between Studios Road and the Queen Marys Reservoir would be reconfigured to provide 452 parking spaces. The access would be revised to a location further east than the existing, with new pedestrian access points, to discourage parking within Studios Road. This would ensure that the parking provision within this car park remains as existing.
- 7.44 Overall, the proposal has considered the parking requirements for the operational aspects of the studios and ensured that the parking provision would meet the requirements set out in the outline application.

Landscape

- 7.45 Policy EN1 of the CS&P DPD refers to high standards of design and layout and the incorporation of landscaping to enhance the setting of the development.
- 7.46 Policy EN8 refers to the protection and improvement of the landscape and biodiversity.
- 7.47 The submitted landscape report dated September 2021 states that the updated strategy develops and enhances the key strands of the original outline strategy, particularly in relation to:
- An enhanced woodland framework - Additional woodland planting is proposed to create meaningful woodland corridors, integrate the development and filter views where required. Existing woodland will be brought under appropriate management.
 - The creation of ecological corridors - Additional ecological corridors are proposed to enhance and strengthen ecological connectivity.
 - Integrated SuDS provision - Extensive new areas of SuDS have been provided away from sensitive landscape features to create multi-functional assets with landscape and ecological benefits
- 7.48 In terms of the landscape proposals the submitted report identifies the following features:

Access Road – This is sized to accommodate large vehicles accessing the proposed backlot, the north west studio hub development and studios south of the river. It is simply and consistently treated with a grass verge along its northern edge, and a native hedge with scattered trees along its southern edge.



Backlot - The backlot is an open area for shooting outdoor scenes in film-making or space for temporary set construction. The backlot would be secured by a timber palisade fence and have a native hedge and tree line along its western, northern and eastern boundary. It would be surfaced with stone similar to that on the northwest backlot area.

The southern boundary with Studios Estate incorporates a 1.0-1.5m high landscape bund with tree planting to filter views between the two.

North Wetland - This area would provide an attenuation facility for the proposed backlot and access road. Design proposals extend existing landscape character to create a range of dry, damp/wet habitats with the latter having dual use as attenuation for runoff from the backlot. The runoff would be collected by filter drains along the boundary of the backlot and fed into a basin. The basin's interior would have a sloped base and areas of over-deepening to provide a degree of near-permanent standing water/marshy habitat with the base sown and managed as damp grassland.



Car parking - Both ends of the existing car park would be slightly amended/extended. The north western vehicular entrance would be closed and parking bays reconfigured to accommodate the revised access road. Screen hedges would incorporate the revised security fencing along the western elevation. Pedestrian traffic between the car park and the existing studio would be by a footway, broadly where the existing vehicular access is currently. A small number of parking spaces, a new vehicular entrance and associated security cabin are proposed at the eastern end of the car park.



- 7.49 The original ecological appraisal submitted with the outline planning application concluded that the majority of land uses within the expansion site were of negligible value, and that the overall ecological value was poor. However, it gave no consideration to the ability, or requirement, of the restoration plans to provide high quality environments and assumed a situation, after mineral extraction and with minimal environmental management, without including the ecological benefits that were required and promised through the restoration plans.
- 7.50 The LPA therefore considered that the weight afforded to the applicant's baseline position was limited since the site's ecology would have been considerably improved had the restoration plans been implemented (as required) and the site managed effectively.
- 7.51 The submitted landscape report for this application has continued to use this unjustified and inappropriate baseline that the Council has considered to be of little weight and as such the report is considered to be of limited contextual value with a conclusion based on poorly justified assumptions. However, in terms of the provision of landscape elements within the site, the report, together with the General Arrangement plan identifies a proposed landscape framework.
- 7.52 The access road would be treated in a similar manner to that approved in the reserved matters application, albeit this would be longer than previously approved.
- 7.53 The backlot itself would also be treated in a similar manner to that approved and constructed to the west.
- 7.54 The landscaped area between the backlot and Studios Estate would remain as intended when the area was approved as a surface car park and the Studios are working with residents to secure appropriate screening opportunities for individual properties.
- 7.55 The woodland and hedge planting that create a network of linear ecological features were part of the reserved matters application and no additional elements are proposed. Whilst they create connectivity opportunities the overall area of green space has been reduced by the proposal.
- 7.56 The North Wetland area encroaches on the North Meadow, which was semi-improved neutral grassland, with a proposal to enhance it further. The creation of the Wetland results from the requirement for SUDs and results in further loss of semi-improved neutral grassland. Although it would create new habitat opportunities, this habitat has already been created to the north and east of the existing backlot.
- 7.57 The landscaping within the revised car park would be similar to that approved under the reserved matters application.
- 7.58 As with previous reports, this landscape report suggests that 'This material demonstrates the scheme's relatively light touch environmentally, and the landscape and ecological benefits delivered by the scheme.' This continues to be considered simplistic, however the description of the proposed landscaping together with the General Arrangement Plan provides a landscape scheme for the proposed development, which is considered acceptable in landscape terms.

Ecology

- 7.59 Policy EN8 seeks to protect and improve the landscape and biodiversity of the Borough.
- 7.60 Paragraph 174 of the NPPF 2021 states that planning decisions should contribute to and enhance the natural and local environment. Paragraph 179 refers to habitats and biodiversity and identifies that planning should identify and pursue opportunities for securing measurable net gains for biodiversity.
- 7.61 Although the applicant refers to the Ecological Impact Appraisal submitted in support of the original expansion proposal for the Studios (18/01212/OUT) it should be noted that the LPA did not support all of its conclusions.
- 7.62 The submitted report continues to indicate that habitat within the site is of low ecological value and references the wider scheme design for the expansion of Shepperton Studios which includes the creation of wetlands, ponds, and scrub and species rich grasslands at the site periphery.
- 7.63 The applicant submitted an ecological assessment which they state builds on previous ecology surveys and assessments at the Site and wider area.
- 7.64 The assessment states that given the nature of the site, deterioration and large-scale construction disturbance, it was not considered necessary to update the search for biological records. However, the mitigation and enhancement measures associated with the outline application and subsequent reserved matters applications are relevant to the site.
- 7.65 The assessment concludes that habitats within the site are of low ecological value, but do have limited potential to support bats, breeding birds, reptiles and badgers. The mitigation measures detailed in the report are required to minimise risk to these species and providing the ecological mitigation and enhancements are carried out, the application will be compliant with ecological national and local planning policy and legal obligations.
- 7.66 Condition 17 of the outline approval (18/01212/OUT) sought a scheme for the enhancement of the site for biodiversity purposes. The condition was discharged under 18/01212/DC3 but incorporated the improvement of the semi-improved neutral grassland now incorporated into the backlot and altered to provide the SuDs.
- 7.67 The proposal is therefore considered to have an adverse impact on the biodiversity of the site and the mitigation measures suggested are not considered to clearly demonstrate that the proposal would be compliant with policy or the requirements of the condition attached to the outline approval.
- 7.68 However, the applicant is seeking to provide a scheme of biodiversity enhancements, which may include an off-site scheme and has stated that there is a commitment to delivering a minimum 5% biodiversity net gain. Were this scheme secured then the proposal would demonstrate an improvement over the existing situation and contribute to the overall enhancement of biodiversity in the borough.
- 7.69 Surrey Wildlife Trust (SWT) has been consulted on the application and has noted some inconsistencies in the Ecological Appraisal report.
- 7.70 SWT noted that the bat survey for two identified trees was carried out on 28th July 2021 in “moderate rain” which is not optimal in accordance with the Bat

Survey Guidelines and this limitation has not been addressed in the report. All species of bat and their roosts are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017, as amended in addition to being afforded additional protection under the Wildlife and Countryside Act 1981, as amended.

- 7.71 Whilst the LPA acknowledges that an appropriate survey should be undertaken in respect of these two trees in suitable weather conditions during the active bat season, to ensure the legislation is addressed, the trees are shown to be retained on the landscape masterplan and a similar proposal has been approved in generally the same location.
- 7.72 In order to mitigate the impact on biodiversity, outweigh the harm to the Green Belt and secure the applicant's commitment to enhancements, a s106 legal agreement is recommended for an appropriate scheme prior to development.

Flooding

- 7.73 Policy LO1 seeks to reduce flood risk and its adverse effects on people and property in Spelthorne.
- 7.74 The Flood Risk Assessment (FRA) was reviewed by the Environment Agency during the outline application and as a result of the planning conditions attached.
- 7.75 The applicant has provided a flood risk assessment to address the proposal. The assessment concludes that model shows that the proposed new backlot area is shown to flood during the 1% Annual Exceedance Probability + 35% climate change scenario. However, they consider the backlot to be classified as "water compatible" and this is therefore deemed acceptable and not detrimental when compared to the approved FRA.
- 7.76 The EA was consulted on this application and has advised that the environmental risks in this area relate to the site lying within Flood Zone 2, the requirement for groundwater protection and the other consents.
- 7.77 The impact on Flood Zone 2 was considered in the outline application and subsequent discharge of condition. The use of the site as a backlot, rather than a car park, has no additional material impact on flood risk. A condition is recommended in respect of groundwater protection as was included in the outline application.
- 7.78 The Lead Local Flood Authority was consulted and has confirmed that it is satisfied that the proposed drainage scheme meets their requirements subject to the conditions recommended.
- 7.79 Therefore, the LPA is satisfied that there are no flood risk issues with this particular proposal.

Air Quality

- 7.80 The potential impacts on air quality were considered with the previous temporary applications and within the wider context of the Studios expansion (18/01212/OUT).

- 7.81 The potential effects of this proposal would have no materially adverse impact on air quality over the existing situation and that of the proposed expansion and would comply with policies SP6 and EN3 of the CS&P DPD.
- 7.82 The Council's Environmental Health Officer (Air Quality) is satisfied with the proposal in respect of air quality issues

Lighting

- 7.83 The applicant has submitted a lighting layout plan that reflects that approved under 18/01212/DC3 for the north west area.
- 7.84 Surrey Wildlife Trust (SWT) has advised that nocturnal species are known to be present at the development site and are sensitive to an increase in artificial lighting of their roosting, foraging places and commuting routes.
- 7.85 SWT has noted that the submitted lighting layout includes the use of lighting that is contrary to best practice guidance by the Bat Conservation Trust and the Institute of Lighting Professionals 3 (2018), which recommends warm white lighting.
- 7.86 In accordance with the NPPF, SWT considers that the applicant should ensure that the proposed development will not result in a net increase in external artificial lighting at primary bat foraging and commuting routes across the development site.
- 7.87 In addition SWT considers that additional vegetative screens should be incorporated into the landscaping, to prevent light spillage onto the proposed attenuation pond and wetland area, which is highlighted in the Ecological Appraisal report as an enhancement feature for foraging and commuting bats.
- 7.88 Since this is a full application and the roadway has extended into the open, closer to the trees, a lighting condition is recommended. In addition, given the private nature of the internal roadway and the studios expansion's location within Green Belt an informative has been recommended to encourage more appropriate lighting throughout the Shepperton Studios expansion.

Equalities Act 2010

- 7.89 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 to:
- (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.
- 7.90 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.
- 7.91 The scale of the overall development at Shepperton Studios would provide a greater range of opportunities, including for those with protected

characteristics. The application site, land, uses and buildings nearby are likely to be used by people with protected characteristics and both the construction and operational use may have some level of impact on them. The proposal has sought to minimise impacts through landscaping, management plans, relocating services and access etc and consideration has been given to how the proposal will pay due regard to the Equalities Act.

Human Rights Act 1998

- 7.92 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.93 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.
- 7.94 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

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

Neighbour Comments

- 7.95 The LPA was made aware of issues with the site contractors at the early stage of enabling works and this was resolved by the Studios. However, this contractor is no longer on site and the LPA has received no complaints regarding the main contractor.
- 7.96 This proposal would necessitate the relocation of the ancillary construction facilities in order to implement it.
- 7.97 The proposal would replace the approved car park with a backlot and incorporates a landscaped bund adjacent to the residential properties in Studios Estate.

Conclusion

- 7.98 The proposal seeks to alter the parameters set by the outline approval for the areas G13 and F14 identified in the approved parameters plans. The proposal would not affect the parking provision levels throughout the site or result in additional traffic generation.

- 7.99 The proposal constitutes inappropriate development and this in itself, carries substantial weight against the merits of the scheme. In addition, the proposal will result in loss of openness in the Green Belt.
- 7.100 Although the proposal does encroach further into the Green Belt, this is a relatively small encroachment given the overall studios expansion, that would not have a material impact on the 5 purposes of the Green Belt. Given the national economic benefits of the wider scheme and the current requirement for the proposed use, in combination with the commitment to biodiversity enhancements, secured through legal agreement, it is considered that the benefits of the proposal would outweigh the harm to the Green Belt by reason of inappropriateness, and the other harm resulting from the proposal and that 'very special circumstances' exist..

8. Recommendation

- (A) To GRANT planning permission subject to the applicant first entering into an appropriate legal agreement in respect of the following:
1. To provide, prior to the commencement of any development, a scheme for the enhancement of off-site biodiversity, setting out how the gains will be obtained, monitored and maintained on an ongoing basis, has been submitted to, and approved in writing by, the local planning authority. The scheme shall be secured on an area of land within the Borough of Spelthorne, available for a period of not less than 30 years and provide for a minimum of 5% biodiversity net gain. The approved scheme of enhancement shall be implemented in accordance with the approved details and retained and managed thereafter.
 2. To pay the Council's reasonable costs for the preparation of the appropriate legal agreement.

In the event that the Section 106 Agreement is not completed

In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Planning Development Manager in consultation with the Chairman of the Planning Committee the following: REFUSE the planning application for the following reasons:

- 1 The proposal represents inappropriate development and has not provided an adequate scheme of biodiversity enhancements. It has therefore failed to demonstrate that the potential harm to the Green Belt and any other harm resulting from the proposal has been clearly outweighed by other considerations contrary to the NPPF 2021
- 2 The development fails to provide adequate measures to mitigate the loss of biodiversity at the site contrary to Policies SP6 and EN8 of the Core Strategy and Policies DPD 2009 and the principles set out in the National Planning Policy Framework 2021.

- (B) In the event that the Section 106 agreement is completed to the satisfaction of the Local Planning Authority; GRANT subject to the following conditions: -

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans 3755-FBA-XX-XX-DR-A-0109001 P2 Site Location Plan Sept 2021, 3755-FBA-XX-XX-DR-A-0109003 P2 North Backlot - Proposed Site Plan Sept 2021, 3755-FBA-XX-XX-DR-A-0109004 P2 North Backlot - Boundary Treatment Sept 2021, 3755-FBA-XX-XX-DR-A-0109005 P2 North Backlot - Proposed security Hut Sept 2021, 3755-FBA-XX-XX-DR-A-0109006 P2 North Backlot - Proposed Cycle Storage Sept 2021, 3755-FBA-XX-XX-DR-A-0109007 P2 North Backlot - Electrical Substation Sept 2021, 3755-FBA-XX-XX-DR-A-0109008 P2 North backlot 11Kv Switchroom Sept 2021, LUC-10363-LD-PLN-1200 B Landscape Materplan, LUC-10363-LD-SEC -1260 B Detailed Sections - Studios Estate Boundary.

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

3. The backlot site identified on Plan 3755-FBA-XX-XX-DR-A-0109003 Rev P2 shall only be used for filming between the hours of 7.00am and 9.00pm Monday to Saturday and may not be used on Sundays or Bank Holidays. Filming should cease at 8.00pm during the months October-March each year. There should be no night shooting outside these hours unless agreed in writing by the Local Planning Authority.

Reason:-.To protect the amenities of the surrounding residential properties.

4. The construction and dismantling of sets and the associated vehicular activity within the backlot site identified on Plan Plan 3755-FBA-XX-XX-DR-A-0109003 Rev P2 shall only take place between the hours of 7.30am and 7.00pm Monday to Friday and 8.00am and 1.00pm Saturday and not at all on Sundays or Bank Holidays

Reason:-.To protect the amenities of the surrounding residential properties.

5. No part of the development hereby approved shall be begun until, a scheme for a minimum 20% enhancement of biodiversity on an off-site location, has been submitted to, and approved in writing by, the Local Planning Authority.

The approved scheme of enhancements shall be implemented within 6 months of the completion of the backlot hereby approved in accordance with the approved details.

Reason:-.To mitigate the impact on habitat and species that will be adversely affected by the development, having regard to policies EN8 and EN9 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 and paragraphs 174 and 179 of the National Planning Policy Framework 2021.

6. No part of the development, including hardstanding and fences, shall be carried out within the landscape buffer zone shown on Plan 3755-FBA-XX-XX-DR-A-0109003 Rev P2.

Reason:-.To protect the amenities of the surrounding residential properties.

7. Prior to the use of the backlot hereby approved, details of any proposed means of enclosure within that part shall be submitted to and approved in writing by the Local Planning Authority. The details shall indicate the position, design, materials and type of boundary treatment to be erected. The backlot shall not be used until the boundary treatment has been carried out in accordance with the approved details. Thereafter, the boundary treatment shall be maintained as approved.

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

8. No open storage of materials or waste and no placement of plant or machinery shall take place on the southern boundary of the backlot, adjoining the residential properties in Studios Estate.

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

9. No part of the development shall begin until a Dust Mitigation Plan providing a programme for the suppression of dust during the construction of that part (including demolition of existing buildings) and including a dust monitoring strategy, has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of demolition and construction unless any variation has been approved by the Local Planning Authority.

Reason:-Details are required prior to commencement because insufficient information has been submitted with the application in this regard, in the interests of residential amenity and in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

10. Prior to the first use of the external areas and land within the site for outdoor filming pursuant to this permission, a management and operational plan for those parts of the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the management and mitigation of the impacts of outdoor filming (including noise disturbance, artificial lighting and parking and access requirements on adjacent residents and ecology within the site). These external areas shall not be used for outdoor filming otherwise than in accordance with the approved plan.

Reason:-To protect residential amenity and bat habitat in accordance with Policy EN1 of the Core Strategy and Policies Development Plan Document.

11. Prior to the commencement of any part of the development hereby approved, a lighting scheme in respect of that part shall be submitted to and approved in writing by the LPA. The scheme shall be carried out as approved.

Reason:-To protect residential amenity and bat habitat in accordance with Policy EN1 of the Core Strategy and Policies Development Plan Document.

12. No infiltration of surface water drainage into the ground identified in this planning application at Shepperton Studios, Studios Road, Shepperton, TW17 0QD is permitted other than with the written consent of the Local Planning Authority. Any infiltration shall be carried out in accordance with such consent.

Reason:-To prevent deterioration of the Principal and Secondary Aquifer in line with paragraph 183 of the National Planning Policy Framework 2021.

13. The development hereby approved shall not be occupied unless and until at least 20% of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason:-The above condition is required in recognition of Section 9 (Promoting Sustainable Transport) of the NPPF 2021.

14. Prior to the first use of the backlot hereby approved for outdoor filming pursuant to this permission, a management and operational plan for the backlot shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the management and mitigation of the impacts of outdoor filming (including noise disturbance, artificial lighting, parking and access requirements on adjacent residents and ecology within the site). The backlot shall thereafter only be used for filming in accordance with the approved management and operational plan, unless otherwise agree with the Local Planning Authority in writing.

Reason:- To protect residential amenity and bat habitat in accordance with Policy EN1 of the Core Strategy and Policies Development Plan Document.

15. No development of the backlot shall take place until:-
- (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.
 - (ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.
 - (iii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

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

Reason:- To protect the amenities of adjoining residents, users of the site and the environment from the effects of potentially harmful substances.

NOTE

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

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

16. Prior to the first use of the backlot area, 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 adjoining residents, users of the site and the environment.

17. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy.
- Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5.3 litres/sec based on 1.70 l/s/ha.
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross reducing features (silt traps, inspection chambers etc.). Including details of any lining required to prevent groundwater ingress.
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

18. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

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

Informatives

- 1 Access by the Fire Brigade
- Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act

requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings.

There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

- 2 The applicant is 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 with consideration of the nearby hospital 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 covering stockpiles and exposed topsoil, 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 bowsters and wheel washes. The applicant is encouraged to adopt the best practice mitigation measures for construction dust specified within the Institute of Air Quality Management Guidance on the Assessment of Dust from Demolition and Construction;
 - (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.
 - (h) The Pollution Control team should be consulted over placement of continuous PM10 monitoring and upon the methods of dust suppression and mitigation prior to the works.

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

It should be noted that under the Environmental Protection Act 1990 Councils can serve an abatement notice on people responsible for statutory nuisances. This may require whoever's responsible to stop the activity or limit it to certain times to avoid causing a nuisance and can include specific actions to reduce the problem.

- 3 Thames Water's Reservoir Safety Team advise that with regards Queen Mary Reservoir protection, the embankments for the Queen Mary Reservoir rely on the surrounding ground for stability and support. It is therefore important that any proposed development within the nominal surveillance zone of 200 metres from toe of the reservoir embankments that involves excavations shall be submitted to Thames Water in order that the implications on the safety of the reservoir embankment can be properly assessed. This is particularly important for deep excavations and those that are anticipated to involve significant localised ground dewatering.
- 4 The applicant is reminded that under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Trees and scrub are present on the application site and should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present.
- 5 The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning consent for a development does not provide a defence against prosecution under European and UK wildlife protection legislation. You are advised that it may be necessary, shortly before development commences, for the applicant to commission an ecological survey from suitably qualified and experienced professionals to determine the presence or otherwise of such protected species. If protected species are found to be present, Natural England should be consulted.
- 6 It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- 7 The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
- 8 The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to submit to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and->

transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

- 9 All lighting throughout the proposed development and the wider Studios expansion should be designed in line with the Bat Conservation Trust guidelines on artificial lighting and wildlife (Bat Conservation Trust 2018) and the Institute of Lighting Professionals 3 to minimise adverse impacts on bats and other nocturnal animals in the surrounding area.
10. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk. Please use reference number LLFA-SP-21-0964 in any future correspondence.
11. The Town and Country Planning (Development Management Procedure) (England) Order 2015 Working in a positive/proactive manner

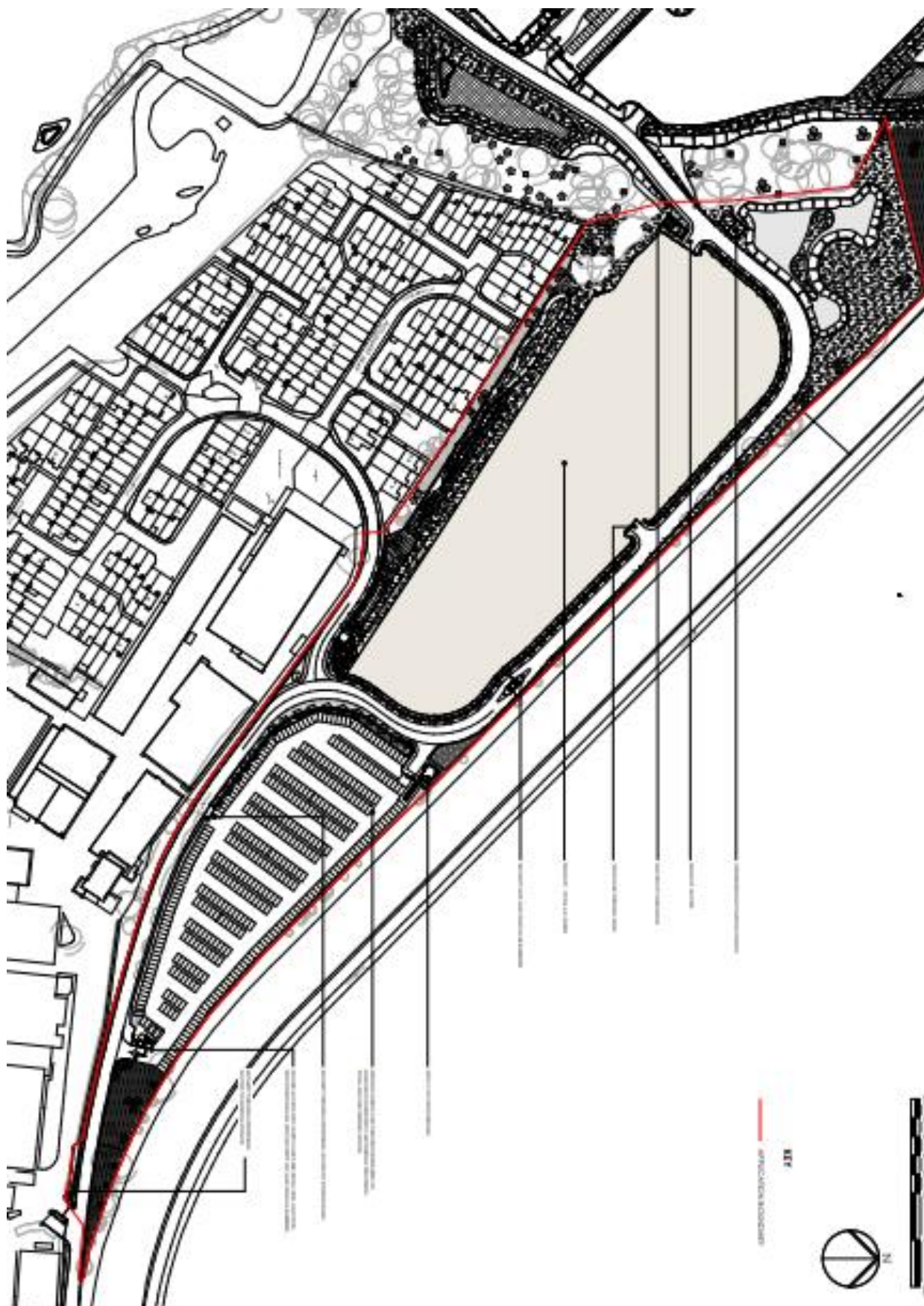
In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of the NPPF. This included the following:-

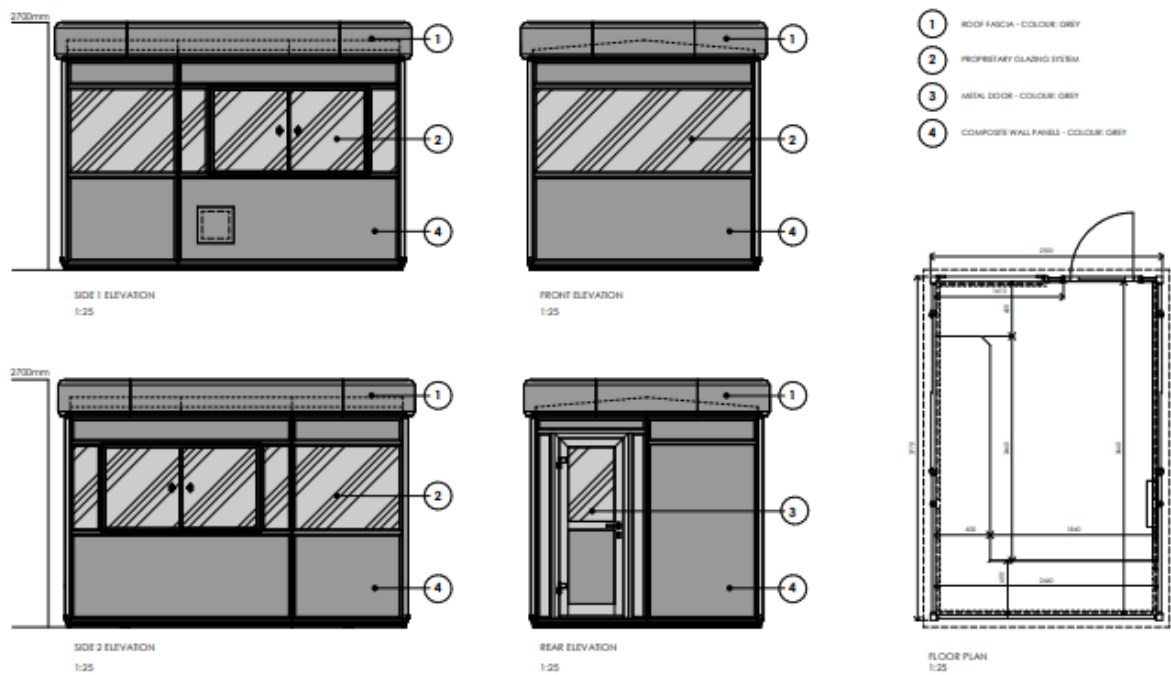
- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application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

Appendices:

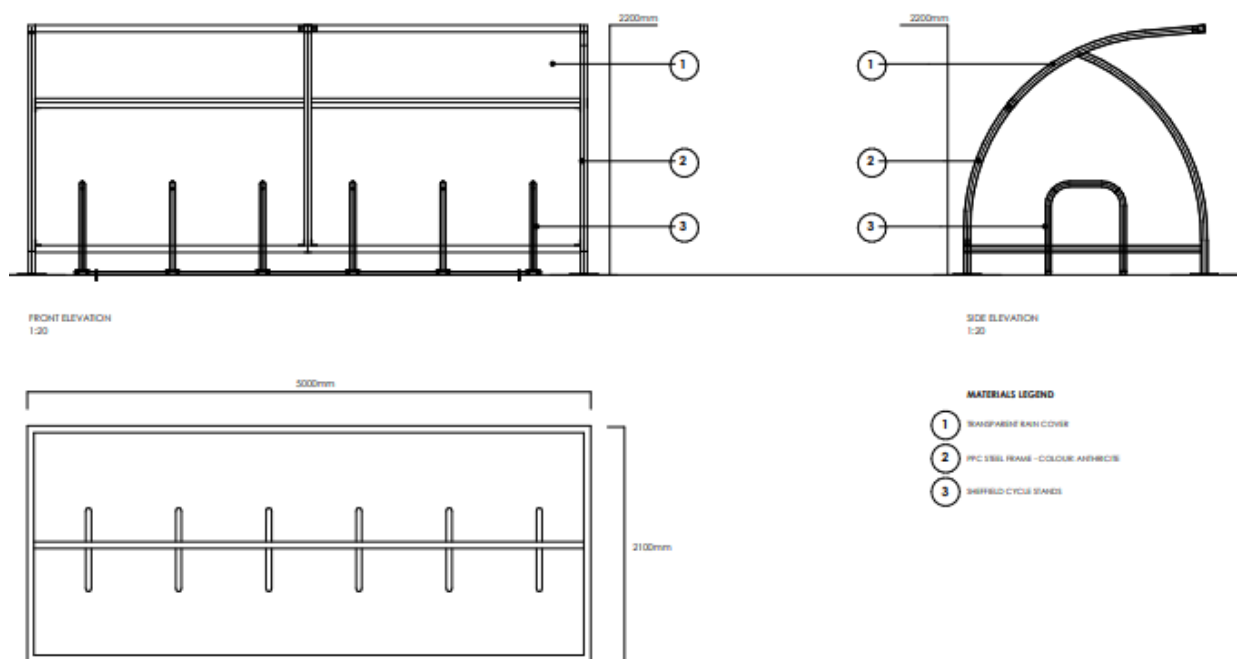
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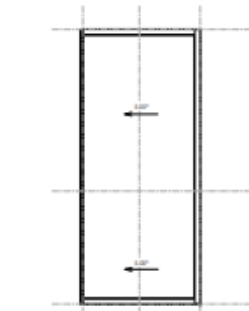
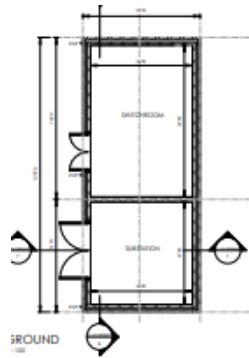




Security Hut



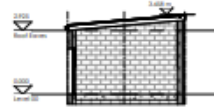
Cycle Storage



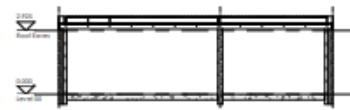
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ROOF
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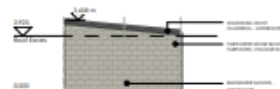
Electrical Substation



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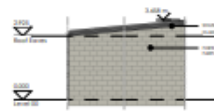
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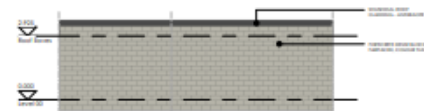
SIDE 1 ELEVATION
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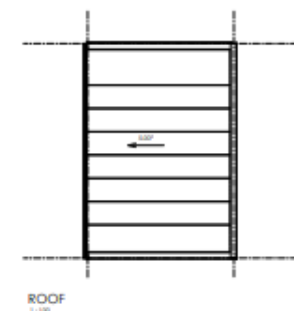
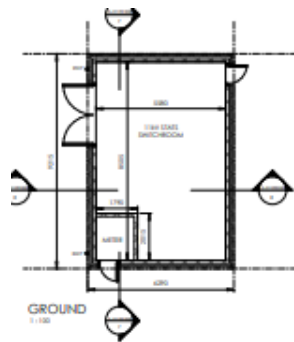
FRONT ELEVATION
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SIDE 2 ELEVATION
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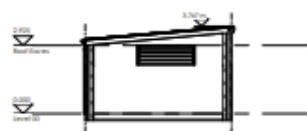
REAR ELEVATION
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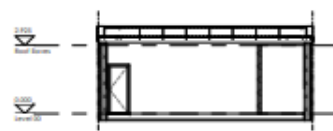
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11Kv Switchroom



SHORT SECTION
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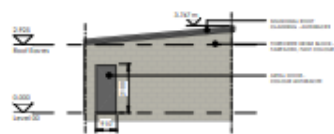
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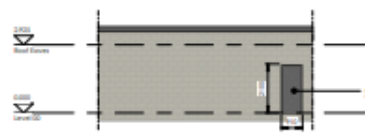
SIDE 1 ELEVATION
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FRONT ELEVATION
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REAR ELEVATION
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Environment and Sustainability Committee



9 November 2021

Title	Housing Delivery Test Action Plan 2021
Purpose of the report	To make a decision
Report Author	Esmé Spinks, Planning Development Manager Hannah Bridges, Principal Planning Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	No
Corporate Priority	Housing
Recommendations	<p>Committee is asked to:</p> <ol style="list-style-type: none"> 1. Agree the Housing Delivery Test Action Plan 2021 2. Publish the Housing Delivery Test Action Plan 2021 on the Council's website
Reason for Recommendation	The completion of the plan is a requirement because only 50% of the housing needs have been delivered over the last three years. The plan identifies actions to address under-delivery against the housing requirement in the area. The plan looks at the reasons for under delivery and the steps to be taken to drive up housing delivery in the area.

1. Key issues

- 1.1 The Housing Delivery Test (HDT) has been introduced by the Government as a monitoring tool to demonstrate whether local areas are building enough homes to meet their housing need. The HDT, which was published in February 2021 updates the previous results published in 2019 and 2020. The test compares the number of new homes delivered over the previous three years with the authority's housing requirement. In the case of Spelthorne, the housing requirement is the minimum annual local housing need figure (611 dwellings per annum as of February 2021).

The calculation for Spelthorne is given as:

$$785/1574 \times 100 = 50\%.$$

1.2 The HDT was introduced in a phased approach over three years. Once fully implemented the HDT will have the following consequences:

- Where housing delivery over the previous three years has been less than 95% of the housing requirement, LPAs should prepare an action plan setting out the causes of under delivery and the intended actions to increase delivery;
- Where delivery has been less than 85% of the housing requirement, a 20% buffer should be applied to the supply of deliverable sites for the purposes of housing delivery assessment;
- Where delivery has been less than 75% of the housing requirement, the NPPFs presumption in favour of sustainable development will apply. The three year transitional period has now ended therefore the HDT consequences will be standardized moving forward.

1.3 As a consequence of the HDT being 50%, the local authority falls into the category where the following apply:

- an action plan should be prepared,
- a 20% housing buffer figure is applied to the housing requirements, and
- a presumption in favour of development within the borough applies as the housing delivery over the last three years is less than 75%.

There are no known consequences if Spelthorne fails to produce an action plan when required to. However, the proposed action plan demonstrates that Spelthorne Council is taking positive steps and is serious about housing delivery.

1.4 The housing test results for the last three years are set out in the following table:

Measurement Year	Total Homes Required	Total Homes Delivered	HDT score (%)	Consequence
2021	1,574	785	50%	Presumption
2020	1,509	904	60%	Action Plan + 20% Buffer
2019	1,394	876	63%	Action Plan + 20% Buffer

In summary, the housing delivery test result for Spelthorne was 63% in 2019, 60% in 2020 and 50% in 2021. This demonstrates that the housing delivery compared with housing needs has declined over the last three years. An analysis of the 2021 position in all Surrey authorities is contained in Table 11 of the main report. Other local authorities with the same consequences are Elmbridge (58%), Epsom and Ewell (34%) and Tandridge (50%).

1.5 The HDT Action Plan is the Council's response to the challenge set out in the Government's National Planning Policy Framework to boost significantly the supply of homes and has five goals:

- To examine the possible causes of the 'under delivery' of new homes in the Borough.
- To explain what the Council has been doing so far to boost housing delivery.
- To gather evidence on sites with planning permission (and sites under construction for housing development) to understand what barriers are preventing homes being built on these sites.
- To build relationships with developers, landowners and agents responsible for building homes on sites that have planning permission, allowing the Council to adopt the role of an enabler of much needed residential development ensuring housing permissions are built out as quickly as possible.
- To set out what actions the Council can take to increase the rate and number of homes built in Spelthorne.

2 Options analysis and proposal

2.1 The first section of the report examines the action plan context. These include Spelthorne's corporate documents which play a role in housing delivery. It should be noted that this action plan does not play any role in deciding the future of the current Green Belt or proposed housing allocations. These will be dealt with completely separately as part of the preparation of the new local plan.

2.2 The next section is an assessment of the 'under delivery' of new homes in the Borough. This includes the local and national issues which influence housing delivery, i.e., affordability issues, proximity to London, Covid 19 impacts, difficulties once development has commenced). A range of data and sources have been used to inform this analysis. As part of this process, the Council has engaged with stakeholders to improve its understanding of the issues effecting housing delivery. The analysis of the issues has been used to inform what actions the Council need to take to improve its housing delivery.

2.3 Critically, the final section of the action plan includes a number of measures to improve decision making and also to support wider opportunities. These include, amongst many:

- working with site promoters and other stakeholders to deliver local plan allocations,
 - continuing to improve planning performance on speed and quality of decision making,
 - refining the Planning DM computer software and procedures to enhance agile / paperless working in DM and to
 - constantly reviewing the discharge of planning conditions (after planning permission has been granted) to speed up the process.
- 2.4 The Action Plan identifies future actions to boost housing delivery, including the need to maintain progress on the development of the emerging Local Plan and the need to ensure that the Moratorium on Council schemes in Staines-upon-Thames is lifted to ensure the pipeline of significant housing is unblocked. Knowle Green Estates plays a key role in the delivery of housing in Spelthorne, evidenced by its past housing developments. The Council's assets offer a positive opportunity to boost housing delivery further moving forward however barriers to development will need to be reduced.
- 2.5 Once adopted, the Local Plan will provide more certainty as to the Council's housing land supply and will help to deliver housing to meet the Borough's development needs.

3 Financial implications

- 3.1 Potentially negative financial implications could arise from the current Moratorium on Council schemes in Staines-upon-Thames. A block on development in this area for a prolonged period could reduce the Council's income and ability to finance its operations.

4 Other considerations

- 4.1 In January 2021, the Council made a decision to halt all Council developments in Staines-upon-Thames until a development sub committee was in place, the consultation exercise had been undertaken on the Objectives and Options consultation for the Staines Development Framework and a viability exercise had been undertaken for all those schemes. The first two have been completed and the third is underway. Until the Council is satisfied that all these conditions have been met then no Council schemes in Staines can proceed. This will impact significantly on the pipeline for housing, the number of units and therefore the percentage of housing under-delivery.

5 Equality and Diversity

- 5.1 This does not have any direct equality and diversity impacts

6 Sustainability/Climate Change Implications

- 6.1 There are no sustainability issues.

7 Timetable for implementation

- 7.1 The agreed plan should be made available to the public via the website as soon as possible.

Background papers: There are none.

Appendices:

Appendix A Housing Delivery Test Action Plan 2021

Appendix B Housing Delivery Test Action Plan Summary 2021

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Spelthorne Borough Council

Housing Delivery Test Action Plan

Summary

November 2021

- 1 The Housing Delivery Test (HDT) has been introduced by the Government as a monitoring tool to demonstrate whether local areas are building enough homes to meet their housing need. The HDT, which was published in February 2021 updates the previous results published in 2019 and 2020. The test compares the number of new homes delivered over the previous three years with the authority's housing requirement. In the case of Spelthorne, the housing requirement is the minimum annual local housing need figure (611 dwellings per annum as of February 2021). The calculation for Spelthorne is given as:

$$HDT(\%) = \frac{\text{Total net homes delivered over three year period}}{\text{Total number of homes required over three year period}}$$

$$HDT(\%) = 785/1574 \times 100 = 50\%$$

As a consequence, Spelthorne is required to produce an action plan within a period of six months.. It should be noted that a total of seven out of the eleven Surrey authorities are required to produce a housing delivery action plan.

2. The action plan is attached to this document and is to be made available to the general public by placing it in the Council's website. When the HDT was first introduced, it was to be in a phased approach over three years. This entailed:
 - an action plan (where delivery was less than 95%) – year 1,
 - an action plan and 20% housing buffer (where delivery was less than 85%) – year 2, and
 - an action plan, 20% housing buffer and a presumption in favour of development within the borough (where delivery was less than 75%) – year 3.

The three year transitional period has now ended. As Spelthorne's HDT is 50%, it now falls within the last category above.

3. The housing delivery action plan identifies actions to address under-delivery against the housing requirement in the area. The plan looks at the reasons for under - delivery and the steps to be taken to drive up housing delivery in the area.
4. The first section examines the action plan context. These include Spelthorne's corporate documents which play a role in housing delivery. **It should be noted that this action plan does not play any role in deciding the future of the current green belt or proposed housing allocations. These will be dealt with completely separately as part of the preparation of the new local plan.**

5. The next section is an assessment of the 'under delivery' of new homes in the Borough. This includes the local and national issues which influence housing delivery, i.e., affordability issues, proximity to London, Covid 19 impacts, difficulties once development has commenced). A range of data and sources have been used to inform this analysis. As part of this process, the Council has engaged with stakeholders to improve its understanding of the issues effecting housing delivery. The analysis of the issues has been used to inform what actions the Council need to take to improve its housing delivery.
6. Finally the action plan includes a number of measures to improve decision making and also to support wider opportunities. These include, amongst many: working with site promoters and other stakeholders to deliver local plan allocations, continue to improve planning performance on speed and quality of decision making, to refine the Planning DM computer software and procedures to enhance agile / paperless working in DM and to review the discharge of planning conditions (after planning permission has been granted) to speed up the process.

Esmé Spinks,
Planning Development Manager

Hannah Bridges
Principal Planning Officer

November 2021

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Spelthorne Borough Council

Housing Delivery Test Action Plan

November 2021

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1. Introduction

Why Housing Delivery is important

- 1.1 There is wide publicity over the national housing crisis which we are experiencing in England. The lack of supply and pressure for new homes is felt most acutely in the South East of England. The Government is focused on increasing the supply of new homes across the country. In the 2017 Budget, the Government announced that it would enable the housing market to deliver 300,000 homes a year on average by the mid-2020s. This objective to increase the number of new homes is reflected in the revised National Planning Policy Framework (NPPF) 2021 and the introduction of the Housing Delivery Test.
- 1.2 The Housing Delivery Test result for Spelthorne Borough Council was published by the Secretary of State in January 2021. Spelthorne Borough Council scored 50%. This compares with a figure of 60% for 2020 and 63% in 2019. The figure has, therefore, moved 10% downwards from last year and 13% down on the 2019 figure (the higher the percentage the better). As a result, and in response to this, the Council has produced a third Housing Delivery Action Plan to positively respond to the challenge of increasing its housing delivery. The Action Plan analyses the reasons for the under-delivery of new homes and sets out actions to improve housing delivery within the Borough.
- 1.3 The planning policy context to housing delivery contained in national and local plan policy is contained as Information Document 1 in Appendix 1.
- 1.4 An analysis of the housing delivery in Spelthorne is set out in Information Document 2 in Appendix 2. This includes the housing delivery test calculation for Spelthorne, housing land supply, need, delivery and trajectory and also planning performance.

2. The Action Plan Context

Aims of this Action Plan

- 2.1 This Action Plan is the Council's response to the challenge set out in the Government's National Planning Policy Framework to boost significantly the supply of homes and has five goals:
 - To examine the possible causes of the 'under delivery' of new homes in the Borough.
 - To explain what the Council has been doing so far to boost housing delivery.
 - To gather evidence on sites with planning permission (and sites under construction for housing development) to understand what barriers are preventing homes being built on these sites.

- To build relationships with developers, landowners and agents responsible for building homes on sites that have planning permission, allowing the Council to adopt the role of an enabler of much needed residential development ensuring housing permissions are built out as quickly as possible.
 - To set out what actions the Council can take to increase the rate and number of homes built in Spelthorne.
- 2.2 Building houses is often a complex process. Often there are other factors beyond the council's control which explain why sites for housing do not come forward for development. It requires a broader approach to be taken to increase the delivery of new homes and the use of other tools available which are beyond the traditional remit of the Local Planning Authority.
- 2.3 The Housing Delivery Test Action Plan sets out key priorities and actions that the Council are undertaking to improve housing supply and delivery. The plan in itself is not a decision-making document but seeks to identify opportunities to improve housing provision.
- 2.4 Table 1 sets out the Council's corporate documents which all play a role in the delivery of housing.

Table 1 Spelthorne's corporate documents

Corporate Document	Overlap with Action Plan
Spelthorne Core Strategy and Policies DPD Document, February 2009	Housing Requirement Figure – 166 dwellings per annum superseded by housing need of 611 (+20% buffer) dwellings per annum (2021).
Emerging Local Plan	A replacement Local Plan is currently being prepared. The Preferred Options consultation took place from November 2019 – January 2020. The Regulation 19 consultation is scheduled for early 2022. The final adoption is anticipated to be in June 2023.
Corporate Plan 2016 -2019 It should be noted that there is an emerging revised Corporate Plan for 2022 – 2025	Identifies four priorities: <ul style="list-style-type: none"> • Affordable Housing • Economic Development • Clean and Safe Environment • Financial Sustainability

Corporate Document	Overlap with Action Plan
The Capital Strategy, February 2021	<p>Sets out the Council's need for capital financing, why and what the money will be spent on.</p> <p>Identifies three priorities:</p> <ul style="list-style-type: none"> • Delivering affordable housing • Achieving the regeneration of our town centres • Ensuring a sustainable future in recognition of declaring a climate emergency
Housing Strategy 2020 - 2025	<p>Strategic priorities 2020-2025:</p> <ul style="list-style-type: none"> • Priority 1: Enabling the delivery of more affordable homes • Priority 2: Promoting independence and wellbeing • Priority 3: Prevent homelessness and rough sleeping
Homelessness and Rough Sleeping Strategy 2020 - 2025	<p>This identifies five strategic priorities:</p> <ul style="list-style-type: none"> • Priority 1: End the use of private sector emergency accommodation • Priority 2: Reduce the length of stay in temporary accommodation • Priority 3: Nobody sleeps rough in Spelthorne • Priority 4: Increase use of the private rented sector for homelessness prevention and relief • Priority 5: Invest in staff training and development in order to improve the customer journey within the Housing Options service • Priority 6: Improve partnership working to prevent and relieve homelessness
Economic Development Strategy 2017 - 2022	<p>The Spelthorne Economic Strategy was adopted on 22/02/2017. The Economic Development Engagement Group endorsed the annual refresh of this strategy on 24/04/2019. It sets out the actions the Council will be taking over the next 4 years to further secure the sustainable growth of the local economy.</p>

Assessment of under-delivery

- 2.5 Within this section, an assessment of the ‘under delivery’ of new homes in the Borough is considered which includes the local and national issues which influence housing delivery. A range of data and sources have been used to inform this analysis. As part of this process, the Council has engaged with stakeholders to improve its understanding of the issues effecting housing delivery. The analysis of the issues has been used to inform what actions the Council need to take to improve its housing delivery.

Implementation of Planning Permissions

- 2.6 Once planning permissions have been granted, local planning authorities have limited influence over deliverability. The timescales for implementing a planning permission are generally not considered to be a significant issue within the Borough. Under planning legislation, permission is required to start within three years from the date of the decision notice. Implementation generally occurs within the permission period. The NPPF advises at para. 76 that:

“To help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start”.

- 2.7 However, there are some instances, where developers undertake the first stages of implementing a planning permission by carrying out the demolition of buildings on site and then delay the construction of the development. This happened, for example, at the former Centrica site in Staines-Upon-Thames. Nevertheless, a two year time period for all residential permissions was introduced on 2 January 2020. It is too early to say whether or not this has had a positive impact on housebuilding. This is because there will need to be a two year plus period before any real change is evident and there has only been one year. In addition, housebuilding activity has been significantly adversely affected by COVID-19.
- 2.8 Planning Officers have continued to build relationships with developers, landowners and agents and carry on a dialogue after planning permission is granted. The Council has previously written to agents on sites delivering 5+ net dwellings in the pipeline of sites with planning permission.
- 2.9 Officers have also contacted landowners of sites identified in the Strategic Land Availability Assessment to confirm the anticipated delivery timeframes of sites in the pipeline.

Planning Decision Making Performance

- 2.10 The performance of decision making on planning applications is not considered to be a barrier to delivering new homes. Planning applications are being

processed within the statutory timeframes. The performance for the Local Planning Authorities (LPAs) are measured on their performance based on the % of planning applications they determine within 8 or 13 weeks (or within an extension of time agreed with the applicant). For several years the targets have been as follows:

Majors – 60% within 13 weeks

Minors – 65% within 8 weeks

Others – 80% within 8 weeks

Major development is defined as:

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

Minor development is defined as:

Up to 9 residential units, up to 999 sq. m of new floor space, changes of use

Others – mainly householder schemes

2.11 In the last financial year (April 2019 – March 2020) – Spelthorne met all three performance measures as shown in Table 2.

Table 2 Planning DM Performance (April 2020 – March 2021)

Majors				Minors				Others			
Total	On Target	% on Target (i.e. 60%)	Govt. Target	Total	On Target	% on Target (i.e. 65%)	Govt. Target	Total	On Target	% on Target (i.e. 80%)	Govt. Target
18	18	100%	60%	157	136	87%	65%	523	495	95%	80%

2.12 The Government has recently also been assessing LPAs in terms of planning performance on the following criteria:

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

2.13 With just a few minor exceptions, non-major equates to a combination of the “minor” and “other” categories referred to above.

2.14 The quality measurement is the number of appeals allowed as a percentage of the total number of applications received in the category. The threshold for quality on both categories is **10%** and the **lower** the figure, the better the performance. The threshold for speed is **60%** (majors) and **70%** (non-majors) and the **higher** the figure, the better the performance.

2.15 On those sites where planning permission was refused, the appeal performance is good. The Council’s assessment against the Government’s targets is set out in table 3:

Table 3 Spelthorne’s assessment against Government targets

Measure and type of Application	2020 Threshold and assessment period	Spelthorne’s Performance
Speed of major Development	60% (October 2019 to September 2021)	100%** (October 2019 to March 2021)
Quality of major Development *	10% (April 2019 to March 2021)	2.38%*** April 2019 to March 2020)*
Speed of non-major Development	70% (October 2019 to September 2021)	95%** (October 2018 to March 2020)
Quality of non-major Development *	10% (April 2019 to March 2021)	0.95%*** April 2018 to March 2020)*

* Final figures not available until end December 2021.

** High figure equates to a better performance

*** Lower figure equates to a better performance

- 2.16 These statistics demonstrate the soundness of decision making by Planning Development Management (PDM) and that unsound decisions are not being made which would lead to unnecessary delays and costs to the delivery of new homes. However, close monitoring of the quality assessment for major applications is continuous due to the relatively small number of major applications received and the risk that the LPA could be the subject of Designation by Central Government. If this occurs, applicants may apply directly to the Planning Inspectorate for permission. The Planning Committee is updated with reports on Planning Performance.
- 2.17 In the 1990s, the Council used to provide traditional council housing. However in 1996, it was decided to transfer the council housing stock to what was then Spelthorne Housing Association and is now part of A2 Dominion. The main reason for the transfer of properties at the time was the need to bring the properties up to an acceptable state of repair, which the Council could not afford at the time. Since then, the Council has not had a direct role in developing new homes; this has been carried out by A2 Dominion and other Registered Providers, as well as private developers. Fluctuation in the delivery of new housing has been dictated by the economy and the availability of grant funding to subsidise affordable housing. More information is provided later on this document about the Council's 100% Council owned company Knowle Green Estates Ltd and its more recent role in housing delivery.
- 2.18 The Council's Housing Strategy 2020 - 2025 contains three strategic priorities which contribute to achieving "residents having somewhere to call home, which is suitable and affordable, is fundamental to having a good quality of life and contributes directly to sustainable and cohesive communities."
- 2.19 In common with many other local authorities in the South East, Spelthorne has a growing demand for genuinely affordable housing and is facing a number of key challenges. These include:
- Increasing numbers on the Housing Register
 - Lack of availability of existing affordable housing
 - High rates of statutory homelessness
 - High use of emergency and temporary housing for homeless households
 - Increasing affordability issues
 - Lack of new-build affordable housing
 - The effect of our proximity to London
 - Heathrow expansion (which is currently subject to review)
 - Key worker accommodation
 - Impact of COVID-19 and the wider economic impacts especially in relation to housebuilding
- 2.20 Further details on the key challenges are contained in Information Document 3 at Appendix 3.

3. Action Plan

- 3.1 This section sets out the actions that the Council has already taken to increase housing delivery and the future actions required to continue this work. The Council is fully committed to working proactively to deliver the homes that Spelthorne needs, including a range of housing types and affordable housing. The need for an up-to-date Local Plan is a corporate priority and will assist in boosting the borough's housing supply as well as responding to housing needs whilst balancing the objectives in the local plan, including Green Belt and environmental protection. It is acknowledged that the delivery of new homes has a wider remit than just the Planning Service and requires actions to be undertaken by other Council services including the Housing Service and the Asset and Property Management Service.

What the Council has already done

The New Local Plan

- 3.2 The Preferred Options consultation (Regulation 18) took place from November 2019 – January 2020. The preferred approach is to provide housing development through a combination of intensifying development of brownfield land, growth within Staines-upon-Thames and removing weakly performing sites from the Green Belt but with additional safeguards to take account of the public's views on loss of Green Belt.
- 3.3 The Publication Local Plan (Regulation 19) consultation is scheduled for early 2022.
- 3.4 It is estimated that the five year housing land supply in the Borough is 3,286 units. Of the sites identified in the Strategic Land Availability Assessment (SLAA) 2020, approximately 1,200 are expected to come forward in Staines-upon-Thames within the next 5 years. More widely, publicly owned sites account for 1,500 units over the next 15 years (approximately 200 units from this source are within sites not owned by Spelthorne Borough Council).
- 3.5 A formal call for sites was issued in March 2021 whereby landowners and local stakeholders were invited to submit potential sites for development over the next 15 years. This identified a notable quantity of sites for possible allocation in the emerging Local Plan. Officers are in the process of analysing these to determine their development potential. An open informal call for sites remains on the Council's website.

Digital Engagement

- 3.6 The key change to consultation techniques is reaching out to our communities through digital engagement. Although traditional methods are still being used the majority of engagement is now done via online communication which has proven more effective and engaging in promoting planning policy consultations and opportunities to discuss major planning applications.
- 3.7 The Council uses its social media platforms to provide information and notifications regarding planning consultations and schemes. The 'Inovem' platform has been used to consult the public on various planning consultations, including the Staines Development Framework – Objectives and Options consultation, to which over 700 participants responded.

Council/Knowle Green Estates housing schemes

- 3.8 The Housing Strategy sets out an action plan on the delivery and monitoring of the strategy. These include enabling the delivery of more affordable homes, promoting independence and wellbeing to enable people to remain in their homes and preventing homelessness and rough sleeping
- 3.9 The Council's Capital Strategy states that it will help to deliver two key goals contained in the Corporate Plan:
- To deliver much-needed housing in order to help reduce homelessness locally, increase affordable provision and help meet the overall need for additional homes
 - To regenerate our town centres so that we can contribute to the economic development of the Borough.
- 3.10 The Council formed its housing company, Knowle Green Estates (KGE), in 2016 to help to achieve these two key goals when Harper House in Ashford was acquired for emergency accommodation. KGE identified a need to promote the Council's own affordable housing schemes, and KGE is the vehicle used to deliver them to residents. There are a number of projects in the pipeline which will deliver some 20% of the Borough's assessed 5-year land supply requirement in the Local Plan (644 units to be delivered by the Council out of a required 3,286). KGE has bolstered the Council's control over and aided its ability to directly boost the delivery of housing. Given the significant impact that Council-led schemes have had on housing delivery in the past few years, it is paramount that Spelthorne Borough Council continues to be proactive in this field and utilises its assets moving forward to deliver much needed housing for the community.
- 3.11 KGE performs several functions on behalf of Spelthorne Borough Council, as outlined in the table below.

Table 4 Knowle Green Estates

	Owned by	Developed by	Managed by
Investments	Council	n/a	Council
Municipal	Council	Council	Council
Residential	KGE	Council	KGE

- 3.12 To date, Spelthorne Borough Council has delivered the following:

Churchill Hall, Churchill Way, Sunbury on Thames
Planning Application no 16/02045/FUL
Three new rented dwellings
Approved 08/02/17

Occupied 28/09/18

Former Bugle PH, 73 Upper Halliford Road, Shepperton

Planning Application no 17/01028/FUL

6 no. 2 bed and 2 no. 1 bed flats

Approved 23/08/17

Occupied February 2019

Benwell House, Green Street, Sunbury on Thames

Planning Application nos. 17/01847/PDO, 18/00123/FUL and 18/00529/FUL

Conversion and extensions to provide a total of 57 units including 12 affordable units

22 x one bed, 35 x 2 bed

Approved 2018

Work commenced 14/06/19

Occupied : April 2021 (fully occupied

September 2021)

West Wing, Spelthorne Borough Council, Knowle Green Staines-upon-Thames

Planning ref. 18/01267/PDO Conversion to provide 25 affordable rented residential units

Approved 17/10/18

Occupation anticipated November 2021

More detail on future schemes and future actions are set out in section 4 below

Improved Decision Making

- 3.13 The Planning DM service has undertaken a number of initiatives to improve decision making and boost the timely delivery of housing. These include:

Offering more pre-application discussions to ensure issues are addressed early.

The Planning DM Officers regularly undertake pre-application advice. In 2020 a total of 288 planning enquiries were dealt with. These took place remotely because of the Covid 19 lockdowns. It should be noted that many of the other Surrey Authorities ceased providing advice during the same period. Early advice can help identify whether in principle a proposal is likely to be acceptable, the key planning issues and policies that need to be considered, where the applicant may need further specialist advice to help prepare the application and what changes may be needed to any draft proposals. Such advice can save an applicant time in preparing the application and also the time taken by the Council to make a decision on it. In the case of proposals with little prospect of approval early advice can avoid further abortive work. It can also quickly identify solutions to problems and therefore save costs. The improved pre-application service has a strong emphasis on front loading to reduce the time spent on decision making and use of planning conditions. This means a quicker turnaround can be achieved which subsequently can lead to the faster implementation of planning permissions for housing delivery. There

have been some pre-application enquiries which did not materialise as applications because the site was deemed to be unsuitable for housing. Some examples of development which were the subject of pre-application advice and which were amended and approved relatively quickly are: the former Bugle Public House for eight flats (17/01028/FUL), Drake house Staines-Upon-Thames for 14 flats (19/01070/FUL), Ex Serviceman's Club, Staines-Upon-Thames for 14 flats (19/01237/FUL) and the former Centrica site, Staines-Upon-Thames, for 467 flats (19/00290/FUL) plus an additional 22 flats (19/01051/FUL).

Use of Planning Performance Agreements

The Council has introduced a new service offering planning performance agreements (PPAs) for major development proposals, which often involve a large quantum of housing units. This is one of the factors that might otherwise put them off putting in an application in the borough. However, it gives absolutely no guarantee that the application will be recommended for approval. The Planning DM service has received a positive take up on PPAs for larger schemes, for example, Shepperton Studios. A PPA covers pre-application advice through to the planning decision being made. It sets out timescales within which meetings will take place and a report will be presented to the Planning Committee which gives the developer certainty around timeframes for a decision. They have enabled the DM planning officers to make use of expert advisors to assist on complex issues in the consideration of the planning application and formulating a well-reasoned recommendation.

Revised Website

The planning pages of the website have been updated and is constantly under review. This will help residents, applicants and third parties obtain up to date information about all aspects of the Planning Service.

Increased presentations to Councillors on major planning applications

Presentations to members on larger complex schemes, usually at the pre-application stage, have taken place a number of times over recent years. These enable Councillors to view the proposals at an early stage before they are made public, to ask questions and clarify issues and raise concerns, which need to be addressed. To avoid risk of pre-determination, Councillors do not give an opinion at the meetings. In addition, Planning DM officers have made presentations to Councillors on a number of complex planning applications this year including, the new Leisure Centre and residential proposals at Elmsleigh Road, Renshaw Industrial Estate and London Square. These presentations took place after the Planning Committee agenda had been made public and before the Committee meeting. This gave the Councillors an opportunity to receive a full explanation of proposals and a summary of the planning position, to ask questions and to seek clarification on issues but not to reach a decision. These presentations were all undertaken virtually during the Covid 19 lockdown period.

The Community Infrastructure Levy (CIL)

The Community Infrastructure Levy (CIL) was implemented on 01 April 2015. Contributions are used to fund both local and strategic infrastructure to support development in the Borough. The management of the CIL process is the responsibility of the Council's Infrastructure Delivery Co-ordinator. The Council

has recruited a part time CIL administrator to resource the collection process, allowing the Infrastructure Delivery Co-ordinator to focus on the governance of spending the levy and coordinating spending alongside the implementation of the Council's new Local Plan. In 2019 the Council purchased new dedicated CIL software (Exacom) which will improve the monitoring of CIL and s106 agreements. Moving forward it will be important for the Council to ensure that adequate infrastructure is in place to support the delivery of housing. The Infrastructure Delivery Plan (IDP) will be published alongside the new Local Plan. The IDP will analyse and assess the existing infrastructure provision, the current shortfall and identifies the existing and future needs and demands for the borough to support new development and a growing population.

Considering compulsory purchase powers to unlock suitable housing sites

The Council has the option to utilise Compulsory Purchase Powers to help unlock potential development sites. In Staines town centre the Council has worked with developers to help unlock areas of land to enable larger schemes. Developers have now acquired 15 London Road (adjacent to the 17-15 Berkeley Homes site) and planning permission has now been granted to incorporate this small site into the Berkeleys scheme. Other developers are actively seeking to acquire 116-120 High Street (adjacent to the Charter Square development), following the Council's engagement but the Council have the opportunity in future to assist with similar scenarios in future.

Using Brownfield Registers to grant permission in principle to previously developed land

Spelthorne published its Part 1 Brownfield Register in December 2018. This identifies all brownfield sites appropriate for residential development. In due course the register will be extended to include relevant sites that have been submitted through Spelthorne's Strategic Land Availability Assessment (SLAA) or appropriate sites which meet the criteria. We will also consider whether any of the sites will be moved to Part 2 of the Brownfield Register which will effectively grant permission in principle. This will need further consideration and would be the subject of a prior consultation process.

Encouraging the development of small sites and higher site densities

The Council's adopted Core Strategy seeks to encourage high density housing in certain locations under policy HO5. Within Staines Town Centre, development should generally be above 75dph where it is demonstrated that the development complies with the design policy EN1, particularly in terms of its compatibility with the character of the area and is in a location that is accessible by non-car-based modes of travel. With Staines-Upon-Thames, developments have already been approved at over 300 dph (phases 1A and 1B- former Majestic House Site, now known as London Square) and also 15-51 London Road (Berkeleys scheme), the latter being under construction.

Engaging with key stakeholders

The planning and enforcement officers have held regular seminars with local resident associations and also planning agents who submit planning applications on a regular basis in Spelthorne. These provide an opportunity to provide advice on the issues facing the borough and of our policies and procedures and to listen to their concerns. One of the concerns related to our procedures on the discharge of planning conditions. We have worked hard to

improve the total process. A further concern related to the length of time taken to discharge of contaminated land conditions. Planning Officers have been engaging with Environmental Health Officers on this matter to improve performance in this area. The improved efficiency of discharging planning conditions can boost the completion of schemes and in turn boost housing delivery.

Councillor Training on Planning Issues

Planning officers provide regular training seminars to all councillors. A full programme is delivered to councillors following the elections and regular updates are given throughout their four year terms. In addition, external specialists also provide guidance on particular topics. The training has covered the following areas:

- Planning in the Borough context and the role of the Planning Committee.
- Probity and decision making in planning
- Design in the planning process
- Affordable housing
- High density/tall buildings
- Planning enforcement and appeals
- How to approach the determination of planning applications and pitfalls
- Green Belt (two sessions)
- Flooding
- Permitted Development (two sessions)
- Use Classes Order (two sessions)
- Minerals
- County planning
- Transportation
- New local plan and decision making

Planning Officer Training

Planning and Enforcement Officers undertake regular training on a range of planning issues and other matters where relevant in order to keep abreast of developments. This is, and will, continue to be an on-going and necessary requirement of their posts and for some officers, their membership of the Royal Town Planning Institute.

Simplifying conditions discharge phased on approved sites, and standardised conditions reviewed

A review of all planning conditions has been undertaken by senior planning officers. This has resulted in the streamlining of conditions to ensure that they meet up to date guidance on the use of conditions and to safeguard against their use where other non-planning legislation would be more appropriately employed. Council Planning officers have worked with Environmental Health Officers to achieve this, particularly with contaminated land, noise and extraction equipment. Conditions are constantly being reviewed and updated where appropriate.

Ensuring evidence on a particular site is informed by an understanding of viability

The Council's Local Plan requires all proposals of 15 dwellings or more and all sites in excess of 0.5 hectares include to provide 50% affordable housing. Where developments fall short of this requirement, an independent viability would be submitted and assessed on an open book basis. This is a complex area where specialist advice is required and planning officers and councillors have undergone training on this.

Technology

Over the past year, the Planning DM section has accelerated its use of technology in the processing of planning applications. This includes:

- No paper files, all processing is via the Idox Uniform IT system
- The use of Enterprise for the "in-tray" process of processing the cases
- All decision notices are automatically emailed to the applicant
- All correspondence is now sent electronically except where an email address is not available

The use of technology has greatly assisted in processing applications more quickly and keeping the applicants, councillors and third parties better informed.

4. Future Actions

- 4.1 The Council will continue to positively look for further opportunities to increase its housing delivery and will work closely with the relevant Council services and external organisations to achieve this.

Local Plan Progress

- 4.2 As part of the new Local Plan the Council will seek to boost housing supply and delivery. The new Local Plan will review and update existing policies acting as a barrier to delivery to help development come forward such as densities, design and parking.
- 4.3 The Strategic Land Availability Assessment (SLAA) is a key piece of evidence for the new Local Plan and will be updated annually to ensure that the position on land supply is up to date. The Council is in the process of updating the SLAA for 2021. In line with Planning Practice Guidance, officers are proactively identifying sites, including publicly owned land and brownfield land, for development to ensure that potential supply is exhausted. The Council has an open-ended call for sites on its website whereby landowners or site promoters can submit potential development sites for consideration in the next iteration of the SLAA¹.
- 4.4 The SLAA will inform the policies on housing in the new Local Plan and acts as the starting point in determining which sites will be allocated. Moving forward the Council will work with stakeholders to ensure that suitable and available sites come forward at particular points in the plan period.

¹ <https://www.spelthorne.gov.uk/SLAA>

- 4.5 The current review of the Council's Local Plan has identified a need to create around 611 housing units each year over the next 15 years. As part of its Preferred Options Consultation in late 2019 - early 2020, the Council consulted on its preferred spatial strategy to meet development needs, comprising the following:
- Maximising densities in suitable locations
 - Releasing some Green Belt
 - Producing a masterplan for Staines-upon-Thames.
- 4.6 It is estimated that the five year housing land supply in the Borough is 3,286 units. Of the sites identified in the Strategic Land Availability Assessment (SLAA) 2020, over 1,200 units on the identified sites are expected to be delivered in Staines-upon-Thames. More widely, publicly owned sites account for 1,500 units over the next 15 years (approximately 200 units from this source are within sites not owned by Spelthorne Borough Council).
- 4.7 The Local Plan strategy is currently being solidified following the Preferred Options consultation, however as the Borough's principal town, Staines-upon-Thames is likely to be a key residential opportunity area. A Masterplan is currently being developed as part of the new Local Plan which will focus in detail on where and how this new development can best be accommodated, in order to ensure we achieve a sustainable solution for the town.
- 4.8 The Council's landholdings within the town centre (including our recent strategic acquisitions) provide a clear opportunity to bring forward at least 1,100 units in the next 15 years, subject to planning permission. In the next five years, the level of investment that the Council aims to make is likely to be in the region of £300m. As the landowner, Spelthorne Council is confident that this level of residential development can be delivered whilst retaining sufficient car parking to sustain the town centre (though some sites may well be reconfigured to make more efficient use of the Spelthorne Council's land).

- 4.9 The SLAA has identified that, within the town centre, the Council is able to develop the following housing units as a minimum (within the immediate confines of the town centre):

Table 5 Minimum housing units to be developed by the Council/Knowle Green Estates

Site	Development Type	No. of Units	Timescale
Thameside House	Flatted	140	Years 1 - 5
Hanover House and Bridge Street car park	Flatted	75	Years 1 - 5
Oast House, Kingston Road	Flatted	180	Years 1 - 5
William Hill/Vodafone, 91 High Street	Flatted	12	Years 1 - 5
Riverside car park (subject to re-provision)	Flatted	100	Years 6 - 10
Elmsleigh Centre and adjoining land	Flatted	250	Years 6 - 15
Tothill Carpark	Flatted	200	Years 6 - 15
Communications House	Flatted	200	Years 6 - 15

The exact numbers of dwellings shown in the above sites are, of course, subject to planning permission being obtained.

- 4.10 The Council, as landowner is proposing to submit planning applications for a number of smaller residential developments which are summarised below:

Table 6 Smaller sites identified to develop by the Council/Knowle Green Estates

Site	Development Type	No. of Units	Submission of Planning Application
White House, Kingston Road, Staines	Flats (affordable rented)	12	Following Local Plan adoption

White House, Kingston Road, Staines	Homeless accommodation	33	Planning approved. Completed October 2021
Benwell House, Green Street, Sunbury, Phase 2	Flats (affordable rented)	32	First phase approved and occupied. Second phase the subject of a planning application (19/01211/FUL) which was refused by the Planning Committee on 13/10/21. Future options to be considered
Ashford Multi-Storey Car Park	Flats (affordable rented)	50	Planning application anticipated in due course
Ashford Hospital Car Park (known as Victory Place)	Flats (affordable rented and key worker)	127	Planning application pending consideration which is due to be considered by the Planning Committee in November or December 2021
Harper House, Fordbridge Road	Short term emergency accommodation	20	Planning approved October 2019. Due for completion October 2021

¹ Subject to Council strategy

4.11 Table 10 in Appendix 2 shows, in the final column, the consequences resulting from the Housing Delivery Test for the current year. The consequence is

shown to be a housing delivery test below the required 75%, leading to Spelthorne being required to produce an Action Plan. We will also have to apply a 20% buffer to our housing supply and consequently there will be a presumption in favour of sustainable development. This means that planning permission should be granted unless the harm caused by the application significantly outweigh the benefits. The term tilted balance is used to define this passage of policy because when engaged, the tilted balance should change the 'balancing exercise' which the decision-taker (the planning officer, inspector or secretary of state) makes when deciding whether or not to grant planning permission; from a neutral balance where if the harms outweigh the benefits planning permission is usually withheld, to a tilted balance where the harms should *significantly and demonstrably* outweigh the benefits for permission to be withheld. Similarly on planning appeals, inspectors will give due regard to the presence of the presumption in favour of sustainable development.

This means that on balance, a greater number of appeals may be allowed. This highlights the importance of not only boosting housing delivery but of having an up-to-date Local Plan to ensure that needs can be met through the identified supply.

- 4.12 The table below shows a projection of the number of homes required and the anticipated number of homes delivered by 2022. The information set out provides a conservative estimate of delivery based on average completions over the previous three years. This does not take into account the measures proposed by the Council to boost housing delivery, such as the Local Plan or Development Management controls. Anticipated completions are therefore expected to be higher than the very cautious estimate below.

Table 7 Spelthorne – Housing Delivery Test 2022 - Projected

No of home required			Total homes required	No of homes delivered			Total homes delivered	HDT Test %	Consequence
2019-2020	2020-2021	2021-2022		2019-2020	2020-2021	2020-2021			
552 ²	606	611	1769	228	639	401 ³	1268	72%	Action Plan + 20% Buffer + Presumption

² Covid-19 Adjustment. The period for measuring homes required in 2019/20 reduced by 1 month.

³ Estimated based on average of previous 3 years. Delivery is likely to be higher as 700 units under construction.

Table 8 Improving Decision Making

Action	Service	Date
To review the standard planning conditions.	Planning Development Management	Ongoing
To continue to review the discharge of planning conditions to speed up the process.	Planning Development Management	Ongoing
To continue to liaise with applicants following planning permission to speed up procedures, especially the discharge of planning conditions, to enable an early start on site as possible.	Planning Development Management	Ongoing
To review the time condition now imposed on all new residential planning permissions requiring development to commence within a two year rather than three year time period within a shorter timescale than the relevant default period, where this would expedite the development without threatening its deliverability or viability.	Planning Development Management	Ongoing
To continue to improve planning performance on speed of decision making.	Planning Development Management	Ongoing
To continue to improve planning performance on quality of decision making.	Planning Development Management	Ongoing
To continue to provide ongoing Member training particularly in relation to housing delivery.	Planning Development Management	Ongoing
To continue to provide on-going planning officer training.	Planning Development Management	Ongoing
To further refine the programme of Idox measures to enhance agile / paperless working in DM.	Planning Development Management	Ongoing

To further refine the programme of Enterprise measures for DM staff to manage workloads and performance, improve the use of resources and efficiency / performance.	Planning Development Management	Ongoing
To continue to develop and offer a proactive pre-application service to support the delivery of sustainable development.	Planning Development Management	Ongoing

Table 9 Supporting Wider Housing Opportunities

Action	Service	Date
To continue dialogue with developers and landowners to build out rates and obtain information on barriers to deliver housing.	Strategic Planning	On-going
To work with site promoters and other stakeholders to deliver the Local Plan and allocations.	Strategic Planning	On-going
To continue to seek to achieve the maximum amount of Affordable Housing.	Planning (Strategic and Planning Development Management)	On-going
The Council will continue to facilitate the delivery of affordable housing by developing Council owned sites Knowle Green Estates.	Assets	On-going
CIL and S106 agreements – To continue to improve processes and improve monitoring.	Strategic Planning	On-going. Exacom software will assist in processing information.

Next Steps

- 4.13 The future actions identified will be implemented and monitored over the next year by Planning DM, Strategic Planning, Assets and Housing Strategy. The Housing Delivery Test results will be issued for each authority on a rolling annual basis. If Spelthorne does not meet the test in future years, Housing Delivery Test Action Plans will continue to be produced by Planning Development Management.
- 4.14 The actions will be implemented by the responsible service. They will be updated as necessary and new actions will be added in response to any changes in Government policy, legislation and practice guidance.

- 4.15 It is proposed that an annual report will be presented to Management Team which will advise on the progress of this Action Plan. In the interim, this Action Plan will be reported to the Planning Committee for information.
- 4.16 The Council welcomes any suggestions to improve the delivery of housing in Spelthorne
- 4.17 It is proposed that this plan will be made publicly available on the Council's website.

Esmé Spinks
Planning Development
Manager

Hannah Bridges
Principal Planning Officer

Spelthorne Borough Council

November 2021

Information Document 1

1. Planning Policy Context

The Housing White Paper

- 1.1 The Government published the Housing White Paper ‘Fixing our broken market’ in February 2017 as a response to the national housing crisis. It set out the Government’s plans to reform the housing market and boost the supply of new homes in England. The proposed measures covered planning for the right homes in the right places, how to build homes faster and how to diversify the housing market. Notably, it proposed to hold local authorities to account for the number of new homes delivered through the introduction of a new Housing Delivery Test. The test would show whether the number of homes being built is below the required number of homes needed in that area and would provide a mechanism for establishing the reasons why there has been under delivery.

Planning for the right homes in the right places: consultation proposals

- 1.2 In September 2017, the Government published the ‘Planning for the right homes in the right places: consultation proposals’. This set out proposals to reform the planning system to increase the supply of new homes and increase the local authority capacity to manage growth. The proposals introduced a standard method for calculating local authorities’ housing need. The standard method would identify the minimum number of homes expected to be planned for. This proposal marked a departure from previous government policy which required local authorities to prepare a Strategic Housing Market Assessment (SHMA) to identify their housing need figure and the types of housing needed in their area.

Planning White Paper 2020

- 1.3 In August 2020, the Government published a White Paper– titled “Planning for the Future” – which set out proposals for changes to the planning system. The period for consultation ran until 29 October 2020. The paper proposed fundamental changes to a greater level of detail provided at the plan-making stage. The paper proposed three types of land should be identified in a Local Plan: Growth, Renewal and Protected areas which would in effect replace the current process of site allocation within the Local Plan. The white paper commented that the standard method for establishing housing requirements could be changed to factor in land constraints including Green Belt and would be consistent with the Government’s 300,000 homes per year target which was initially outlined through the Autumn Budget of 2017. This is proposed to continue to focus on areas with lowest affordability. Further detail on this is awaited and a separate consultation on the standard method has been published. There were several other proposals outlined in the White Paper concerning planning applications, appeals, enforcement, technology and design. Since the publication of the White Paper no

further updates have been provided. More recently in September 2021, a new Secretary of State was appointed, Michael Gove and it is anticipated that the Planning Bill is likely to be delayed in the short term.

1.4 The Government reinforced its objective to significantly boost the supply of new homes and making the local authority more accountable for delivery in their area by publishing the following:

- A revised National Planning Policy Framework (NPPF) February 2021;
- The Housing Delivery Test Measurement Rule Book, July 2018;
- Updated Planning Practice Guidance (PPG), September 2018 amended in February 2019; and
- The Housing Delivery Test: 2020 Measurement Technical note (January 2021).

1.5 The methodology for calculating the Housing Delivery Test is set out in the Housing Delivery Test Measurement Rule Book. It measures the number of net homes delivered against the number of homes required over a rolling three year period.

1.6 The Government is, therefore, committed to the improved delivery of more new homes nationally through their economic and housing growth agendas. To this end they have introduced a number of measures and reforms to the planning system intended to deliver more housing, improve housing affordability and remove barriers to development. Local planning authorities (LPAs) are challenged to be more proactive in increasing the speed and quantity of housing supply to meet the identified housing needs of their local area.

Local Plan Policy

1.7 The current Local Plan for Spelthorne comprises the following documents:

- Core Strategy & Policies DPD (adopted 2009)
- Allocations DPD (adopted 2009)
- Six policies from the 2001 Local Plan remain in force and still form part of the Development Plan for Spelthorne
- South East Plan policy NRM11:Thames Basin Heaths

1.8 A replacement Local Plan is currently being prepared which will be the Spelthorne Local Plan 2020-2035. This Local Plan will set out the Council's vision and objectives for the area and include all development policies and allocations. The Preferred Options consultation (Regulation 18) took place from November 2019 – January 2020. The Publication Local Plan (Regulation 19) consultation is scheduled for early 2022. The programme for preparing

the local plan documents is available online⁴.

- 1.9 The new Local Plan must allocate sufficient land in appropriate locations for the Council to demonstrate how it will positively meet its housing and employment needs and secure land for infrastructure to support anticipated levels of growth. The Site Selection Methodology - February 2019 demonstrates the Council's approach to identifying suitable sites for development to meet the identified needs set out in the Local Plan.

⁴ <https://www.spelthorne.gov.uk/article/19897/Local-Development-Scheme>

Information Document 2

2. Housing Delivery Analysis

- 2.1 The Housing Delivery Test (HDT) has been introduced by the Government as a monitoring tool to demonstrate whether local areas are building enough homes to meet their housing need. The HDT, which was published in January 2021 updates the previous result published in February 2020. This compares the number of new homes delivered over the previous three years with the authority's housing requirement. In the case of Spelthorne, the housing requirement is the minimum annual local housing need figure (606 dwellings per annum as of February 2021⁵). The calculation is given as:

$$HDT(\%) = \frac{\text{Total net homes delivered over three year period}}{\text{Total number of homes required over three year period}}$$

- 2.2 The HDT will be used to determine the buffer to apply in housing supply assessments and whether the presumption in favour of sustainable development should apply. The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) introduced the 'Housing Delivery Test' (HDT) in a phased approach over three years. Once fully implemented the HDT will have the following consequences:

- Where housing delivery over the previous three years has been less than 95% of the housing requirement, LPAs should prepare an action plan setting out the causes of under delivery and the intended actions to increase delivery;
- Where delivery has been less than 85% of the housing requirement, a 20% buffer should be applied to the supply of deliverable sites for the purposes of housing delivery assessment;
- Where delivery has been less than 75% of the housing requirement, the NPPFs presumption in favour of sustainable development will apply. The three year transitional period has now ended therefore the HDT consequences will be standardized moving forward.

⁵ The 'number of homes required' within the HDT calculation for 2019-20 is lower than the Local Housing Need figure to account for the impacts of the Covid-19 pandemic. The requirement is therefore 552.

- 2.3 The presumption in favour of sustainable development will now apply if the test result is less than 75% from November 2020.
- 2.4 In the 2020 HDT measurement, published in 2021, there were 55 councils below 75% and consequently now face the 'presumption in favour of sustainable development'. The 2020 housing delivery test figure for Spelthorne is 50%, meaning it now faces this consequence. This calculation is based on the data set out in Table 10.

Table 10 Spelthorne – Housing Delivery Test: 2020 Measurement (published January 2021)

No of home required			Total homes required	No of homes delivered			Total homes delivered	HDT Test %	Consequence
2017-2018	2018-2019	2019-2020		2017-2018	2018-2019	2019-2020			
424	599	552	1,574	221	337	228	785	50%	Presumption in favour of development

- 2.5 As a consequence, Spelthorne is required to produce an Action Plan within a period of 6 months of publication of the Housing Delivery Test measurement.
- 2.6 Spelthorne Borough Council (SBC) is responding to this challenge and has the ambition, recognised across its key strategic documents, to increase and accelerate the delivery of new housing across the district. The allocation of land to accommodate a minimum of 9165 new homes (611 dwellings per annum) is being made through the emerging Local Plan, scheduled for Adoption in June 2023. The Council has again challenged the standard method figure, largely due to the constraints present in the Borough. The Council will continue to plan for the Local Housing Need figure to comply with the current national planning policy and guidance but is seeking to align its housing needs with the more recent 2018-based household growth projections that have been published, rather than the 2014-based projections which currently form part of the standard method calculation.
- 2.7 The NPPF advises that an Action Plan is:
- “A document produced by the local planning authority to reflect challenges and identify actions to address under-delivery against the housing requirement in the area. The document’s purpose is to detail the reasons for under-delivery and the steps the authority intends to take in mitigation and drive up delivery in the area. A good action plan will identify ways to reduce the risk of further under-delivery and set out the case for measures to maintain or improve levels of delivery”.*
- 2.8 The table on the following page sets out the position for all Surrey boroughs and districts. It can be seen that at present seven out of the eleven authorities are required to produce a housing delivery action plan. The possible consequences are based on the following:
- 95% = Action Plan
 - 85% = Action Plan + 20% buffer
 - 75% = Action Plan + 20% buffer + presumption in favour of development

Table 11 Surrey Local Authorities – Housing Delivery Test 2020

Local Authority	No of homes Required			Total Homes required	No. of homes delivered			Total Homes Delivered	HDT Test %	Current Consequence 2020 HDT Measurement
	2017-2018	2018-2019	2019-2020		2017-2018	2018-2019	2019-2020			
Elmbridge	443	623	573	1,639	130	427	396	953	58%	Presumption + 20% Buffer + Action Plan
Epsom and Ewell	413	577	529	1,519	162	165	185	512	34%	Presumption + 20% Buffer + Action Plan
Guildford	551	563	515	1,628	299	543	622	1,463	90%	Action plan
Mole Valley	318	447	411	1,176	425	374	157	956	81%	20% Buffer + Action Plan
Reigate and Banstead	465	465	426	1,356	601	528	492	1,621	120%	None
Runnymede	394	511	468	1,373	806	665	381	1,852	135%	None
Spelthorne	424	599	552	1,574	221	337	228	785	50%	Presumption + 20% buffer + Action Plan
Surrey Heath	247	336	304	887	321	406	376	1,102	124%	None
Tandridge	464	649	593	1,706	332	249	268	849	50%	Presumption + 20% Buffer + Action Plan
Waverley	471	590	540	1,601	598	375	595	1,568	98%	None
Woking	300	431	394	1,124	358	231	305	895	80%	20% Buffer + Action Plan

- 2.9 Where there is a presumption in favour of development, the “tilted balance” applies where the balance is skewed in favour of sustainable development and granting planning permission except where the benefits are ‘significantly and demonstrably’ outweighed by the adverse impacts or where specific policies in the National Planning Policy Framework (NPPF) indicate otherwise. The “tilted balance” also applies where there is the absence of relevant up to date development plan policies or where the local authority does not have a five year housing land supply which is presently the case for Spelthorne.
- 2.10 The tilted balance therefore increases the prospect of planning permission being granted because it ‘tilts’ the balance in favour of approving an application.

Spelthorne’s Current Housing Land Supply Position

- 2.11 The Council’s housing target based on our local housing need is currently 611 dwellings per annum as of April 2021 and this comprises the basis for calculating the five-year supply of deliverable sites. In using the local housing need figure of 611 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 2020 (SLAA) which identifies potential sites for future housing development over the plan period.
- 2.12 The sites identified in the SLAA as being deliverable within the first five years have been used as the basis for a revised 5-year housing land supply figure. Whilst this has shown that notionally we have identified sufficient sites to demonstrate that we have a five year supply of housing sites we now have to apply an additional 20% buffer rather than the previously used 5%. This is because 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*”. We now must have regard to the Local Housing Need figure plus buffer of 733 (611 + 20% buffer) dwellings per annum and, on this basis, the Council has not been able to deliver a sufficient number of dwellings in recent years. It therefore has no choice now but to apply the additional buffer for the five year period from 1 April 2021 to 31 March 2026. The effect of this increased requirement is that the identified sites only represent some 4.5 years supply and accordingly the Council cannot, at present, demonstrate a five year supply of deliverable housing sites.
- 2.13 As a result, current decisions on planning applications for housing development need to be based on the “tilted balance” approach as set out in paragraph 11 of the NPPF (2019) as referred to above.
- 2.14 The need for housing has increased significantly since the adoption of the Core Strategy in 2009. The Council produced a Strategic Housing Market Assessment (SHMA) in 2015 identifying its housing need within the

Housing Market Area that it shares with Runnymede. This identified a need for 552-757 dwellings per annum. The Government subsequently issued its 'Planning for the Right Homes in the Right Places' consultation in 2017 which set out the housing need for each local planning authority using the standard method. The Government finalised its guidance on the standard method for calculating housing need in February 2019. As the housing target in its Core Strategy 2009 is more than five years old, the five year housing land supply should be measured against the area's local housing need calculated using the Government's standard method. Local Housing Need is currently 611 dwellings per annum in Spelthorne. Table 12 sets out the Borough's net housing completions against its housing requirement.

Table 12 Local Housing Need & Delivery

	Completions (net)	Local Housing Need (Min.)	Source	Shortfall to Min. OAN
2014 – 15	265	166	Core Strategy 2009	+99
2015 – 16	308	166	Core Strategy 2009	+142
2016 – 17	347	552	SHMA 2015	-205
2017 – 18	250	552	SHMA 2015	-302
2018 – 19	289	590	LHN 2018	-301
2019 – 20	228	599	LHN 2019	-378
2020 - 21	639	606	LHN 2020	+33

Five Year Supply Position

Need 2021/22 - 2025/26 = (5 x 611) =	3055
Buffer at 20% = (3055 x 1.2) =	3666
Annual need including 20% buffer =	733
Projected 5 year supply =	3286 ⁶

⁶ Spelthorne Strategic Land Availability Assessment, 2020

Housing supply (3094 / 708) =

4.5 years of supply or 90%

Spelthorne's Housing Performance

- 2.15 A large proportion of the existing housing stock was built between 1920 and 1970. A very high proportion is owner-occupied and comprises mainly detached, semi-detached and terraced housing. The 2011 Census indicates that approximately 12% of the stock is social housing managed by Registered Social Landlords (RSLs) with a similar amount of private rented accommodation. Some 3.5% of the stock is vacant. The Housing completions (net) by sector April 2009-March 2021 is set out in Appendix 4 Table 21.
- 2.16 House prices have continued to fluctuate. Table 13 illustrates changes in annual average (median) house prices over the last ten years according to latest available data. Data on house prices is derived from actual sale prices which can show significant variation over time, particularly when the total volume of sales is small. The information should therefore be seen only as a guide to relative movement in house prices by type.
- 2.17 All affordable housing for rent is managed by RSLs and for each scheme granted planning permission the Council initially has 100% nomination rights for first lets with 75% thereafter. One important contextual indicator relating to the achievement of affordable housing policies is the size and composition of the Housing Register. Since 2009 the Council has operated a Choice Based Lettings scheme which significantly extends the opportunities for families on the Housing Register.

Table 13 Average House Prices in Spelthorne by type of dwelling

	Type of Dwelling			
	Detached	Semi-detached	Terraced	Flat/Maisonette
March 2013	£413,453	£288,940	£235,190	£167,183
March 2014	£452,436	£316,491	£257,380	£182,821
March 2015	£516,173	£361,784	£293,173	£208,525
March 2016	£592,566	£414,053	£333,480	£234,909
March 2017	£621,268	£430,119	£346,341	£249,377
March 2018	£626,016	£436,594	£350,260	£248,872
March 2019	£623,430	£366,785	£346,192	£242,583
March 2020	£622,124	£436,085	£348,964	£238,159
% change 2013-2020	50%	£51%	£48%	42%

Source: <http://landregistry.data.gov.uk/app/ukhpi/explore>

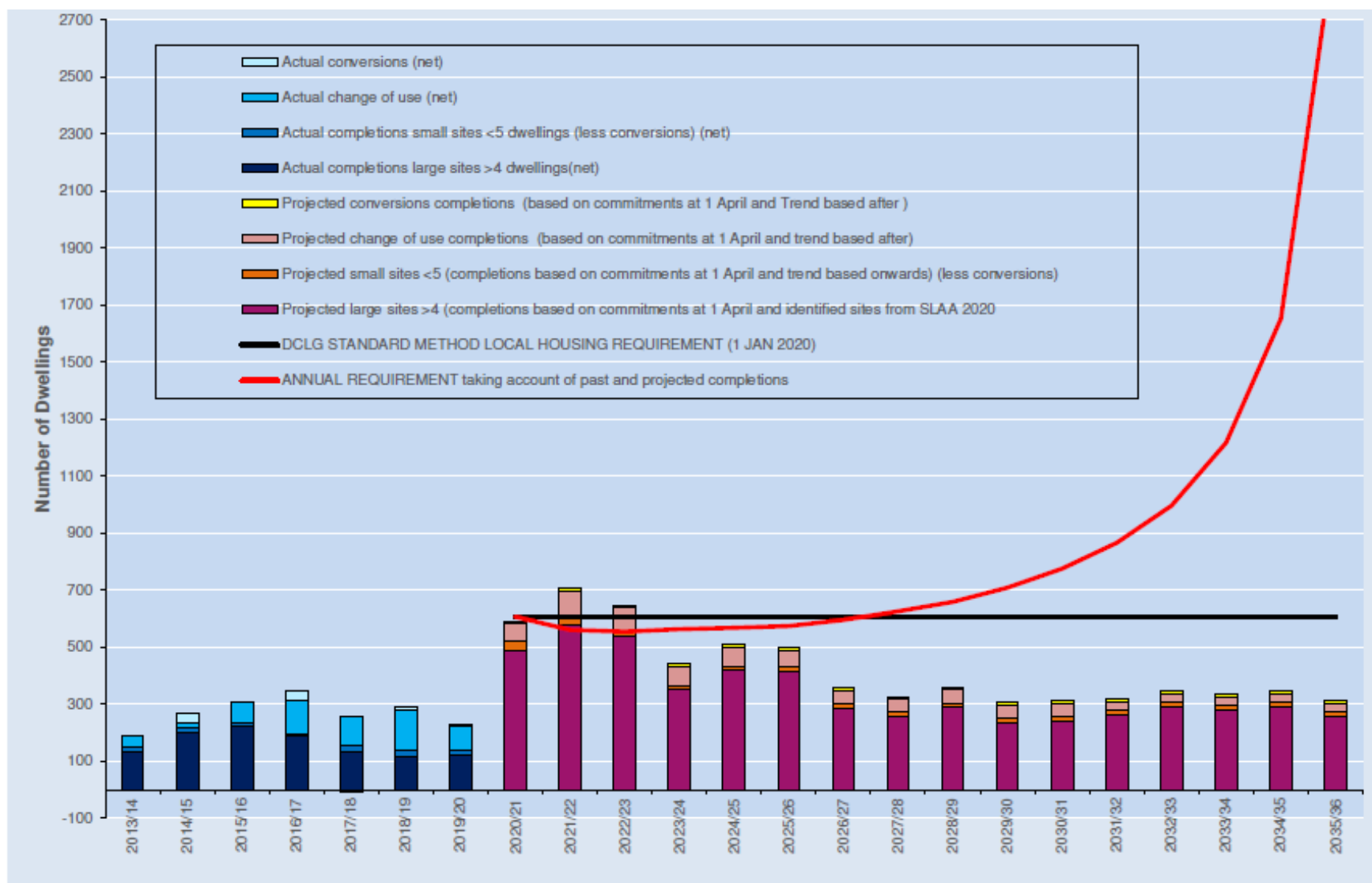
Projecting future provision

- 2.18 The housing trajectory (Table 14 and Figure 1) shows housing completions for the last seven years and anticipated delivery for the next 15 years to 2036. It combines information on past completions, existing planning permissions and identified housing sites from the Strategic Land Availability Assessment 2020 to illustrate projected housing supply going forward into the new Local Plan period.
- 2.19 Net completions for the previous seven years (including the reporting year) are recorded and broken down into four categories – conversions, change of use, small sites with fewer than 5 dwellings (net) and large sites of 5 or more dwellings (net). Data on housing completions by bedroom are set out in Table 16. Data for projected completions in future years is recorded on the same basis in Table 14.

Table 14 Draft Housing Trajectory Data 2020-2036

	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36
Actual Total completions (gross)	198	333	355	374	287	310	248																
Actual Total completions (net)	191	265	308	347	250	289	228	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Actual conversions (net)	2	29	1	34	-8	8	5																
Actual change of use (net)	37	20	71	118	102	140	87																
Actual completions small sites <5 dwellings (less conversions) (net)	20	14	14	8	22	23	17																
Actual completions large sites >4 dwellings (net)	132	202	222	187	134	118	119																
Annual Losses	7	68	47	27	37	21	20	32															
Under Construction at start of year (gross)	295	359	413	439	476	1010	1094	982															
Projected annual completions (net) all sources								589	704	645	440	508	500	358	327	360	308	312	318	346	334	347	310
Projected conversions completions (based on commitments at 1 April and Trend based after)								7	9	7	10	10	10	10	10	10	10	10	10	10	10	10	10
Projected change of use completions (based on commitments at 1 April and trend based after)								60	91	81	66	66	59	46	46	46	46	46	29	29	29	29	29
Projected small sites <5 (completions based on commitments at 1 April and trend based onwards) (less conversions)								33	25	19	11	11	16	16	16	16	16	16	16	16	16	16	16
Projected large sites >4 (completions based on commitments at 1 April and identified sites from SLAA 2020)								489	579	537	353	421	416	286	255	288	236	240	263	291	279	292	255
ANNUAL REQUIREMENT taking account of past and projected completions								606	560	554	563	568	574	595	625	658	708	774	866	996	1216	1651	2992
SUMMARY OF SUPPLY																							
SLAA TOTALS (Sites >4)									180	219	157	225	220	286	255	288	236	240	263	291	279	292	255

Figure 1 Draft Housing Trajectory 2020-2036



2.20 Anticipated completions for the year 2020/21 are based on the assumption that 60% of the 982 units under construction at the start of the year in Table 15 will be completed during the year. The remaining 40% would be completed over the next two years with 30% in year 2 and 10% in year 3. This is to allow time for dwellings on large sites to be completed and to ensure that regard is had to past performance so that the likely number of completions in the current year is not overestimated.

2.21 For the period from 2021/22 to 2035/36 the estimated net annual completions are based on the following components:

- Dwellings under construction (those not completed in 2020/21)
- Dwellings with planning permission (unimplemented)
- Estimates for dwellings provided by conversions, change of use and from small sites (fewer than 5 units net)
- Sites of 5 or more dwellings identified in the SLAA 2020.

2.22 Given the past trends in the Borough's implementation rates of planning permissions, it has been assumed that most remaining unimplemented permissions will be completed over the next four year period from 2021. However, a small non-implementation factor of 5% has been applied on a precautionary basis to allow for permissions which expire.

2.23 The third component above, (estimates) comprises three elements. The first, dwellings from conversions, is calculated from the average annual net provision over seven years for the conversion of existing residential development to smaller units, such as a single dwelling house converted to flats. The second element derives from the change of use from non-residential property to residential, such as a shop to a dwelling. Again the estimate is based on the annual average net provision over a seven year period. Traditionally this was always a small component of the overall total. However, the increase in large office to residential conversions as a consequence of the Government's relaxation of planning controls has significantly expanded this source of supply. It is not known how long this trend will continue, so whilst the trajectory takes account of known schemes, the longer term estimate for this source of dwelling supply remains cautious (less than 10 units per annum). Further work on this element is currently underway.

2.24 The third element relates to new build dwellings on sites delivering fewer than five dwellings (net). This is the threshold for sites considered to be too small to be reliably identified in the SLAA. Currently there is no evidence from completions data to suggest that this source of new housing is likely to decline over the plan period and the estimate of 20 units per annum based on the average annual net figure for the last seven years is included in the trajectory with no discount applied.

2.25 The fourth and final component of supply is that provided by the SLAA 2020. Every site of 5 or more dwellings listed in the study is assessed on a likely implementation date based on the criteria of whether a site is developable and deliverable over the plan period broken down into three five year periods.

2.26 The data is illustrated in graphical form in Figure 2 showing by means of the

columns, the actual and forecast completion rates. The trajectory illustrates the effect of taking into account the latest objectively assessed housing need figures published in the Government's proposed methodology. The horizontal black line therefore shows the requirement of 606 per annum⁷. It shows that, given the current level of completions forecast for the plan period, the overall number of dwellings for the remainder of the plan period based on 606 will not be achieved. The red line shows the effect of completions each year on the overall plan requirement taking account of the dwellings completed each year to provide a residual figure. The need to review the Local Plan remains paramount.

- 2.27 It should be noted however that the Objectively Assessed Need (OAN) figure is untested and is not automatically a proxy for a final housing requirement in a Local Plan. The Council will have to consider the evidence carefully and take into account whether environmental and policy constraints, such as Green Belt, will have an impact on the final housing requirement. The OAN figure should not therefore be confused with a plan target. The number of dwellings completed, under construction and with outstanding planning permission at 31 March 2021 is shown in Table 15.

Table 15 Number of dwellings completed, under construction and with outstanding planning permission at 31 March 2021

	Conversion/ Change of Use	Small sites (less than 0.4ha)	Large sites (0.4ha or greater)	Total dwellings – all sites
Gross Completions (2020-2021)	140	89	427	656
Losses (2020-2021)	8	9	0	17
Net Completions	132	80	427	639
Units under construction	104	217	217	538
Units not started on sites under construction	0	0	0	0
Units with outstanding planning permissions (net)	269	252	787	1,308
Units pending Section 106 agreement (net)*	0	5	160	165
Total units outstanding	373	474	1,164	2,011

(Source: In house monitoring)

*This figure includes all sites pending S106 agreements which have not been concluded or formally withdrawn.

⁷ Requirement with 2020 as the baseline, with trajectory as at 31 March 2020.

Table 16 Approved and Implemented Residential Development

Year	Schemes approved in year	Units approved in year	Starts this year	Total under construction
2020-2021	52	242	212	538
2019-2020	63	756	138	982
2018-2019	69	998	270	1092
2017-2018	89	1085	821	1010
2016-2017	54	654	411	476
2015-2016	68	581	381	439

2.28 Table 16 shows the rate of approved residential schemes in Spelthorne since 2015-16. This highlights the Council's rate of approval and also shows the number of units started each year by developers. Starts each year are generally much lower than the number of approvals, indicating that whilst the Council is positively responding to the challenge of boosting its role in housing delivery internally, external factors which are beyond the control of the Council will influence the decision to implement a scheme.

Table 17 Housing completions (net) by bedroom April 2009-March 2021

Year	Total Dwellings (Gross)					Losses (ii)					Net Completions					Running Total
	1 bed	2 bed	3 bed	4 bed	Total	1 bed	2 bed	3 bed	4 bed	Total	1 bed	2 bed	3 bed	4 bed	Total	
2009-2010	77	166	26	27	296	2	36	43	4	85	75	130	-17	23	211	211
2010-2011	70	112	19	11	212	3	21	43	6	73	67	91	-24	5	139	350
2011-2012	53	91	90	28	262	3	43	52	5	103	50	48	38	23	159	509
2012-2013	66	98	38	20	222	2	6	42	2	52	64	92	-4	18	170	679
2013-2014	66	98	19	15	198	2	2	1	2	7	64	96	18	13	191	870
2014-2015	79	172	48	34	333	42	8	8	10	68	37	164	40	24	265	1,135
2015-2016	89	166	71	29	355	2	6	31	8	47	87	160	40	21	308	1,443
2016-2017	98	189	50	37	374	6	11	8	2	27	92	178	42	35	347	1,790
2017-2018	108	111	36	32	287	8	12	6	11	37	100	99	30	21	250	2,040
2018-2019	164	92	33	21	310	3	4	8	6	21	161	88	25	15	289	2,329
2019-2020	122	98	20	8	248	1	6	11	2	20	121	92	9	6	228	2,557
2020-2021	294	327	30	5	656	0	6	7	4	17	294	321	23	1	639	3,196
2009-2021 (i)	1,286	1,720	480	267	3,753	74	161	260	62	557	1,21	1,559	220	205	3,196	

(i) Period covered by the Spelthorne Core Strategy and Policies DPD.

(ii) Losses of residential units (through redevelopment, conversion and to other uses) are accounted for in the year in which a development is commenced on the site.

Density

2.29 From 2009 to 2021 the average density for all completed schemes was 57 dwellings per hectare. Table 17 shows that there has been a notable increase towards higher density development over the past two years.

Table 18 Percentage of new dwellings on completed sites between 2009 and 2021 at different density ranges.

Year	Sites completed in year	Number of dwellings on completed sites	Average density of completed sites	% of dwellings completed at different density ranges		
				<35	35-75	>75
2009-2010	40	235	63	3%	67%	30%
2010-2011	38	272	64	7%	52%	41%
2011-2012	33	260	39	7%	89%	4%
2012-2013	38	146	44	18%	42%	40%
2013-2014	27	242	55	6%	44%	50%
2014-2015	42	307	65	18%	11%	71%
2015-2016	28	176	76	6%	42%	52%
2016-2017	46	440	51	19%	55%	26%
2017-2018	44	296	50	29%	27%	44%
2018-2019	48	459	66	57%	8%	35%
2019-2020	35	230	71	7%	23%	70%
2020-2021	58	513	134	9%	8%	83%
Total	477	3,576	57			

Source: In house monitoring

Affordable housing

2.30 The overall provision of affordable housing has declined in recent years, however more recently the number of units has risen (Table 18). 211 units are currently under construction. There is an increasing trend for developers to seek to reduce on-site provision of affordable housing on the grounds of viability and / or to promote off-site provision or an in-lieu financial contribution. A number of larger schemes have recently been granted planning permission with significantly lower proportions of on-site provision than Policy HO3 seeks to achieve. In addition, the conversion of offices to residential under the “prior approval” regime has prevented the negotiation of affordable housing in a significant number of schemes.

2.31 Some £4.03m has been received between 2014/15 and 2019/20 in contributions in lieu of on-site affordable provision. The effectiveness of financial contributions in lieu of on-site provision will need to be closely monitored in the future to ensure that opportunities to increase the supply of

affordable housing are maximised. There are a number of Council projects in the pipeline which will be partly funded from S106 money and these are referred to under the Action Plan Context and Action Plan below.

Table 19 Number of affordable homes provided per year since 2009

Year	Affordable dwellings completed (gross)	Affordable dwellings lost in year	Affordable dwellings completed (net)	Rent		Shared Ownership		Other/not specified	
				Gross units	%	Gross units	%	Gross units	%
2009-10	99	54	45	64	65	35	35	0	0
2010-11	96	44	52	84	87	12	13	0	0
2011-12	144	59	85	101	70	43	30	0	0
2012-13	63	20	43	51	81	12	19	0	0
2013-14	44	0	44	44	100	0	0	0	0
2014-15	16	43	-27	8	50	8	50	0	0
2015-16	138	14	124	82	59	56	41	0	0
2016-17	46	0	46	46	100	0	0	0	0
2017-18	9	0	9	5	55.5	4	44.5	0	0
2018-19	6	0	6	6	100	0	0	0	0
2019-20	0	0	0	0	0	0	0	0	0
2020-21	177	0	177	22	12	155	88	0	0
Total	838	235	604	513	61%	325	39%	0	0

Source: In house monitoring

Table 20 Affordable dwellings granted planning permission 2020-2021

	Number of sites	Total Dwellings (gross)	Affordable dwellings granted pp	Affordable dwellings as % of all dwellings granted pp
All schemes	52	242	0	0%
Schemes above 15 unit threshold as defined in Policy HO3	2	101	0	0%

Source: In house monitoring

2.32 The conversion of offices to residential under the “prior approval” regime has prevented the negotiation of affordable housing in a significant number of schemes. In the year to 31 March 2021, seven applications for prior approval were granted, involving the loss of office floorspace with the provision of 102 dwellings, but with no affordable housing (Table 20).

Table 21 Prior approval applications granted April 2020-March 2021

Application No	Address	Date Approved	Number of dwellings	Commenced
20/00277/PDR	111B-111C High Street, Staines	21/04/20	4x1 bed flats	March 2021
20/00534/PDO	9-11 Market Square, Staines	07/07/20	4x1 bed flats	
20/00858/PDO	Viewpoint, 240 London Road, Staines	22/09/20	82x1 bed flats	
20/01274/PDO	3 Station Approach, Ashford	17/12/20	6x1 bed flat 2x2 bed flat	March 2021
20/01287/PDR	48 Hetherington Road, Shepperton	05/01/21	1x1 bed flat	
20/01444/PDO	74a High Street, Shepperton	14/01/21	1x1 bed flat	
21/00006/PDO	117 Feltham Road, Ashford	10/02/21	2x2 bed flats	

The Brownfield Land Register

2.33 The National Planning Policy Framework (NPPF) requires councils to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. All sites included on the register have been provisionally assessed as meeting the NPPF definition of previously developed land.

2.34 To be included, sites must also meet the following:

1. at least 0.25 hectares in size or capable of supporting at least five dwellings;
2. "suitable" for residential development;
3. the land is "available" for residential development; and
4. residential development of the land is "achievable".

2.35 Spelthorne published its Part 1 Brownfield Register in December 2018 and updates this annually. The Register provides up-to-date and consistent information on sites that are considered to be appropriate for residential development as long as they meet the criteria set out in Town and Country Planning (Brownfield Land Registry) Regulations 2017. Registers are in two parts, Part 1 comprises all brownfield sites appropriate for residential development and Part 2 those sites granted permission in principle. The Part 1 Brownfield Land Register includes sites that have planning permission, or are allocations in the adopted Local Plan. In due course the register will be extended to include relevant sites that have been submitted through Spelthorne's Strategic Land Availability Assessment (SLAA) or appropriate sites which meet the criteria.

2.36 The Brownfield Land Register does not affect the status of sites that already have planning permission or are allocated in the adopted Local Plan for development. The inclusion of other sites on the register does not give them any formal status, or grant permission in principle, or in any sense infer that planning permission will be granted for development. The Brownfield Land Register will be subject to periodic review and through ongoing refinement further sites will be added whilst others may be removed.

The New Local Plan

2.37 The current review of the Council's Local Plan has identified a need to create around 611 housing units each year over the next 15 years. The Preferred Options consultation (Regulation 18) took place from November 2019 – January 2020. The preferred approach is to provide housing development in a combination of intensifying development of Brownfield land, growth within Staines-upon-Thames and removing limited amount of Green Belt but with additional safeguards to take account of the public's views on loss of Green Belt.

2.38 A masterplan is currently being developed for Staines-upon-Thames town centre. This will provide a structure to shape and transform the town centre. The Development Framework is an important element of the new Local Plan as it will set out the opportunities for Staines to deliver new homes, commercial activity and vital infrastructure.

Information Document 3

2 Key challenges

The key challenges set out in the following section have been identified as areas for the Council to overcome and to positively address any current barriers to housing delivery. In addressing these challenges, the Council will seek to maintain its high standards and will not compromise on the quality of housing delivered. In addressing these challenges, the Council will have regard to its corporate priorities and will seek betterment for the community.

COVID-19: the global pandemic and the associated lockdowns, particularly lockdown 1 which took place between March and July 2021, have had a significant impact on the national economy. Whilst the government advised that construction could continue (subject to social distancing being applied) a number of key strategic development sites within the borough stopped work. There has also been an absence of major and minor applications submitted since March 2020 and this will undoubtedly result in a lag in applications, permissions and eventual implementations.

Council imposed Moratorium on Councils schemes in Staines-upon-Thames: In January 2021, the Council made a decision to halt all Council developments in Staines until a development sub committee was in place, the consultation exercise had been undertaken on the Objectives and Options consultation for the Staines Development Framework and a viability exercise had been undertaken for all those schemes. The first two have been completed and the third is underway. Until the Council is satisfied that all these conditions have been met then no Council schemes in Staines can proceed. As Staines-upon-Thames is the Borough's primary town centre, it is a key location for new and sustainable development. Limiting development in this area for a prolonged period is likely to negatively impact housing delivery in Spelthorne.

Increasing numbers on the Housing Register: Over the past three years, the number of applicants on the Council's Housing Register has grown by 79%.

Lack of availability of existing affordable housing: In 2017/18 there were eleven applicants for every social housing vacancy.

High rates of statutory homelessness: There is an average of 116 households for whom we have a duty to provide accommodation per year, with one in five households approaching us due to the termination of a private sector tenancy.

High use of emergency and temporary housing for homeless households: The average occupancy of temporary accommodation at the end of each quarter in the four years to 2017/18 was 111 households. See Appendix 3 Table H4. For example, the average cost to the Council to accommodate one homeless household in emergency housing is approximately £6,500 per annum

Increasing affordability issues: ratio of the median house price to the median wage in the area evidences a year-on-year rise over the past four years, with Spelthorne outpacing the ratios for both the South East and England.

Lack of new-build affordable housing: The net increase of provision over the past five years has been just 161 units – an average of 32 per year.

The Capital Strategy also identifies the following issues affecting the housing market in Spelthorne.

The effect of our proximity to London

As well as the evident demand for affordable housing from local residents, there is also considerable pressure from London. The cost of housing in London is even higher than in Spelthorne, and London boroughs are actively placing homeless households from their boroughs into Spelthorne, as well as 'block booking' emergency accommodation facilities within Spelthorne for their homeless people, placing further demand on the already strained private sector.

Heathrow expansion

Notwithstanding the current COVID-19 situation and the impact on the aviation sector, another key issue that will have a significant impact on our community is the possible expansion of Heathrow. There is currently uncertainty as to whether the airport will be expanded and the possible form this will take given the legal challenges and judgments associated with the Airports National Policy Statement (ANPS). If construction does start it is likely to go on for a minimum of nine years. This will introduce further pressure as people working on the Heathrow expansion seek to be housed close to their workplace.

Key worker accommodation

Whilst housing affordability is a significant issue in general, it acutely affects key workers, who help to run the essential local services such as schools, hospitals, doctor's surgeries and fire stations. According to Government statistics released in 2019, the latest records available, the mean income for employees within Spelthorne is £33,700. However, the starting salaries for essential local workers is much less. We know anecdotally that key worker staff are moving further and further away from Spelthorne into Hampshire and Berkshire and commuting to work. This means that when they look for their next promotion they are more likely to look in those areas; this is another factor leading to loss of workforce. Whilst some key workers are being recruited from London, one of the main factors which will keep them in Spelthorne is availability of affordable housing. The Council is seeking to tackle this through our housing company Knowle Green Estates Ltd and look at opportunities within allocated sites for the new Local Plan.

Subsidies

As affordable housing is provided at up to 80% of the market rate, subsidies are essential to make it viable. A private developer who pays market rate for land, finance, supplies and labour has to sell their properties at market rate to make a profit. When Spelthorne Council is acting as the developer, even if there is no profit, it is still difficult to deliver truly affordable housing. Housing for rent can pay for itself over a period of time because of the rental income which it generates. However, the Council needs to be in a position to forward fund such developments and the cost of finance for the acquisition, development and construction stages is prohibitive for councils unless they receive Government subsidy. This is similar to the way Housing Associations

operate – having a market rate product to sell and rent, the surplus of which subsidises the affordable elements of their business. The bottom line is that, even with the Government grant funding available through Homes England, affordable housing developments need significant capital investment and cash flow to deliver.

Engagement with Stakeholders

The Spelthorne Local Plan: Preferred Options Consultation took place from November 2019 to January 2020 and the consultation response document has been produced by the Council. A large range of stakeholders were engaged as part of the consultation process including landowners, developers, utility providers and statutory consultees.

The Local Development Scheme timetable shows the next stage of consultation on the publication Local Plan is anticipated to take place in early 2022.

Evidence base documents are also under production alongside the Local Plan and the Strategic Planning team will continue to engage with all stakeholders throughout the production of the Local Plan, including regular contact with landowners and their agents, to ensure the sites that will be allocated will be delivered when anticipated.

Rail access to Heathrow

To date, the government is advancing two new major rail schemes (Western Rail to Heathrow and Southern Rail to Heathrow) to significantly transform rail access to and from Heathrow. The government plans to partly involve the private sector in its financing, delivery and maintenance. It aims to improve access to Heathrow from the south, reduce rail journey times, ease road and passenger congestion, create additional connections, generate economic growth and new jobs and provide an alternative form of transport for passengers, especially people who travel to the airport by car.

Alternatively, the Council has submitted a £375m light rail scheme to Heathrow to the Department of Transport (DfT) as part of its call for ideas on third party funded projects. The light rail has also been identified as an Innovation Partner with Heathrow although this work is currently paused due to the COVID-19 pandemic.

Appendix 4

Table 22 Housing completions (net) by sector April 2009-March 2020

	Total Dwellings (Gross)				Losses (ii)				Net Completions				
Year (Apr-Mar)	Private	RSL	Public	Total	Private	RSL	Public	Total	Private	RSL	Public	Total	Running Total
2009-2010	197	99	0	296	29	56	0	85	168	43	0	211	211
2010-2011	116	96	0	212	29	44	0	73	87	52	0	139	350
2011-2012	118	144	0	262	43	60	0	103	75	84	0	159	509
2012-2013	159	63	0	222	32	20	0	52	127	43	0	170	679
2013-2014	154	44	0	198	7	0	0	7	147	44	0	191	870
2014-2015	317	16	0	333	25	43	0	68	292	-27	0	265	1,135
2015-2016	217	138	0	355	33	14	0	47	184	124	0	308	1,443
2016-2017	328	46	0	374	27	0	0	27	301	46	0	347	1,790
2017-2018	278	9	0	287	37	0	0	37	241	9	0	250	2,040
2018-2019	304	6	0	310	21	0	0	21	283	6	0	289	2,329
2019-2020	248	0	0	248	20	0	0	20	228	0	0	228	2,554
2020-2021	479	177	0	656	17	0	0	17	462	177	0	639	3,196
2009-2019(i)	2,915	661	0	3,576	320	237	0	557	2,595	541	0	3,196	

(i) Period covered by the Spelthorne Core Strategy and Policies DPD.

(ii) Losses of residential units (through redevelopment, conversion and to other uses) are accounted for in the year in which a development is commenced on the site.



Consultation on Emerging Planning Proposals

1.0 Introduction

The planning process for Borough Councillors and the local community will be enhanced if they are consulted about emerging proposals for complex major development or other sensitive ones at an early stage.

As with any other discussion in a forum involving officers, the community, developers and councillors, Planning Committee Members should be careful about saying any matter which could be perceived as showing they had taken a fixed position on the proposals (or any aspect of them) or could be taken as an indication of bias, known as predetermination or bias. Planning Officers will, of course, make their professional recommendations to the Planning Committee in the usual fashion in due course. Separate discussions may be held between developers and other teams within the council where relevant to their area of responsibility.

2.0 Primary Purpose of Community Consultations and Briefings

The National Planning Policy Framework (NPPF 2021)¹ advises that *'early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community'*.

It further advises that Local Planning Authorities *'should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications'*.

Pre-application consultations are a useful and productive part of the evolution of a proposal that will lead in most cases to an application being considered by the Planning Committee. They are intended to serve a number of purposes including:

- To assist members in gaining an initial understanding of often very complex proposals and their planning implications.
- To reassure Spelthorne communities that they are being listened to and that their elected representatives are helping to ensure their views are fed into the

planning process.

- To help demonstrate the Council's commitment to sustainable "growth" by providing a forum for members to consider developers' perspectives and for developers to understand some of the issues that may be important to members.
- To give members an involvement in emerging development proposals without compromising their ultimate role as decision makers by allowing them to provide their provisional input / steer.

3.0 Community Consultation Process

- This process will normally apply to major applications proposing 50+ dwellings and/or commercial schemes of 10,000+sqm of commercial floorspace. It will also relate to major developments which is a sensitive development and will require consultation by the developer with the local community.

The process will have the following steps:

1. Developers make a request for pre-application advice to the Planning Development Officers in accordance with the established process set out on the Council's website.
2. The case officers will meet with the developers to discuss the proposals. No more than two meetings will take place before the developers discuss their proposals with the local community.
3. The developers should contact the ward councillors to discuss their proposals. The ward councillors will liaise with the local residents and businesses to arrange a meeting with the developers.
4. Those at the meeting will need to agree who will take and agree the notes. The agreed notes will be circulated by the ward councillors with the local community at the meeting and the developer and copied to the planning case officer.
5. The developer should meet again with the planning case officers to set out changes (if applicable) to their proposals following their meeting with the community. The planning officers will provide feedback on the amended scheme.
6. If the planning officer considers it to be necessary, a further meeting between the developer and the local community should be arranged.
7. Following the consultation process outlined above, the applicant should undertake a public consultation process with the wider community. This shall be in a public area and include at least one evening and one weekend. During times of restriction, for e.g., an epidemic,

consultation shall take place virtually online.

In addition, **formal briefings** for the councillors will take place. The guidelines are set out below.

4.0 The role of members at Briefings

- All councillors will be invited to Briefings.
- Whilst there is no requirement for members to attend any Briefing, their presence is strongly encouraged and welcomed. The more members giving their views through Briefings, the more “value” is added to the overall process. This will strengthen the robustness of the decision-making process.
- However, non-attendance of Planning Committee members will not prevent their subsequent participation in deciding an application at a Planning Committee meeting.
- As reference above, with any discussion in a forum involving officers, developers and councillors, Planning Committee Members should be careful about saying things at Briefings which could be perceived as showing they had taken a fixed position on the proposals (or any aspect of them) or could be taken as an indication of bias, known as predetermination or bias.
- However subject to that constraint, Planning Committee Members (and other members) should feel free to ask questions to understand and explore the nature of proposals being considered by the Briefing. Questions primarily should be factual, but it would be perfectly in order, for example, for a member to ask whether a particular option or approach had been explored or why a particular approach had not been explored or whether it could be explored in the future.
- A Planning Committee member commenting (or not commenting) on any aspect of proposals will not in any way “bind” the member or the Committee on any subsequent application which the Planning Committee should as always determine with an open mind based on all the information before them at that point.

5.0 Process around the Briefings

- The Planning Development Manager will agree with the Chair and Vice Chair of the Planning Committee an ongoing programme of schemes where it is considered beneficial for Borough Councillors to receive a briefing due to of the size, impact, complexity or due to the controversial nature of a proposal.

Briefings may either be given by the applicant or by planning officers.

- Briefings involving the applicant will usually only take place prior to submission of a planning application.

- Planning officers will arrange for briefings to take place for complex proposals after the application has been validated.
- Briefings for each application will normally be expected to last 60 -75 minutes.
- The Planning Development Manager will introduce the briefing highlighting its function as a discussion-based member forum to facilitate members giving non-binding input on proposals at a preliminary stage.
- The Planning Development Manager will ask members to disclose relevant interests for reasons of transparency.
- The applicant will make a presentation (usually up to 20-25 minutes) including all significant planning issues.
- If the applicant is not present, the planning officer will make a presentation (usually up to 20-25 minutes) covering all significant planning issues.
- Following the completion of the presentation, members may comment and ask questions to the applicant (if present) and the planning officers.
- Notes will be taken at the meeting by Committee Services summarising key matters.

6.0 Housekeeping

- Meetings are to be held in the early evening usually starting at 6pm on dates to be agreed between the Planning Development Manager and Committee Services.
- Briefings may take place in person at the Council Offices or virtually.
- Meetings will usually hear one presentation only.
- This Protocol will be reviewed after 12 months
- If the Planning Development Manager is not present, the nominated Planning Officer will perform the duties.

16/12/2021

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 determined 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)
20/00344/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

App no	Site	Proposal	Applicant	Case Officer(s)
20/00802/FUL	Car Park Tesco Supermarket	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 (AMENDED PLANS)	Spelthorne Borough Council, Care of Lichfields	Matthew Churchill
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
21/00912/FUL	Works Langley Road	Demolition of existing works building and erection of 23 dwellings (14 dwelling houses and 9 apartments) including access, parking, landscaping and replacement substation'	Shanly Homes Ltd	Kelly Walker
21/00947/FUL	Cadline House, Drake Avenue	Demolition of existing building and construction of new build 2.5 storey residential building comprising of 14 flats and 15 under-croft car spaces.	Cadline Ltd	Matthew Clapham
21/00921/FUL	131 High Street	Demolition of existing structures and creation of retail unit and 9 no. flats facing the High Street together with a residential building	Burma House (Staines) Ltd	Kelly Walker

App no	Site	Proposal	Applicant	Case Officer(s)
		providing 14 no. flats to the rear with associated parking and amenity space.		
21/01411/RVC	524 To 538 London Road	Application to remove Conditions 1 (Commencement of development), 15 (Access/egress), and 17 (Closure of access onto Kenilworth Road, and variation of Conditions 4 (Contaminated Land), 10 (Storage of refuse/waste) and 18 (Construction Transport Management Plan), of planning permission 17/00640/FUL for the erection of a building to provide 58 flats.	Mr Bal Hans	Paul Tompson
21/01548/RMA	Shepperton Studios	Application for the approval of reserved matters comprising details of multi-storey car parking and concrete aprons at Shepperton Studios submitted pursuant to condition 1 of planning permission 18/01212/OUT dated 4th July 2019. Details to partially discharge conditions 3, 7, 13 and 14 pursuant to the outline consent'	Shepperton Studios Limited	Russ Mounty
21/01547/FUL	Shepperton Studios	Use of 6 acres of land for backlot in association with Shepperton studios, including the construction of utility buildings, security barriers and guard shelters, with associated enabling works, access, landscaping, surface parking and amended car park access at land north of Shepperton Studios"	Shepperton Studios Limited	Russ Mounty

App no	Site	Proposal	Applicant	Case Officer(s)
21/01742/FUL	Crownage Court	Provision of a rooftop extension to provide 14 apartments	Richmond Collection	Kelly Walker
21/01835/RVC	Mentone Farm/Scania Depot	Variation of Condition 3 to be reworded with the words "maintained as approved" relating to planning permission 04/00782/FUL. Reconfigure the car parking area in order to create additional car parking spaces	Scania (Great Britain) Limited	Matthew Churchill
21/01801/FUL	Sunbury Cross Ex Services Association Club	The demolition of existing Sunbury Ex-Servicemen's Association Club and redevelopment of site including the erection of two residential buildings of 5-storeys and 8-storeys comprising 47 flats with associated car parking, cycle storage, landscaping and other associated works.	SUN EX-21 Ltd	Paul Tomson / Vanya Popova
21/01772/FUL	37 - 45 High Street	Demolition of the former Debenhams Store and redevelopment of site to provide 226 dwellings (Use Class C3) and commercial units (Use Class E) together with car and cycle parking, hard and soft landscaping, amenity space and other associated infrastructure and works.	Future High Street Living (Staines) Ltd	Russ Mounty / Kelly Walker
21/01182/FUL	Shepperton Studios	Construction of a workshop (plot 1.4), utility building and security barriers, turnstile and guard shelter, with associated enabling works, access and parking at Shepperton North West	Shepperton Studios Limited	

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Planning Appeals Report – V1.0 ISSUED

Appeals Started between 21 October 2021 – 15 December 2021

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
20/00736/FUL 96 Cavendish Road Sunbury On Thames TW16 7PL	05.11.2021	Written Representation	APP/Z3635/W/21/3282205 The erection of a two storey detached building comprising 2 x 1 bedroom flats (Amended Plans)

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
21/00754/HOU 55 Chertsey Road Ashford TW15 1SR	05.11.2021	Fast Track Appeal	APP/Z3635/D/21/3281886 Erection of a part single storey, part two storey flank extension
20/01217/FUL Land To Rear 54 Bruce Avenue Shepperton TW17 9DW	05.11.2021	Written Representation	APP/Z3635/W/21/3282159 Erection of 2 bungalows following demolition of garages as shown on drawings numbered SLP-01, BLP-01, 02, ELV-01, 02, FLP-01, 02 and SEC-01 received on 20/10/2020.
21/00903/HOU 74 Park Road Ashford TW15 1EU	05.11.2021	Fast Track Appeal	APP/Z3635/D/21/3284730 Erection of a part two storey part single storey side extension and single storey rear extension. Proposed hip to gable roof extension with raised ridge height and the installation of a rear facing dormer with Juliet balconies and 3 no rooflights to the front.
20/01452/FUL Development Site At 5 Station Road Ashford	05.11.2021	Written Representation	APP/Z3635/W/21/3279747 Erection of additional third and fourth storeys to create a two bedroom flat.
21/00652/T56	01.12.2021	Written Representation	APP/Z3635/W/21/3279081

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
Land At Woodlands Parade Ashford			Prior approval application for the proposed development comprises the installation of 1no. 18m Phase 8 Monopole C/W wrapround Cabinet at base and ancillary works thereto.

Appeal Decisions Made between 21 October 2021 – 15 December 2021

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
20/01271/FUL 13 Thetford Road Ashford TW15 3BW	30.09.2021	Written Representation	APP/Z3635/W/21/3277275 Erection of 3 no. terraced dwellings following demolition of existing bungalow and garage as shown on amended drawings numbered PL-01 - 09 received on 06 November 2020.	Appeal Dismissed	24.11.2021	<p>The Inspector considered that the main issue is the effect of the proposed development on the character and appearance of the area.</p> <p>He noted that the proposal would introduce a small terrace of three new dwellings, each three storeys tall. He states that, <i>'...In itself, the introduction of a terrace in this location would jar with the prevailing character of the street, which is typified by detached and semi-detached dwellings'</i>.</p> <p>He notes although the ridge height is consistent, the additional storey would appear incongruous in the street scene, given the road has mainly bungalows and two-storey dwellings, and that the proposed dormers pointed roofs would, <i>'...exaggerate the height of the dwellings and their third storey, exacerbating this incongruity.'</i> Going on to conclude</p>

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>that when taken together, '... <i>'...the new dwellings would appear discordant with the general pattern of development along Thetford Road, which would harm the character of the area'.</i></p> <p>Shortfall in set back from side boundary, results in the proposed terrace occupying almost the full width of the plot, appearing very cramped and "hemmed in" and would be further amplified by the proposed parking arrangement</p> <p>In addition, parking would result in the frontage of the new dwellings being dominated by parked cars with very minimal landscaping, which he notes is, '<i>... indicative of the site's limitations with regard to accommodating three new dwellings.</i>' And conflict with SPD, which notes parking areas should not exceed more than 50% of a property's frontage.</p> <p>The development would harm the character and appearance of the area, contrary to Policy EN1(a) and SPG on design, which require new development</p>

Case Ref & Address	Date Received	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>to make a positive contribution to the street scene, by paying due regard to the scale, height, proportions and other key characteristics of neighbouring buildings and land.</p> <p>He concludes that the net addition of two dwellings would be a very modest contribution to housing need, and the adverse impacts of the development in terms of the harm to the character and appearance of the area would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.</p> <p>As a result, the presumption in favour of sustainable development does not apply in this instance.</p>