



Please reply to:

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Date: 26 January 2023

Notice of meeting

Planning Committee

Date: Wednesday, 8 February 2023

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

To the members of the Planning Committee

Councillors:

N.J. Gething (Chairman)	A. Brar	O. Rybinski
M. Gibson (Vice-Chairman)	S. Buttar	R.W. Sider BEM
R.O. Barratt	J. Button	B.B. Spoor
C. Bateson	R. Chandler	J. Vinson
M. Beecher	K. Howkins	S.J Whitmore

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 - 8

To confirm the minutes of the meeting held on 11 January 2023 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- 21/00947/FUL - Cadline House, Drake Avenue, Staines-upon-Thames

9 - 44

Ward

Staines

Proposal

Demolition of existing building and construction of new build 2.5 storey residential building comprising of 13 flats and 15 under-croft car spaces.

Recommendation

Approve the application subject to conditions as set out at paragraph 8 of this report.

5. Planning application- 22/01562/FUL - Land to South of New Road, Littleton, Shepperton

45 - 68

Ward

Laleham and Shepperton Green.

Proposal

Use of land to the south of New Road for car parking, including access from New Road, with alterations to existing fence line to facilitate pedestrian access for a temporary period of 24 months, alongside associated infrastructure.

Recommendation

The application is recommended for approval.

- | | | |
|-----------|---|----------------|
| 6. | Major Planning Applications | 69 - 74 |
| | To note the details of future major planning applications. | |
| 7. | Planning Appeals Report | 75 - 84 |
| | To note details of the Planning appeals submitted and decisions received between 17 December 2022- 24 January 2023. | |
| 8. | Glossary of Terms and Abbreviations | 85 - 90 |

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**Minutes of the Planning Committee
11 January 2023**

Present:

Councillor N.J. Gething (Chairman)
Councillor M. Gibson (Vice-Chairman)

Councillors:

R.O. Barratt	A. Brar	K. Howkins
C. Bateson	S. Buttar	J. Vinson
M. Beecher	J. Button	S.J Whitmore

Apologies: Apologies were received from Councillor B.B. Spoor who sent Councillor S.Dunn as his substitute.

In Attendance:

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

1/23 Minutes

The minutes of the meeting held on 14 December 2022 were approved as a correct record.

2/23 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 Barratt, Beecher, Brar, and Button reported that they had received correspondence in relation to application 22/01410/ADV but had maintained an impartial role, had not expressed any views, and had kept an open mind.

Councillors Bateson, Gibson, Howkins, Rybinski, Sider and Vinson reported that they had received correspondence in relation to application 22/01410/ADV and had made an informal visit to the site but maintained an impartial role, had not expressed any views, and kept an open mind.

Councillor Gething reported that he had received correspondence from both the applicant and resident speaking against the application but approached the meeting with an open mind.

3/23 Planning application - 22/01410/ADV - Retail Warehouse, Stanwell Road, Ashford, TW15 3DT

Description: Retrospective application for the display of 1 no. 7.5m high illuminated totem sign

Additional Information: The Senior Planning Officer informed the Committee: The ward for this application is Ashford Town, not Staines South.

Drawing number in Condition 7 should read 4415-0103 Revision P02 (Site Location Plan).

A condition should be attached to ensure that only one totem sign is displayed within the planning unit.

Public Speaking: In accordance with the Council's procedure for speaking at meetings, Douglas Blackwell spoke against the proposed development raising the following key points:

- The sign was visible standing at 7.5 metres high 2.7 metres wide
- Due to its placement near the bridge, the sign stood much taller than its actual height for neighbouring properties sitting below the bridge
- The sign was intrusive, looking over residents' gardens and houses
- The sign was in a residential area, not near a shopping area
- When the sign was lit it contributed to light pollution
- The totem sign was in the wrong place
- The sign could be shortened to reduce the intrusive aspect
- Other local Lidl stores did not have a similar sign at this height
- The sign was not attractive and not in keeping with the local area

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

- Lidl already had advert consent for a Totem sign on Stanwell Road which was granted in October 2020
- It was an honest mistake that the totem was erected in a slightly different position to that which was originally consented.
- The current proposal would minimise the level of illumination.
- Illumination would be turned off outside store opening hours and overnight

- The sign does not cause any visibility or public safety issues as confirmed by the Highways Authority
- The sign was set at an appropriate separation distance of over 40m from residential properties
- The application was in accordance with the Development Plan.
- The sign was not out of character or context with the food store use of the established retail site
- If consent was not granted, Lidl could still erect an identical totem to the South of the customer entrance as per the 2020 consent.
- The current proposal offered improvements related to siting, orientation, and lower illumination.

Debate:

During the debate the following key issues were raised:

- Such a large retail organisation should have a sympathetic approach to residents
- The sign was overly conspicuous within the street scene and for neighbouring properties
- The sign was unnecessarily high and would be sufficient at eye level height
- Local shoppers would be aware of where the Lidl is which makes the sign less relevant
- There should be consideration of a shorter sign
- There was clear representation of light pollution
- If the previous application was pursued this would cause stress and anxiety for the surrounding residents
- This application could be used as a lessons learnt example for similar proposals in future
- There was already enough signage to advertise the store
- The light pollution would affect wildlife in the area
- Consideration needed to be given to the quality of life for residents
- A compromise of a shorter sign would make significant contribution to cohesiveness of the business and residents
- A softer level of illumination was necessary
- The current proposal was preferable as it agreed to better conditions

The Committee voted on this application as follows:

For: 2

Against: 11

Abstain: 1

The motion to approve the application fell.

It was proposed by Councillor Barratt and Seconded by Councillor Rybinski that the application be deferred to allow the applicant to amend the sign to reduce the height of the totem.

The voting was as follows:

For: 14
Against: 0
Abstain: 0

Decision: The recommendation to approve was **not agreed** and the application was **deferred** to allow the applicant an opportunity to consider whether to submit an amended application for a sign on a totem of reduced height.

4/23 Major Planning Applications

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.

5/23 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.

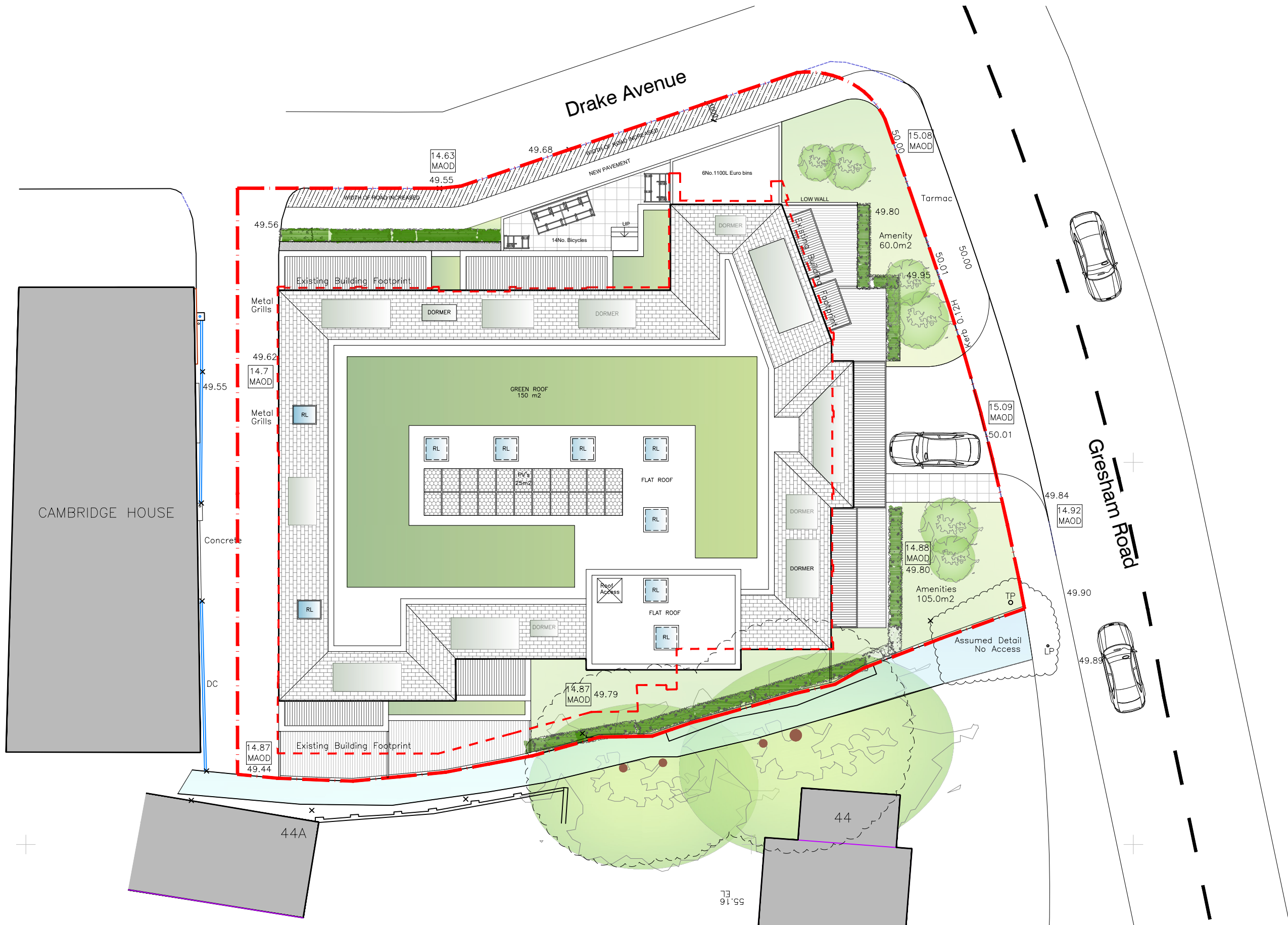


21/00947/FUL - Cadline House, Drake Avenue, Staines-upon-Thames, TW18 2AP

Scale: 1:1,250

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REVISION	DATE
A - MAOD levels added in accordance with STM Environmental requirements	1.2.22
B - Minor amends to suit EA requirements	25.7.22
C - Number of flats reduced to 13	4.11.22

0	5	10
SCALE (m)		



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PROJECT TITLE
 NORTHUMBERLAND HOUSE,
 DRAKE AVENUE STAINES,
 TW18 2AP
**FULL- APPLICATION FOR
 13 No.FLATS**

CLIENT
 CADLINE LIMITED

DRAWING TITLE
 PROPOSED ROOF PLAN
 SITE PLAN

DATE APRIL 2021
DRAWN BY LIME
SCALE 1:200@ A3
DRAWING No. 320 - 21 - 06
Revision C



REFER DRAWING No.
320 - 21 - 08

REFER DRAWING No.
320 - 21 - 09

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REVISION	DATE
A - Car park grills amended in line with EA requirements	17.1.22
B - MAOD levels added in accordance with STM Environmental requirements	1.2.22
C - MAOD amended in accordance with EA requirements	25.7.22
D - Flats 1 & 2 changed to 1 duplex	4.11.22
E - EVC points added to all bays (planning comments)	23.1.23



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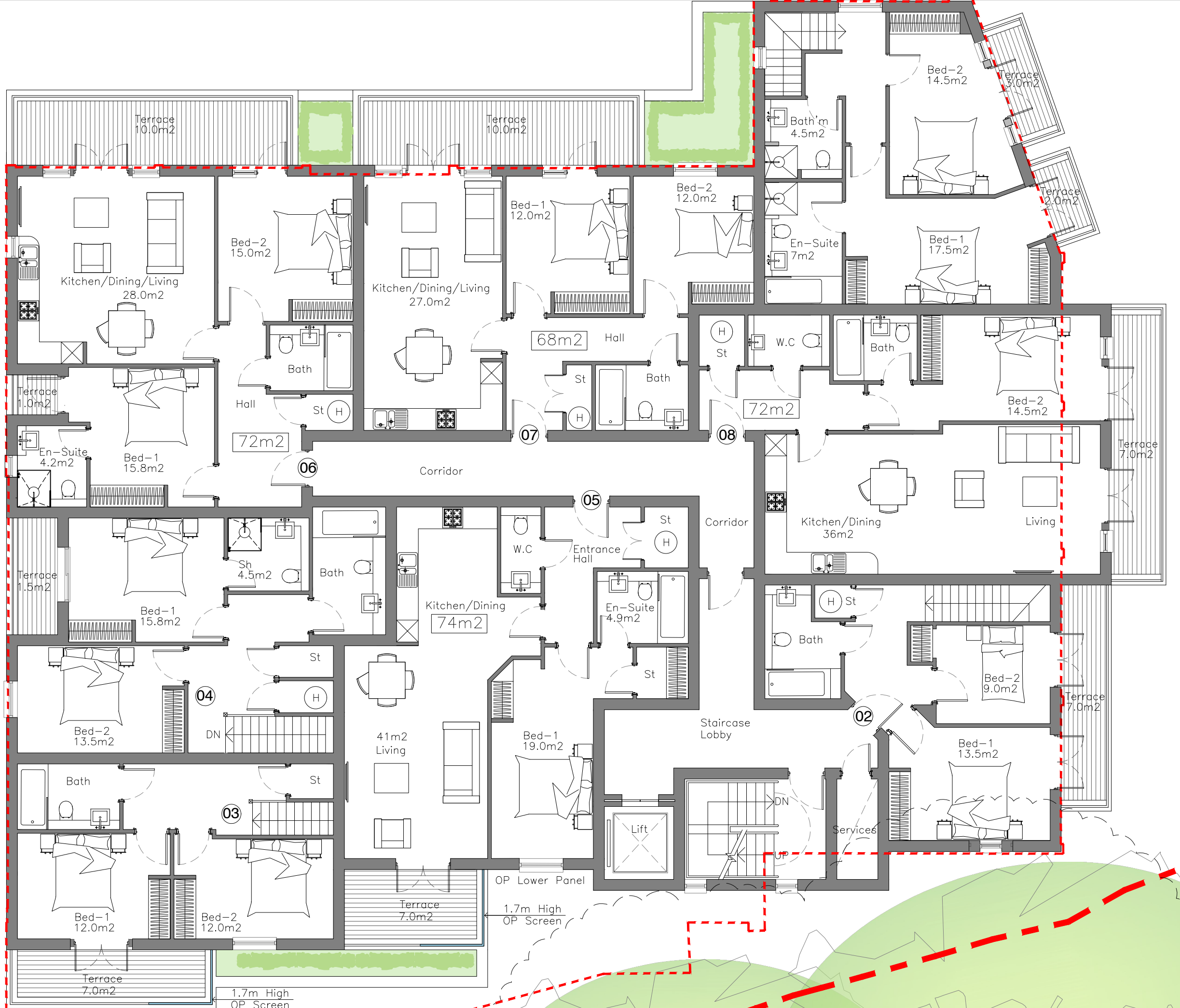
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PROJECT TITLE
 NORTHUMBERLAND HOUSE,
 DRAKE AVENUE STAINES,
 TW18 2AP
**FULL- APPLICATION FOR
 13 No.FLATS**

CLIENT
 CADLINE LIMITED

DRAWING TITLE
 PROPOSED GROUND
 FLOOR PLAN

DATE APRIL 2021
DRAWN BY LIME
SCALE 1:200@ A3
DRAWING No. 320 - 21 - 07
Revision E



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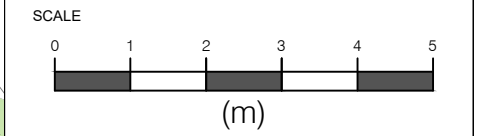
REVISION	DATE
A - Flats 1 & 2 changed to 1 duplex	4.11.22
B - Flat 7 changed to 2b(3p) flat	23.1.23

CLIENT
CADLINE LIMITED

DRAWING TITLE
PROPOSED FIRST FLOOR PLAN

PROJECT TITLE
**NORTHUMBERLAND HOUSE,
 DRAKE AVENUE STAINES,
 TW18 2AP
 FULL- APPLICATION FOR
 13 No.FLATS**

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DATE
APRIL 2021

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LIME

SCALE	DRAWING No.	Revision
1:100@ A3	320 - 21 - 10	B

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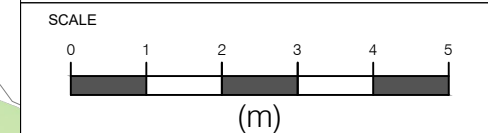
REVISION	DATE
A - Number of flats reduced to 13	4.11.22

CLIENT
CADLINE LIMITED

DRAWING TITLE
PROPOSED SECOND FLOOR PLAN

PROJECT TITLE
**NORTHUMBERLAND HOUSE,
 DRAKE AVENUE STAINES,
 TW18 2AP
 FULL- APPLICATION FOR
 13 No.FLATS**

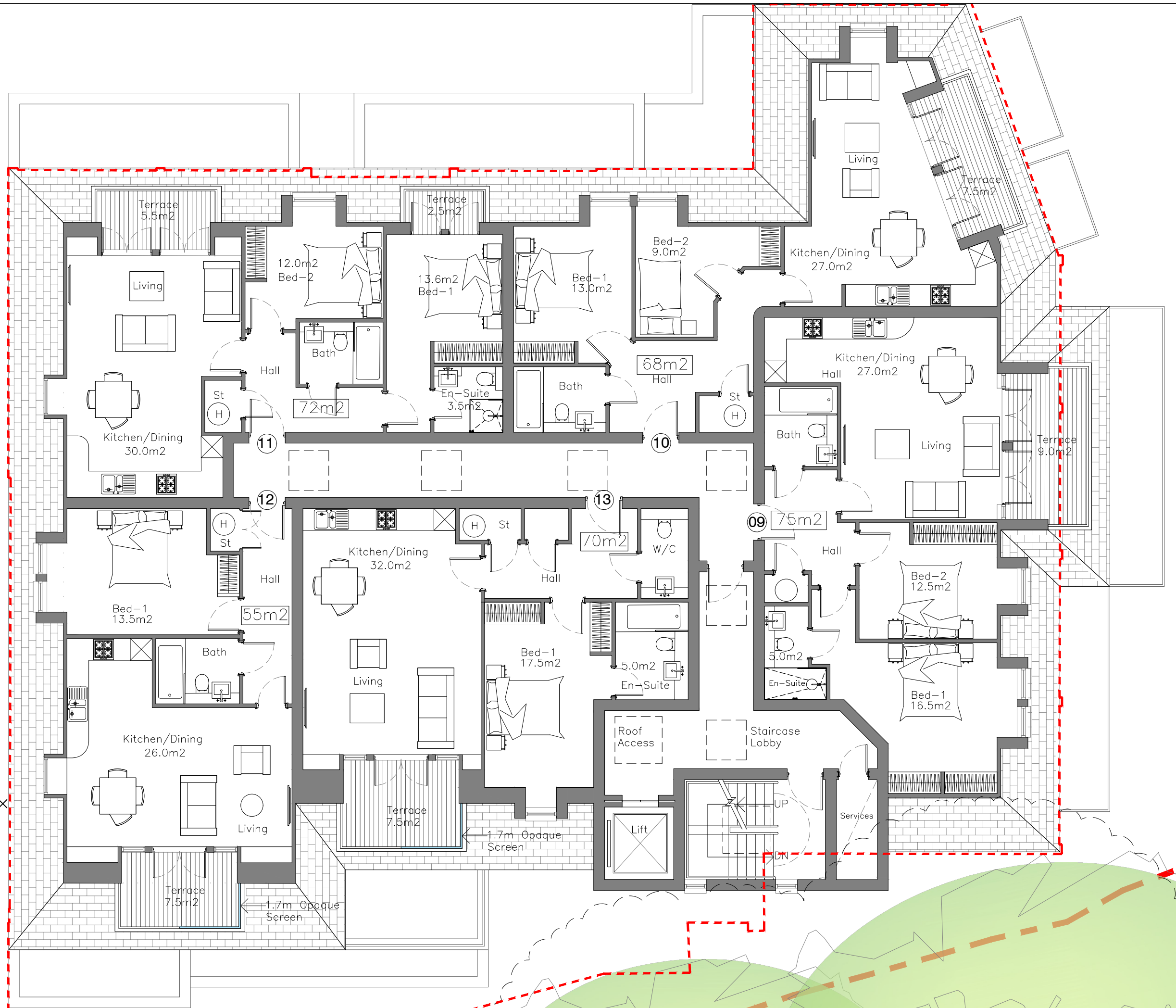
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SCALE	DRAWING No.	Revision
1:100@ A3	320 - 21 - 11	A



No.	Legend
1	Brickwork to match existing.
2	White Render.
3	Roof : Slate.
4	Rooflight.
5	Opaque Glazing.
6	White Sash Windows.
7	Black Painted Metal Gate.
8	Black Painted Metal Railing.
9	Lead look-alike Dormer.



NOTE: Flooding requirements
 (1m wide openings every 5m as per STM Environmental (flooding) requirements = 4 x 1m over total 23m width = 4m total openings width.
 Total achieved within metal entrance gates to undercroft car parking area = 6m gate width - indicative voids shown under ground floor slab = 2m x 200mm (x2) = 4m total = TOTAL 10M

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REVISION	DATE
A - Flood elevation openings shown in accordance with STM Environmental requirements	11.1.22
B - Further amends made in accordance with STM Environmental requirements (flood grills)	14.1.22
C - Further amends made in accordance with STM Environmental requirements (MAOD & flood grills)	1.2.22
D - Further amends made in accordance with STM	4.2.22
E - Further amends made in accordance with EA	26.7.22
F - Number of flats reduced to 13	4.11.22



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PROJECT TITLE
**NORTHUMBERLAND HOUSE,
 DRAKE AVENUE STAINES,
 TW18 2AP**
 FULL- APPLICATION FOR
 13 No.FLATS

CLIENT
CADLINE LIMITED
 DRAWING TITLE
**PROPOSED GRESHAM ROAD
 ELEVATION**

DATE	APRIL 2021	
DRAWN BY	LIME	
SCALE	DRAWING No.	Revision
1:100@ A3	320 - 21 - 12	F



24860

NOTE: Flooding requirements
 (1m wide openings every 5m as per STM Environmental (flooding) requirements = 4 x 1m over total 25m width = 4m total openings width required.
 Total achieved within undercroft car parking area = 5 x 1m openings = 5m width - indicative voids shown under ground floor slab = 2m x 200mm (x2) = 4m total = TOTAL 9m

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PROJECT TITLE
 NORTHUMBERLAND HOUSE,
 DRAKE AVENUE STAINES,
 TW18 2AP
FULL- APPLICATION FOR
13 No.FLATS

CLIENT
 CADLINE LIMITED

DRAWING TITLE
 PROPOSED SIDE ELEVATION
 FACING CAMBRIDGE HOUSE

DATE APRIL 2021
DRAWN BY LIME
SCALE 1:100@ A3
DRAWING No. 320 - 21 - 13
Revision F



NOTE: Flooding requirements
 (1m wide openings every 5m as per STM Environmental (flooding) requirements = 4 x 1m over total 26.3m width = 4.5m total openings width required.
 Total achieved within undercroft car parking area = 7.5m - indicative voids shown to bin, bike stores & terrace privacy wall = 2m x 200mm (x3) = 6m total = **TOTAL 13.5m**

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 TW18 2AP
FULL- APPLICATION FOR
 13 No.FLATS

CLIENT
 CADLINE LIMITED

DRAWING TITLE
 PROPOSED ELEVATION FACING
 DRAKE HOUSE

DATE APRIL 2021
DRAWN BY LIME
SCALE 1:100@ A3
DRAWING No. 320 - 21 - 14
Revision F



NOTE: Flooding requirements
 (1m wide openings every 5m as per STM Environmental (flooding) requirements = 4 x 1m over total 29m width = 4.5m total openings width required.
 Total achieved underside of ground floor slab = 5 x 2m openings x 200mm high total (min) = 10m width + 2 x 3.5m openings x 200mm high total = 7m width = TOTAL 17m (note: indicative openings shown dependant on engineers details)

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FULL- APPLICATION FOR
 13 No.FLATS

CLIENT
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DRAWING TITLE
 PROPOSED ELEVATION
 FACING 44/44a GRESHAM Rd

DATE APRIL 2021
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DRAWING No. 320 - 21 - 15
Revision F



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REVISION	DATE
A - Number of flats reduced to 13	4.11.22

SCALE
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 (m)

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PROJECT TITLE
**NORTHUMBERLAND HOUSE,
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 TW18 2AP**
 FULL- APPLICATION FOR
 13 No.FLATS

CLIENT
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DRAWING TITLE
**PROPOSED CONTEXTUAL
 GRESHAM ROAD ELEVATION**

DATE	APRIL 2021	
DRAWN BY	LIME	
SCALE	DRAWING No.	Revision
1:200@ A3	320 - 21 - 16	A

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Planning Committee

08 February 2023



Application No.	21/00947/FUL		
Site Address	Cadline House, Drake Avenue, Staines-upon-Thames, TW18 2AP		
Applicant	Richard Hughes, Cadline Limited		
Proposal	Demolition of existing building and construction of new build 2.5 storey residential building comprising of 13 flats and 15 under-croft car spaces		
Officers	Matthew Clapham		
Ward	Staines		
Call in details	N/A		
Application Dates	Valid: 11/06/2021	Expiry: 10/09/2021	Target: Extension of time 10/02/2023
Executive Summary	<p>The proposal involves the demolition of Cadline House (formerly known as Northumberland House), which is an existing industrial building with associated offices, and the erection of a new building with three floors of accommodation to provide 13 flats. Access to the development will be from Gresham Road. The site is located within the urban area. It is not within a designated Employment Area.</p> <p>It is considered that the principle of demolishing the existing commercial building and replacing it with a new residential development is acceptable. The proposal will be in keeping with the character of area, will not cause harm to the amenity of neighbouring residential properties and is considered to meet the requirements of Policy EN1, and other relevant policies of the Core Strategy and Policies DPD, 2009.</p> <p>Moreover, the proposed units are considered to provide an acceptable standard of amenity for future occupiers. Whilst the proposed parking provision is below the Council's minimum Parking Standards, the site is located a short walk away from the railway station, bus station and Staines town centre and consequently, it is considered that the shortfall is acceptable in this particular case.</p>		
Recommended Decision	Approve the application subject to conditions as 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:
- LO1 (Flooding)
 - HO1 (Providing for New Housing Development)
 - HO3 (Affordable Housing)
 - HO4 (Housing Size and Type)
 - HO5 (Density of Housing Development)
 - EN1 (Design of New Development)
 - CC2 (Sustainable Travel)
 - CC3 (Parking Provision)
- 1.2 On 19 May 2022, Council agreed that the draft Local Plan be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.3 The following policy of the draft Spelthorne Local Plan 2022-2037 is of relevance:
- Policy ST1 (Presumption in Favour of Sustainable Development)
 - Policy PS2 (Designing Places and spaces)
 - Policy H1 (Homes for All)
 - Policy E3 (Managing Flood Risk)
 - Policy ID2 (Sustainable Transport for New Developments)
- 1.4 The NPPF policy states at para 48 that:
Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 1.5 Section 38(6) the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.
- 1.6 At this stage, the policies in the Pre-Submission Spelthorne Local Plan carry limited weight in the decision-making process. The adopted policies in the 2009 Core Strategy and Policies DPD carry substantial weight in the determination of this planning application.
- 1.7 National Planning Policy Framework (NPPF) 2021 is also relevant.

2. Relevant Planning History

- 2.1 The site has the following planning history:

STAINES/FUL/P3010/6	Erecting a factory	Granted 23.01.1961
---------------------	--------------------	-----------------------

3. Description of Current Proposal

- 3.1 The application relates to Cadline House (formerly known as Northumberland House), which is a commercial property located on the corner of Drake Avenue and Gresham Road in Staines-upon-Thames. The building comprises the main single storey commercial element covering the centre of the site, but with ancillary two-storey offices fronting Gresham Road. There is existing parking on the forecourt fronting Drake Avenue.
- 3.2 Drake Avenue comprises an existing small industrial estate. To the north, on the other side of Drake Avenue, is a residential development of 14 flats currently under construction, that was formerly a commercial building, Drake House. To the rear is another commercial building, Cambridge House. To the south-west is a residential property, 44 Gresham Road and a Builders Merchant, 44A Gresham Road. Opposite are residential properties and a footpath leading to Knowle Green, the Council Offices, Leisure Centre, Medical Centre and Staines Park. The site is located within the urban area. Whilst Drake Avenue is an existing industrial estate with the remaining units in commercial use, it is not designated as an Employment Area in the Core Strategy and Policies DPD (CS & P DPD). The site is located within all three Flood Risk Zones, including a small area of functional flood plain adjoining Sweeps Ditch to the south and the remainder being within the relatively low risk Flood Zone 2 (between 1 in 100 year) and Flood Risk Zone 3a (1 in 1000 year).
- 3.3 The proposal involves the demolition of Cadline House and the erection of a new building with three floors of accommodation providing 13 flats. The proposed building will measure 32 metres in length, up to 25 metres in width, and up to 9.9 metres in height. The second floor will be within the roof space with the flats served by dormer windows. The building will be traditional in appearance and faced with a mix of yellow stock brickwork, red brick features for soldiers and plinths and roof slates to be in keeping with nearby properties in Gresham Road. Private amenity space will be provided in the form of balconies and terraces. Access will be from Gresham Road. 15 no. car

parking spaces will be provided for the flats. In terms of dwelling mix, there will be 4 no. 1-bed and 9 no. 2-bed (all market housing).

4. Consultations

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

Consultee	Comment
County Highway Authority	No objections subject to conditions
Sustainability	Satisfied renewable energy provision will be met
Environment Agency	No objections subject to conditions
Surrey Police	Requested condition to ensure achievement with the principles of Secure by Design
Environmental Health (Air Quality)	No objections subject to conditions
Environmental Health (Contamination)	No objections subject to conditions
Lead Flood Authority (Sustainable Drainage Systems)	No objections subject to conditions
Thames Water	No objections
Surrey Wildlife Trust	Requested confirmation on Roosting Bats and that recommendations of Ecological Survey are implemented

5. Public Consultation

5.1 20 neighbour notification letters were sent out and a statutory site notice was displayed and a press notice issued as the proposal is a Major Application. The Council has received 14 letters of objection from 12 separate households in relation to:

- Inadequate parking
- Failure to comply with lifetime homes
- Inadequate provision for disabled / elderly persons
- Flood risks
- Inappropriate location
- Highway safety / health and safety
- Impact on commercial uses in area
- Lack of notification
- Outstanding issues regarding travel plan/contamination
- Loss of a tree
- Flats not needed – larger homes required
- Lack of Infrastructure

In addition, two letters of support have been received in relation to:

- Modern / aesthetically better design

- Provides more housing
- Better than high rise developments

6. Planning Issues

- Principle
- Housing Need
- Density
- Design and Appearance
- Impact upon Neighbouring Properties
- Amenity Space
- Unit Size
- Parking Provision
- Highway Safety
- Flooding
- Ecology
- Contamination and Air Quality

7. Planning Considerations

Principle

- 7.1 The site is located within the urban area. The site is not located within a designated Employment Zone. It is located within all three Flood Risk Zones, although the majority of the site is within Zone 2. Consequently, the principle of demolishing the existing commercial building and redeveloping the site for residential purposes is considered acceptable.

Housing Need

- 7.2 When considering planning applications for housing, local planning authorities should have regard to the government's requirement that they significantly boost the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF) 2021.
- 7.3 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five-year housing land supply should be measured against the area's local housing need calculated using the Government's standard method¹. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 618 dwellings per annum in Spelthorne. This figure forms the basis for calculating the five-year supply of deliverable sites.
- 7.4 The base date for this assessment is the start of the current year 1 April 2022 to 31 March 2027. The 20% buffer will therefore be applied to this full period.

¹ Planning Practice Guidance Reference ID: 68-005-20190722

National guidance sets out that the buffer should comprise sites moved forward from later in the plan period. A 20% buffer applied to 618 results in a figure of 742 dwellings per annum, or 3,708 over five years.

- 7.5 In using the objectively assessed need figure of 742 as the starting point for the calculation of a five-year supply it must be borne in mind that this does not represent a target as it is based on unconstrained need. Through the Local Plan review, the Borough's housing supply will be assessed in light of the Borough's constraints, which will be used to consider options for meeting need. The Council has now published its Strategic Land Availability Assessment (SLAA) which identifies potential sites for future housing development over the plan period.
- 7.6 The sites identified in the SLAA as being deliverable within the first five years and subsequent updates from landowners have been used as the basis for a revised five-year housing land supply figure. Spelthorne has identified sites to deliver approximately 3,286 dwellings in the five-year period.
- 7.7 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 4.43 year supply and accordingly the Council cannot at present demonstrate a five year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.
- 7.8 Government guidance (NPPF para 74) requires the application of a 20% buffer "where there has been significant under delivery of housing over the previous three years". In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority's five year land supply and a presumption in favour of sustainable development if the figure is below 75%. The Housing Delivery Test result for Spelthorne Borough Council was published by the Secretary of State in January 2022, with a score of 69%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of sustainable development because the test score of 69% is less than the 75% specified in the regulations. The figure of 69% compares with 50% last year and 60% in 2020. The Council's Housing Delivery Test Action Plan has been updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.
- 7.9 As a result, current decisions on planning applications for housing development need to be based on the 'tilted balance' approach set out in paragraph 11 of the NPPF (2021). This requires that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole'.

Density

- 7.10 Policy HO5 of the CS & P DPD states that within higher density residential areas, including those characterised by a significant proportion of flats and those containing significant Employment Areas, new development should generally be in the range of 40 to 75 dwellings per hectare. To the north are flats; the former Drake House and Beach's House and Gresham Court

beyond and opposite at 77 Gresham Road and further to the south, Bressington Court, Lazare Court and Abbey Lodge. Whilst the area is not a designated Employment Area, there are commercial uses remaining in Drake Avenue together with Hy-Ten, Brewers and Jewsons in close proximity. Policy HO5 further states that 'Higher density development may be acceptable where it is demonstrated that the development complies with Policy EN1 on design particularly in terms of compatibility with the character of the area and is also within an area which is accessible by non-car based modes of transport'.

- 7.11 The proposed density is 112 dwellings per hectare (dph), which is above the recommended 40 to 75 dph range laid out in Policy HO5. It is important to note that any mathematical density figure, is in part, a product of the mix of units proposed. In this case, the 13 units are either 1 bed or 2 bed, in accordance with the recognised need in Spelthorne, and accordingly, it is possible to accommodate more small units within a given floorspace and an acceptable numerical density can be much higher. Moreover, the site is in a location that is well served by public transport. It is a short walk away from the railway station, which has an extensive and frequent service. It is also within walking distance of the bus station and town centre. It is relevant to note that Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it. Paragraph 125 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities. Accordingly, the proposed housing density is considered acceptable, subject to it complying with Policy EN1 on design (see the paragraphs below).

Design and Appearance

- 7.12 Policy EN1(a) of the CS & P DPD states that the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
- 7.13 Section 12 of the NPPF refers to design - Achieving well-designed places and in particular that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.14 The National Design Guide, Planning practice guidance for beautiful, enduring and successful places, produced by the MHCLG in 2021, addresses how we recognise well design places by outlining ten characteristics; context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources and life span.

- 7.15 It is considered that the proposed design and appearance is in keeping with the character of the area and complies with the requirements of Policy EN1(a). The proposed building will be two-storey in scale but with second floor accommodation within the roofspace served by dormers. These proposed dormers are considered to be of good design and do not dominate the roof form. The parking area is undercroft and therefore is not readily visible from the street scene. The proposed building also has some balconies of varying designs including one at the front and rear which protrudes from the building. Each of the flats on the first or second floor will have balconies to provide some private amenity space and in addition there will be a communal garden to the rear for the occupants of the flats. The proposal will be similar in scale and design to the neighbouring residential block of flats currently under construction on the other side of Drake Avenue, formerly Drake House and also similar to that of Beach's House beyond the adjoining development to the north-east, and 67 – 71 Gresham Road to the south-east, both which have 3-floors of accommodation with the second floor served by dormers. The proposal will also appear in character with 73, 75 and 77 Gresham Road. Moreover, the proposed building will be set-back from Gresham Road by between 5.9m – 7.6m and will therefore maintain the existing building line in this part of Gresham Road.

Impact on adjoining properties

- 7.16 Policy EN1(b) of the CS & P DPD states that new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.17 It is considered that the relationship with neighbouring residential properties is acceptable. The application is accompanied by a Daylight and Sunlight Assessment which has considered impacts on various properties that adjoin the application site, including both residential and commercial buildings. This report concluded that *'The results are considered acceptable, and this assessment of daylight, sunlight and overshadowing indicates that the proposed scheme, will not cause a noticeable change in light levels to existing neighbouring occupants. Therefore, it is considered appropriate for the specific site'*.
- 7.18 To the south, there is a residential property at 44 Gresham Road. This property has a blank flank elevation facing towards the proposal site and is set 9m away from the proposed development by virtue of the Sweeps Ditch and there is an attached garage between the neighbouring property and the side boundary. The existing building on the application site is two storey in part towards the front, dropping lower towards the rear of the existing building and a number of trees along the ditch boundary. The vertical 45 degree angle line taken from the ground floor rear windows as set out in the Councils Supplementary Planning Document (SPD) for the Design of Residential Extensions and New Residential Development (2011) is not infringed by the proposed development. The horizontal 45 degree angle from this window is infringed, however this is infringed at a distance of 17m away from the window. It is recognised that this proposed building is taller than the existing building on the site, with that part of the building adjoining the rear garden to

the neighbouring property being 6.2m to the eaves and 9.7 to the maximum height, compared to 3.6m and 5.6m respectively for the existing building, in view of the existing relationship between this property and the application site together with the findings of the Daylight and Sunlight Assessment, which specifically considered the impacts on this property and found that overshadowing was not above the amount considered reasonable during summer months, it is not considered that there is sufficient harm to the residential amenity of this property arising from the development to justify refusal. Those windows facing towards the property at 44 Gresham Road either serve non-habitable rooms or have obscure glazing and screens to balconies to a height of 1.7m.

- 7.19 To the north, a block of 14 flats is currently under construction. That part of the building closest to the proposed development is the flank wall which serves flats facing onto Gresham Road. The side facing windows serve bathrooms or provide secondary glazing to bedrooms. The bulk of the block of flats towards the rear are set within the site, being some 24m away from the flank elevation of the proposed building beyond a car parking area. This distance is considered to minimise any significant concerns regarding loss of light, loss of privacy or overbearing to these flats, which are currently under construction.
- 7.20 To the rear and the south west are commercial units, including a builders merchant. There are windows serving Cambridge House immediately to the rear, however these serve a commercial building. Furthermore, the Daylight and Sunlight Assessment concluded that these windows would receive adequate sunlight during both summer and winter months. It is also considered that the proposal will have an acceptable relationship with the properties on the other side of Gresham Road, and the other neighbouring commercial properties in Drake Avenue.

Residential Amenity

- 7.21 The Design SPD sets out minimum amenity space standards for new dwellings. For flats, the requirement is 35 sq. m per unit. Where amenity space is shared the requirement will be relaxed to 35 sq. m per unit for the first 5 units, 10 sq. m for the next 5 units, and 5 sq. m for each unit thereafter. Usable balcony floorspace may be counted in this provision. In addition, the SPD states that only usable garden space to the side and rear of a property will be regarded as useable amenity space.
- 7.22 All of the proposed units will have private amenity space in the form of balconies and/or terraces of various sizes. The largest amenity spaces are on the ground floor. However, all of the spaces are below the minimum SPD standard of 35 sq. m. There are areas of communal open space, which amounts to 165sqm of shared open space, however, while there are two narrow areas of space around the side of the building, the larger areas are to the front on Gresham Road, reducing the quality of the amenity areas. The applicant has stated that the combined size of the proposed amenity space is 333.5 sq. m including all private and communal areas, although as stated above, some of this area is not of a quality that would be included in the figures. The SPD requires a total of 240sqm of communal amenity space.

7.23 Therefore, whilst the proposed amenity space does not fully comply with the Council's minimum amenity size standards in the SPD, it is not considered that there are sufficient grounds to justify refusal of planning permission in this particular case. Staines Ward where the application site is located, is well served by existing public open space. Indeed, the Council's 'Open Space Assessment November 2019' has identified Staines Ward as having an acceptable supply of parks and recreation grounds (the ward has the highest level in the Borough), as well as amenity green space. The site is located close to the local park and the leisure centre. The immediate area is largely characterised by flatted development. Some of the nearby flats have relatively small areas of amenity space, including Drake House to the north and the proposed level of amenity space at the application site would not appear out of keeping with this character. Moreover, it is important to note that the Council does not currently have a 5 year housing land supply and consequently the 'tilted balance' must be applied in this particular case (see the Need for Housing above). The benefits of providing an additional 13 dwellings to the Borough's housing stock will clearly outweigh the limited shortfall in amenity space, which in any case, is not considered harmful in this location.

Unit Size

7.24 The SPD on the Design of Residential Extensions and New Residential Development 2011 sets out minimum floorspace standards for new dwellings. These standards relate to single storey dwellings including flats, as well as to 2 and 3 storey houses. For example, the minimum standard for a 1-bedroom flat for 2 people is 50 sq. m.

7.25 The Government has also published national minimum dwelling size standards in their "*Technical Housing Standards – nationally described space standard*" document dated March 2015. These largely reflect the London Housing Design Guide on which the Spelthorne standards are also based. The standards are arranged in a similar manner to those in the SPD and includes minimum sizes for studio flats. This national document must be given substantial weight in consideration of the current application.

7.26 The original plans showed 3 of the proposed 14 units to be slightly below the minimum floorspace standards. Revised plans have since been submitted reducing the number of units to 13 and as a result all the units now comply with the minimum size standards in the Technical Housing Standards.

Parking Provision and Highway Issues

7.27 Strategic Policy SP7 of the CS & P DPD states that the Council will reduce the impact of development in contributing to climate change by ensuring development is located in a way that reduces the need to travel and encourages alternatives to car use. It will also support initiatives, including travel plans, to encourage non-car-based travel. Policy CC2 of the CS & P DPD states that the Council will seek to secure more sustainable travel patterns by only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative

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

- 7.28 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.
- 7.29 The proposal shows a total of 15 spaces are to be provided, with the plans showing one disabled space and have been amended to show all spaces being served with an Electric Vehicle Charging Point. The Council's Parking Standards require a provision of 19 spaces, a shortfall of 4 spaces. However, the shortfall of these four parking spaces overall is not considered to be a reason to refuse the scheme, in particular given the location of the site. The site is located within walking distance of local facilities including Staines town centre and the bus and train stations and is therefore in a relatively sustainable location. Consequently, it is considered that the level of parking is acceptable. 14 secure bicycle storage spaces are provided.
- 7.30 The County Highway Authority (CHA) has raised no objection to the proposed level of car parking on the site or highway safety, subject to conditions and informatives. The CHA notes that *'The proposed parking provision of 15 spaces for 14 flats accords with SCC's parking standards, but is slightly below what is recommended by Spelthorne Borough Council's Parking Guidance. This guidance does, however, advise that the parking requirements can be reduced where sites have good accessibility. In this case, the site is located within a reasonable walking distance of bus stops, a railway station, and the shops and services in Staines Town Centre. It is therefore considered that a lower parking provision is acceptable for the proposed development. In addition, there are parking restrictions on Gresham Road in the vicinity of the site, so it is unlikely that any vehicles associated with the development would park in a location where they would have a material impact upon highway safety.* Therefore, in view of the sustainable location of the site and proximity to public transport hubs, the proposal is considered acceptable with regard to parking, particularly as similar shortfalls have been approved on the neighbouring plot and that in Langley Road, a short distance away.

Flooding

- 7.31 The site is located within all three Flood Risk Zones, with a small area immediately alongside the Sweeps Ditch to the south being within the functional flood plain and the remainder being partly within the remaining Zones 3a and 2. The Environment Agency (EA) originally raised objections, primarily concerning the level of the flood voids and finished floor levels. Following amendments to the proposal, the EA withdrew the objections and is now satisfied that, subject to suitable conditions relating to voids and flood risk assessment.
- 7.32 In terms of a sequential test and safe access and egress outside of the 1% probability, in view of the site being located in the front part adjoining Gresham Road in the Zone 2 Flood Risk Area, outside of Zone 3, and the approval on the adjoining site, formerly Drake House and approvals of other housing developments in the vicinity, including the West Wing at Knowle Green and at Langley Road, it is considered that a safe means of access / egress is provided through the footpath directly opposite the site and into Staines Park, Knowle Green and areas around it. In addition, the Lead Local

Flood Authority (Surrey County Council) have not raised any concerns regarding Sustainable Drainage Systems (SUDS) subject to conditions.

Ecology

- 7.33 In terms of Ecology, Policy EN8 of the CS and P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest. It is also important to note the guidance regarding protected species in Circular 06/2005. This states that "*it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.*"
- 7.34 The Surrey Wildlife Trust recommended that prior to determination, clarification should be sought from the ecologist as to whether further survey regarding bats is required. The applicant confirmed that their Ecologist found no evidence of bats roosting. Conditions regarding the recommendations of the Ecological report are recommended.

Contamination and Air Quality

- 7.35 The applicant has submitted a contaminated land assessment. The Environmental Health Officer (EHO) has been consulted and notes that a desk study, walkover, and a site investigation was carried out. The site was previously a pond and subsequently used as a warehouse and more recently, as offices. Made ground was identified across the site and elevated levels of contamination and gases and remediation is recommended prior to redevelopment of the site for new dwellings, and in accordance with para. 183 of the NPPF and Council Policy EN15. The EHO has recommended conditions as the proposal is for a development particularly sensitive to contamination and accords with Policy EN15.
- 7.36 The applicant has submitted an Air Quality Assessment (AQA), as is required by Policy EN3 of the CS & P DPD. The Council's Environmental Health Officer (EHO) has been consulted and has raised no objection subject to the imposition of conditions. Therefore, the proposal is considered to accord with Policy EN3 on air quality.

Other Matters

- 7.37 The proposal will comply with the Council's smaller dwellings policy (HO4), which requires at least 80% of the units to be 1 or 2 bedroom in size.
- 7.38 The Council's Sustainability Officer has raised no objection to the renewable energy facilities (photovoltaic solar panels).
- 7.39 With regard to the Crime Prevention Officer's comments, it is not considered appropriate to impose a condition, as requested, relating to "Secured by Design". Many of the requirements are very detailed (e.g. type of laminated glazing), elements which are not normally covered and enforced under the planning regulations. However, a copy of the officer's response has been forwarded to the applicant and it is proposed to add a relevant informative to the decision notice (see below). In addition, a condition is to be imposed

requiring an external lighting scheme to be implemented, partly for security purposes.

- 7.40 The proposed development will include a bin store located towards the northern side of the site. The bin store will be of sufficient size to accommodate the required number of bins for a scheme of this size (6 x 1100 litre communal bins and further space for kitchen waste). The Group Head of Neighbourhood Services has been consulted any response will be reported orally to members.
- 7.41 There are trees located within the site, predominantly along the southern boundary, to Sweeps Ditch, one of which was referred to in a third party representation. The Councils Arboricultural Officer has not raised any concerns regarding the loss of any trees. A landscaping condition has been attached.
- 7.42 With regard to the concerns regarding Accessibility and Lifetime Homes, these are noted. However, Compliance with the Building Regulations are reviewed through the Building Regulations Process and Part M4(2) of the regulations are an optional standard for which reasoned justification would be necessary were a planning condition be recommended – no such justification has been provided.

Financial Considerations

- 7.43 Under In S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal would generate New Home Bonus which is an economic benefit. It is a CIL chargeable development and will generate a CIL Payment of approximately £60,600. This is a mitigation against the development. The proposal will also generate Council Tax payments which is not a material consideration in the determination of this proposal..

Equalities Act

- 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 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.

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.

- 7.45 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstance.
- 7.46 There is a lift provided in the flats and ramps and they have been designed so that all of the flats are accessible and adaptable for disabled people (i.e. M4(2) of the Building Regulations) The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs. It is considered that it would be possible for individuals with some disabilities to access the development.

Human Rights Act

- 7.47 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.48 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.
- 7.49 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.
- 7.50 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

- 7.51 The proposal seeks the redevelopment the Cadline House site with the provision of 13 new flats, which will meet the need for housing and has significant weight. It will make effective use of urban land in a sustainable location. The proposal is considered to respect and make a positive contribution to the street scene and the character of the area in which it is

located and pays regard to the characteristics of the neighbouring buildings. The NPPF requires permission for housing to be granted unless the impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. It is considered that the shortfall in the amenity space parking, and it will be clearly outweighed by the benefits of providing new housing in this location. Therefore, the proposal is considered to conform with Policy EN1 of the Core Strategy and Policies DPD, and the NPPF. Consequently the application is recommended for approval.

8. Recommendation

8.1 APPROVE subject to the following conditions:

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

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

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

320-21-01; 320-21-03; 320-21-04; 320-21-05 received 07.06.2021 and amended plans numbered 320-21-06 rev C; 320-21-11 rev A; 320-21-12 rev F; 320-21-13 rev F; 320-21-14 rev F; 320-21-15 rev F; 320-21-16 rev A; received on 10/11/2022 and 320-21-07 rev E; 320-21-08 rev E; 320-21-09 rev E; 320-21-10 rev B received 23/01/2023.

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

3. The development hereby permitted must not be commenced until a drawing of the void, demonstrating the underside of the void is above the 1% annual probability flood level with an appropriate allowance for climate change, is submitted to, and approved in writing by, the local planning authority. The development shall be implemented and subsequently maintained in accordance with the drawing as approved. This drawing should also show the size and spacing distance of any proposed metal bars that are being included on the void openings.

Reason:- The updated plans show that the voids now extend from the ground and confirm that the void openings will be 1 metre wide and will be every 5 metres. However, the height of the underside of the voids has not been confirmed as requested in our previous response (WA/2021/129196/02). This condition seeks to reduce the risk of flooding to the proposed development and future users, to ensure that there are no detrimental impacts to flood storage or flood flow routes and to ensure that the development does not increase flood risk to surrounding areas. This is in accordance with paragraph 167 of the NPPF and Policy E3 of the emerging Spelthorne Local Plan 2022 – 2037 (dated June 2022) which state development must be appropriately flood resistance and resilient, safe for its lifetime (taking into account climate change) and must not increase flood risk elsewhere.

4. The development shall be carried out in accordance with the submitted flood risk assessment (Addendum to Flood Risk Assessment version 1.0 dated 29 January 2022 prepared by STM Environmental) and the mitigation measures it details: • Finished floor levels shall be set no lower than 15.49 metres above Ordnance Datum (AOD) • The decking will be open in design and raised to

15.49mAOD (proposed finished floor level) so not to impact floodplain storage or impede flood flows These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason:- This condition seeks to reduce the risk of flooding to the proposed development and future occupants in accordance with paragraph 167 of the NPPF and Policy E3 of the emerging Spelthorne Local Plan 2022 – 2037 (dated June 2022) which state development must be appropriately flood resistance and resilient, safe for its lifetime (taking into account climate change) and must not increase flood risk elsewhere.

5. No construction or demolition work shall take place until a refurbishment and demolition asbestos survey has been submitted to and approved in writing by the Local Planning Authority.

For the removal of asbestos containing materials:

(a) A Risk Assessment and Method Statement is to be agreed in writing by the Local Planning Authority, so that the removal and disposal of asbestos containing materials is appropriately managed.

(b) The agreed methodology and mitigation measures shall be implemented in accordance with the approved details and a completion report (including waste disposal information) should be submitted for approval.

Reason:- To protect the future site users and neighbours from harmful substances

6. No development shall take place until:-

(i) 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.

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

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

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

NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected by Contamination: Guidance to Help Developers Meet

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

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

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

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

8. Following construction of any groundwork and foundations, no construction of development above damp proof course level shall take place until a report has been 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 built in accordance with the submitted renewable energy details and is sustainable and complies with Policy SP7 and CC1 of the Spelthorne Development Plan Core Strategy and Policies DPD.

9. No development above damp proof course level shall take place until details of the materials to be used for the external surfaces of the buildings and other external surfaces of the development are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

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

10. Prior to the occupation of the development hereby permitted the ground floor windows on the western elevation of plot 4, the first floor side glazing panels to the balconies southern elevation facing 44 Gresham Road and the windows ground, first and second floor windows on this southern elevation as shown on drawing no. 320-21-15 rev F shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. These windows shall thereafter be permanently retained as installed.

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

11. Details of a scheme of both soft and hard landscaping works shall be submitted to and approved by the Local Planning Authority prior to first occupation of any part of the development hereby approved. The approved scheme of tree and shrub planting shall be carried out prior to first occupation of the buildings and/or site. The planting so provided shall be maintained as approved for a minimum period of 5 years, such maintenance to include the replacement in the current or next planting season, whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the Local Planning Authority gives written permission to any variation.

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

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

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

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

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

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

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

15. No part of the development shall be first occupied unless and until the proposed vehicular access to Gresham Road has been constructed and provided with visibility zones in accordance with the approved plans, and tactile paving to form pedestrian crossing facilities. Thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

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

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

17. The development hereby approved shall not be occupied unless and until all the 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 drawing no. 320-21-07 Revision E received 23.01.2023.

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

18. The development hereby approved shall not be first occupied unless and until facilities for the secure parking of a minimum of 14 bicycles have been provided in accordance with the approved plans, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

19. No demolition work shall take place until a Demolition Method Statement, incorporating a Dust Management Plan (DMS) has been submitted to and approved in writing by the Local Planning Authority. The agreed methodology and mitigation measures shall be implemented in accordance with the approved details.

Reason: To protect the amenity of the surrounding area

20. That the Action Plan set out in section 9 of the Travel Plan written by Capital Transport Planning (June 2021) be implemented in accordance with the

timetable set out in table 3 of the travel plan and thereafter maintained in perpetuity.

Reason:- In order to improve local air quality and public health, in accordance with paragraphs 103, 170e, and Section 9 (Promoting Sustainable Transport) of the NPPF.

21. 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. The associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 0.6 l/s. Network Asset Management Highways Laboratory and Information Centre Merrow Lane Guildford Surrey GU4 7BQ 2
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c) 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

22. 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.

23. The enhancement measures to safeguard wildlife at the site including bats, shall be carried out strictly in accordance with the recommended mitigation

measures in the submitted STM Environmental Preliminary Ecological Risk Assessment 30.04.2021.

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

Informatives

1. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.
2. 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 there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence (LLFA-SP-21-0551)
3. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted 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/permits-and-licences/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/floodingadvice
4. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. 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 applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:
 - (a) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
 - (b) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
 - (c) the arrangements that will be in place to ensure a reasonable telephone response during working hours;
 - (d) the name and contact details of the site manager who will be able to deal with complaints; and
 - (e) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.
8. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - (c) Deliveries should only be received within the hours detailed in (a) above;
 - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
 - (e) There should be no burning on site;
 - (f) Only minimal security lighting should be used outside the hours stated above; and
 - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

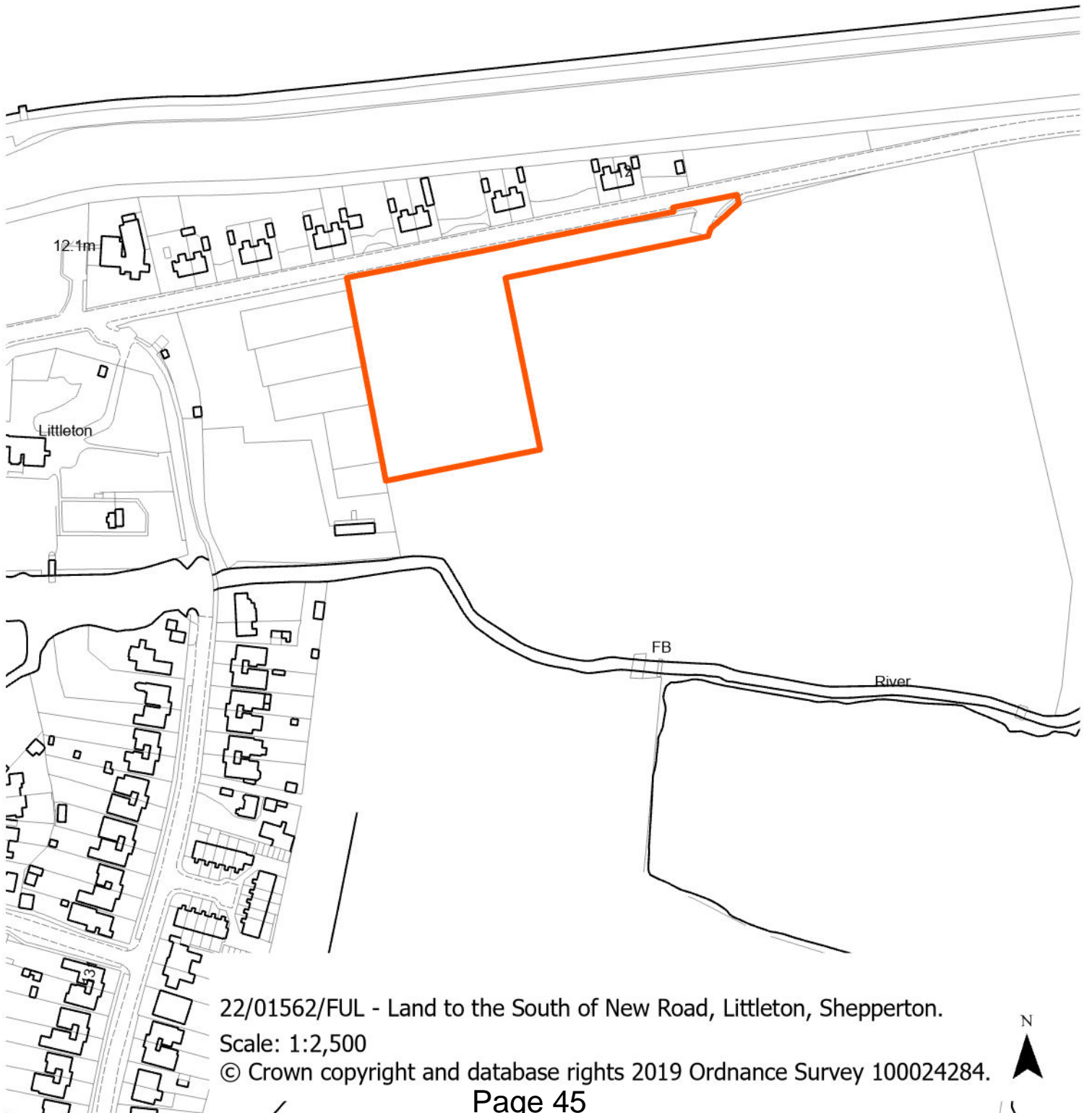
Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.

9. The developer should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.
If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

Appendices:

Site Plan, Floor Plans and Elevations

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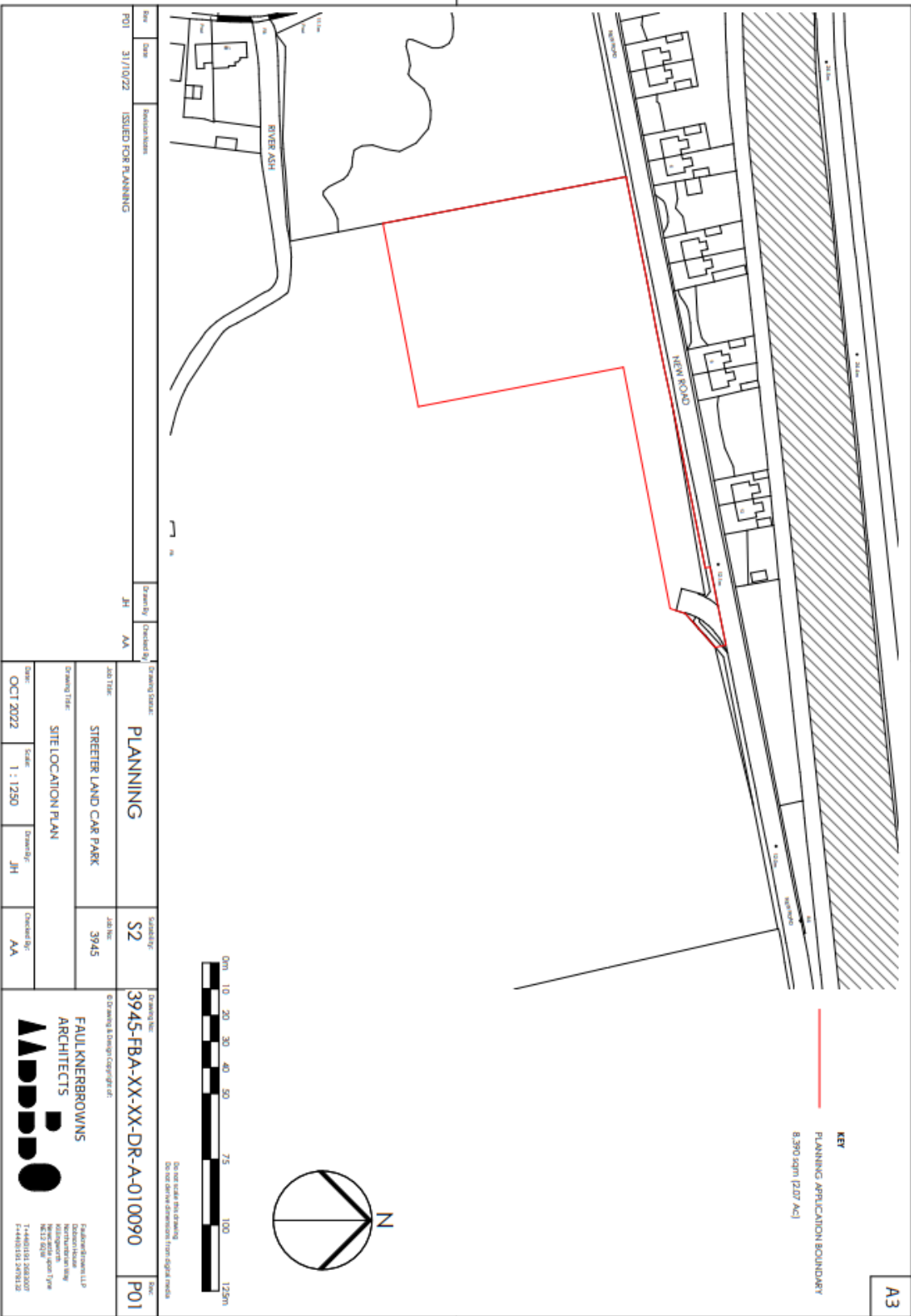
22/01562/FUL - Land to the South of New Road, Littleton, Shepperton.

Scale: 1:2,500

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Revision	Date	Revised by	Checked by	Drawn by	Scale	Date	Project No.
	31/10/22		AA	JH	1 : 1250	OCT 2022	P01
ISSUED FOR PLANNING							
Drawing Name				Drawing Title		Scale	
PLANNING				SITE LOCATION PLAN		1 : 1250	
Job Title				Job No.		Scale	
STREETER LAND CAR PARK				3945		1 : 1250	
Drawing No.				Drawing Title		Scale	
3945-FBA-XX-XX-DR-A-010090				SITE LOCATION PLAN		1 : 1250	
Drawing Date				Drawing Title		Scale	
31/10/22				SITE LOCATION PLAN		1 : 1250	
Drawing Author				Drawing Title		Scale	
JH				SITE LOCATION PLAN		1 : 1250	
Drawing Checker				Drawing Title		Scale	
AA				SITE LOCATION PLAN		1 : 1250	
Drawing Client				Drawing Title		Scale	
FAUL KNERBROWNS ARCHITECTS				SITE LOCATION PLAN		1 : 1250	
Drawing Project				Drawing Title		Scale	
3945-FBA-XX-XX-DR-A-010090				SITE LOCATION PLAN		1 : 1250	
Drawing Project No.				Drawing Title		Scale	
P01				SITE LOCATION PLAN		1 : 1250	

Heavy-Duty Roadway is the portable roadway industry's most widely used product. Made from recyclable engineering grade aluminium our heavy-duty roadway panels (3m x 2.5m) are ideal for very soft ground conditions and can carry weights of up to 100 tonnes.

Heavy-duty roadway is especially useful where high volumes of traffic are expected such as access roads or set-up/de-rig areas.

Please don't hesitate to contact us if you require more information or advice about our heavy-duty roadway or any other trackway products.

Technical Specifications	
Construction Materials	aluminium
Unit Dimensions	3000mm x 2500m
Unit Weight	260 kg
Max Weight Capacity	100 tonnes
Typical uses	heavy traffic, very soft ground conditions



Medium-Duty Roadway is used when the 100 tonne capacity of heavy-duty roadway isn't needed or when access to the location is a problem. (If a film unit needs access halfway up a mountain then we would install medium-duty roadway).

The weight capacity of medium-duty roadway depends on the ground conditions but a 17 tonne capability is usual.

Our panels are made from recyclable polypropylene and manufactured solely in the UK.

Medium-duty roadway is widely used in the UK film industry because of its portability and will also be seen of festival sites across the country.

Technical Specifications	
Construction Materials	Recyclable Polypropylene
Unit Dimensions	3000mm x 1250mm
Unit Weight	50 kg
Max Weight Capacity	17 tonnes
Typical uses	Difficult to access locations, festival and standard roadway



Planning Committee

08 February 2023



Application No.	22/01562/FUL		
Site Address	Land to South of New Road, Littleton, Shepperton		
Applicant	Shepperton Studios Limited		
Proposal	Use of land to the south of New Road for car parking, including access from New Road, with alterations to existing fence line to facilitate pedestrian access for a temporary period of 24 months, alongside associated infrastructure		
Officers	Russ Mouny		
Ward	Laleham and Shepperton Green		
Call in details	There has been no call-in request in respect of this application, however because it relates to additional Green Belt land in connection with the Shepperton Studios Expansion and is therefore in the wider public interest, the Planning Development Manager has decided that, after consultation with the Chairman of the Planning Committee, this application should be submitted to the Planning Committee for determination.		
Application Dates	Valid: 09.11.2022	Expiry: 04.01.2023	Target: Extension of time agreed
Executive Summary	<p>This application relates to the use of 0.80 hectares of open grassland within the Green Belt on the south side of New Road, as carparking for a temporary period of 24 months. The car parking is required by Shepperton Studios to ensure that parking provision is maintained for the studio and its' customers throughout the development of the Shepperton Studio expansion.</p> <p>These works included alterations to the existing access points to the North Car Park, below ground works, resurfacing, the extension of the car park and the provision electric vehicle charging points. The car park currently provides approximately 450 parking spaces and many of these spaces will be taken out of action while works to the North Car Park are completed.</p> <p>The Local Planning Authority considers, and the applicant acknowledges, that the proposal represents inappropriate development within the Green Belt and has provided material considerations that they consider could justify very special circumstances.</p> <p>The proposal would revise an existing access and use temporary</p>		

	<p>trackway for the internal roadways and parking spaces, mobile lighting towers and define the boundary with fencing.</p> <p>The Local Planning Authority considers that in the particular circumstances relating to the requirement for this temporary use, the harm to the Green Belt and any other harm, would be clearly outweighed by other considerations.</p>
Recommended Decision	The application is recommended for approval

MAIN REPORT

1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- SP1 (Location of Development)
 - LO1 (Flooding)
 - EM1 (Employment Development)
 - EM2 (Employment Development on Other Land)
 - SP6 (Maintaining and Improving the Environment)
 - EN1 (Design of New Development)
 - EN3 (Air Quality)
 - EN8 (Protecting and Improving the Landscape and Biodiversity)
 - EN9 (River Thames and its Tributaries)
 - EN11 (Development and Noise)
 - EN13 (Light Pollution)
 - EN15 (Development on Land Affected by Contamination)
 - SP7 (Climate Change and Transport)
 - CC2 (Sustainable Travel)
 - 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 Also relevant is the following Supplementary Planning Guidance: (SPG)
- SPG on Parking Standards Updated 2011
- 1.4 The policies contained within the National Planning Policy Framework (NPPF) 2021 are also relevant.
- 1.5 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted of the Planning Inspectorate on 25th November 2022.
- 1.6 The following policies of the Draft Spelthorne Local Plan 2022 – 2037 are of relevance:

ST1: Presumption in Favour of Sustainable Development

ST2: Planning for the Borough

PS1: Responding to the climate emergency

PS2: Designing places and spaces

PS3: Heritage, Conservation and Landscape

SP4: Green Belt

SP6: River Thames and its Tributaries

E1: Green and Blue Infrastructure

E2: Biodiversity

E3: Managing Flood Risk

E4: Environmental Protection

EC1: Meeting Employment Needs

ID2: Sustainable Transport for New Developments

1.7 The NPPF policy states at para 48 that:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

1.8 Section 38(6) the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.

1.9 At this stage, the policies in the Pre-Submission Spelthorne Local Plan carry limited weight in the decision-making process. The adopted policies in the 2009 Core Strategy and Policies DPD carry substantial weight in the determination of this planning application.

2. Relevant Planning History

Ref. No.	Proposal	Decision and Date
18/00408/FUL	Creation of vehicle crossover. (Land opposite the site)	Refused 14.06.2018
08/01009/FUL	Erection of a building consisting of 10 stables & one feed store (required for 12 months for mares in foal).	Refused 29/06/2009
SUN/FUL/5106D	Provision of a private sports ground, playing field and recreational lake on 20 acres fronting the south side of New Road (C.233).	Granted 08/04/1969

- 2.1 With regard to planning application 18/00408/FUL, which is located on a strip of land to the north of New Road opposite the proposed access point, this was refused on the grounds of highway safety. The County Highway Authority raised objection since the access was considered to result in restricted visibility.
- 2.2 Planning application 08/01009/FUL was refused as being inappropriate development in the Green Belt for which no very special circumstances existed.

3 Description of Current Proposal

Location and Description of Site

- 3.1 The application site comprises 0.80 hectares of open land on the south side of New Road, within the Green Belt and an area of flood risk (Flood Zone 2).
- 3.2 To the north the application site is bounded by mature hedging, although sparse in places, along New Road, to the east the open area extends eastward to a field boundary, to the south the open area extends to the River Ash, although there is no defining feature at the end of the application site, and to the west is a mature hedged boundary to open land.
- 3.3 The site does not form part of Shepperton Studios, which is located to the west of Littleton village, approximately 340m from the application site, with 600m between the pedestrian access points. However, the Studios has planning approval for the redevelopment of 39ha of land to the southwest and northwest of the existing Studios, and incorporates an additional 10ha area of the River Ash, and the temporary use of this land for parking has been made in association with the redevelopment of the Studios. This redevelopment is currently under construction.

Proposal

- 3.4 The proposal seeks permission to use the land to the south of New Road for temporary parking for up to 250 vehicles for a period of up to 24 months.
- 3.5 The proposal would comprise a temporary 'trackway' surface, providing a firm surface for the movement of vehicles within the site, similar to arrangements

commonly used for overflow car parking in fields at public events to prevent damage to the land. The parking spaces would be in parallel rows, oriented east/west to minimise the impact of headlights on the properties on New Road.

- 3.6 The applicant states that a temporary period of parking is required to ensure that parking provision is maintained for the studios and its' customers throughout the development of the Shepperton Studio expansion. The applicant also believes the proposal to be a proactive response to minimise any potential informal parking on surrounding residential roads, while existing parking provision across the studios is constrained by construction activity.
- 3.7 Detailed planning permission was granted for the North Backlot and parking area (21/01547/FUL) in 2022. These works include alterations to the existing points of access to the North Car Park, below ground works, resurfacing, extensions to the parking area and the introduction of 20% electric vehicle charging points.
- 3.8 The north car park currently provides approximately 450 parking spaces, which are used in connection with the current studio operation, and a significant number of these spaces would be taken out of action while works to the North Car Park are undertaken.
- 3.9 The applicant has also stated that the proposed temporary parking would provide an opportunity to mitigate the impacts of planned highways works at the junction of Studios Road and New Road, where a new roundabout is due to be constructed in early 2023 as part of the highway improves required by the County Highway Authority in connection with overall redevelopment proposal. These construction works are scheduled to take approximately 6 months and the applicant recognises that these works could impact the convenience of school drop off at Littleton Infant School and is therefore offering the area as an alternate school drop off, which has been discussed with the school. The applicant has also offered access to the St Mary Magdalene Church as additional parking at weekends and evenings.

4 Consultations

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

Consultee	Comment
County Highway Authority	No objection subject to conditions
Local Lead Flood Authority (Surrey County Council)	Initially raised concern regarding surface water management.
Tree Officer	No objection

5. Public Consultation

- 5.1 The Council has received 3 letters of representation raising the following issues:
- Traffic impact on the Charlton and Shepperton area
 - Requirement is due to mismanagement of construction programming
 - Access to the land opposite has already been refused
 - The economic consideration is irrelevant to a car park
 - Precedent
 - Overlooking
 - Loss of privacy
 - Increased pollution
 - Increased traffic congestion
 - The existing compound on the B376 should be used

6. Planning Issues

- Green Belt
- Design and appearance
- Impact on neighbouring properties
- Highway issues/ parking
- Noise and disturbance
- Air Quality
- Flooding
- Biodiversity
- Renewable Energy
- External Lighting

7. Planning Considerations

Green Belt

- 7.1 The site lies within the Green Belt and Section 13 of the National Planning Policy Framework (NPPF) 2021 sets out the Government's policy with regard to protecting Green Belt land. It states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 7.2 The policy is reflected in the Council's Saved Local Plan Policy GB1, but it should be noted that this was saved from the 2001 Local Plan and therefore pre-dates the NPPF. Although there is a degree of consistency with the NPPF, the impact of the development on the Green Belt should be considered primarily against the policies of the NPPF, rather than policy GB1.
- 7.3 Paragraph 138 of the NPPF sets out the five purposes of the Green Belt:-
- To check the unrestricted sprawl of large built-up area;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and

- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 7.4 With regards to the current and future extent of the Green Belt, paragraphs 140-141 of the NPPF stipulate that once Green Belt boundaries have been established, they should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.
- 7.5 As part of the preparation for the emerging Local Plan Spelthorne Borough Council undertook a Stage 1 Green Belt Assessment (GBA) to assess and confirm whether the Spelthorne Green Belt met the purposes as defined in the NPPF. The NPPF was revised in 2021 and the GBA is still considered relevant. The GBA does not, in itself, determine whether Green Belt land should be released, or explore the potential suitability of areas of Green Belt for development, however, it does provide evidence of the performance of the Green Belt against the five purposes above and recommends areas that would warrant further consideration by the Council as part of the process of preparing a new local plan.
- 7.6 The GBA identified two tiers of land parcels: Strategic Green Belt Areas ('Strategic Areas') and Local Green Belt Areas ('Local Areas'). The assessment divided Spelthorne into two strategic areas. The application site lies within 'Strategic Area B' which is described in paragraph 4.3.1 of the GBA as "a band of Green Belt maintaining separation between a number of settlements including Ashford / Sunbury-on-Thames / Stanwell, Staines-upon-Thames / Shepperton / Walton-on-Thames, and Chertsey, Addlestone, and Egham." In its conclusion (section 7), the assessment affirms that this area "plays an important role in meeting the fundamental aim of the Green Belt through preventing sprawl from settlements in Surrey by keeping land permanently open".
- 7.7 The GBA then divided the Green Belt into smaller parcels with defining features such as motorways, A and B roads, railway lines, rivers, brooks and reservoirs as their boundaries for the purpose of the assessment, however it is important to note that the Green Belt is often perceived as a much larger or continuous area. The application site is situated within Local Area 42.
- 7.8 In the assessment, Local Area 42 was identified as strongly performing against the Green Belt purposes. The GBA does not on its own decide if a piece of land is to be retained or removed from the Green Belt, as this can only be done through the Local Plan process.
- 7.9 The NPPF policy states at para 48 that:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

c) *the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

7.10 Any application on Green Belt land must be assessed against national and local Green Belt policy including the five purposes of the Green Belt, and whether the development is appropriate or inappropriate within the Green Belt. This is considered in the paragraphs below.

Inappropriate Development

7.11 The site is currently free of development, comprises part of a larger area and is laid to grass. The proposal involves laying of a temporary trackway and the use of the land for the parking of up to 250 vehicles for a period of 2 years. The proposed development would not fit into any of the limited 'exceptions' to inappropriate development listed in paragraphs 149 or 150 of the NPPF. The proposal therefore constitutes 'inappropriate development' in the Green Belt.

7.12 The NPPF states in paragraph 147 that: *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."* It continues at paragraph 148 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 applicant's planning statement acknowledges that the proposal is inappropriate development, however it puts forward three considerations that they believe would justify very special circumstances in this particular case.

- Firstly, that Shepperton Studios is a long-standing employer in the local area and generates significant employment benefits in a range of skills and employment opportunities. In the absence of sufficient parking availability, this ability would be undermined, with the potential to adversely affect neighbouring residential areas during the construction period with the Studios continuing to operate;
- Secondly, that the Studios is a market leader with a global reputation. Within this context, car parking is an essential requirement for the Studios to enable productions to use the filming and post-production facilities and is vital to the international competitiveness of Shepperton Studios; and
- Thirdly, that there is no realistic scope for the car parking area to be provided on a non-Green Belt site that is geographically suitable and useable.

7.14 Both the employment characteristics of the Studio and significant weight attached by Government to supporting economic growth were considered during the outline application for the redevelopment of the Studios and the adjoining land. Whilst this position has not changed, the lack of parking for the

existing operation at the main studios site during construction has arisen as a direct result of the Studio's construction programme and operational management. This proposal, in isolation, has limited context with the overarching strategy.

- 7.15 The position of Shepperton Studios as a long-standing, local employer and the significant employment benefits do not, in themselves represent material considerations that would justify very special circumstances.
- 7.16 Notwithstanding this, the reduced length of the overall construction process resulting from the Studio's construction programme does present a benefit to both the local area and the national economy. The outline permission allowed for 10 years for the submission of the last reserved matters application to be submitted. It is also true that the dislocation of parking into the surrounding area would adversely affect the surrounding area, although this would be considered as additional harm in assessing the proposal.
- 7.17 The outline application stated that the proposal would provide sufficient parking for each phase of the development and the development overall. The suggested absence of sufficient parking availability is therefore considered to carry very limited weight in the decision-making process.
- 7.18 The position of the Studios as a market leader with a global reputation was also taken into consideration during the outline application and is not, in itself, considered to represent material considerations that would justify very special circumstances.
- 7.19 Since parking is highlighted as an essential requirement to the operation of the studios, this should have, and indeed must have been considered during the programming of construction and business dealings in respect of the site as whole. However, the practical requirements of the Studio under the current circumstances and changing situation within the industry- whereby streaming services are seeking studio space to enable them to provide their own content - is considered to carry some weight.
- 7.20 Whilst the applicant has not submitted evidence that a search for alternate land has been made, it is the case that there is no land available for the car parking area on non-Green Belt land that is geographically convenient or appropriate. Whilst this is not a material consideration that would justify very special circumstances, this combined with the temporary nature of the proposal is considered to carry some weight.

Green Belt Openness

- 7.21 The courts have considered the correct approach to openness, notably in *Turner v SSCLG* [2016] EWCA Civ 466 and *R (on the application of Samuel Smith Old Brewery and others) v North Yorkshire County Council* [2020] UKSC3. The courts have made clear that openness is open-textured and a number of factors are capable of being relevant when it comes to the facts of a specific case. The matters relevant to openness in any particular case are a matter of planning judgment. Relevant factors may include both visual and spatial considerations.

- 7.22 The essential character of the Green Belt is its openness and the use of the land for parking would fundamentally change the characteristics of the site from its existing open character. The loss of openness, even for a temporary period, must weigh against the scheme.
- 7.23 The existing site is free of development and is laid to grass. Spatially, the proposed development would result in the loss of openness as a result of the parking of vehicles, the fencing and the lighting towers, albeit for a temporary period, which must weigh against the proposal.
- 7.24 However, it must be noted that the proposal is for a temporary period of 2 years after which the land would be reinstated to open grassland. The impact on the Green Belt would therefore be limited, as a result of this particular proposal. However, cumulatively with other impacts on the Green Belt in the wider area, such as the car boot sales on the adjacent land, there is a constant level of impact.

Assessment of Harm

- 7.25 As quoted above, paragraph 138 of the NPPF sets out that the Green Belt serves five purposes against which proposed development within the Green Belt should be assessed.
- 7.26 The proposed development is considered to create unrestricted urban sprawl conflicting with the first of the five purposes set out in paragraph 138 of the NPPF. The site is outside of the built-up area of Shepperton Green and there is currently a clear boundary between the residential area and the open countryside within which the site sits.
- 7.27 The proposed use would be located on land currently free of development and is considered to represent encroachment into the countryside. It therefore fails to comply with the third of the five purposes of the Green Belt. ('to assist in safeguarding the countryside from encroachment').
- 7.28 However, both the sprawl and the encroachment would be for a temporary period of 2 years, after which the land would be restored to open grassland. The outline application (18/01212/OUT) argued that the parking provision for the Shepperton Studios Expansion would be sufficient for its operational needs and there appears to be no reason that once the North Carpark works have been undertaken that the site cannot accommodate its operational needs.
- 7.29 The proposal does represent inappropriate development which is, by definition, harmful to the Green Belt and therefore requires very special circumstances to be considered acceptable. Substantial weight must be given to the harm this proposal represents to the Green Belt and the additional harm resulting from the use of the land as a temporary parking area.
- 7.30 However, the 2 year temporary period, the restoration of the land to its former condition, ensuring operational capacity at the existing Studios and reducing

the overall construction programme, due to the scale and disruption of the expansion, are considered to weigh against the harm.

- 7.31 On balance, and as a matter of planning judgement, it is considered that in the particular circumstances relating to the requirement for this temporary use, the harm to the Green Belt would be outweighed. Paragraph 148 of the NPPF identifies that 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.

Design and Appearance

- 7.32 Policy EN1 of the Core Strategy and Policies Development Plan Document (CS&P DPD) states that the Council will require a high standard of design and layout of new development.
- 7.33 Section 12 of the NPPF: Achieving well-designed places, refers to design and in particular that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.34 The proposal is for a temporary period of 24 months and the layout and proposed surfacing to create the parking area would necessarily be functional.
- 7.35 The Transport Statement states that the layout would provide for 250 spaces of 2.5m x 5.0m spaces – parking spaces are normally 2.4m x 4.8m - with standard 6.0m aisles.
- 7.36 The Planning Statement refers to a '*...temporary 'trackway' surface, providing a firm surface for the movement of vehicles around the site, similar to arrangements commonly used for overflow car parking in fields...*'. The applicant has confirmed that the proposal is for an Autotrak medium-duty roadway made from recyclable polypropylene for the parking bays and the heavy-duty roadway made from recyclable engineering grade aluminium for the internal road.
- 7.37 A lighting technical sheet has been submitted for a mobile lighting tower, although none of the plans have indicated the number or position of the these. A planning condition is recommended to secure details of the lighting to minimise any potential impact on neighbouring properties.
- 7.38 The submitted plans indicate no additional landscaping, although fencing around the boundary of the site, within the open area is indicated. A planning condition is proposed to ensure any boundary treatment is appropriate and has minimal impact on the Green Belt.
- 7.39 Access to the remaining field would also be provided off the main accessway.

Impact on neighbouring residential properties

- 7.40 Policy EN1b of the Core Strategy and Policies DPD 2009 (CS&P DPD) states that:
“New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.”
- 7.41 The boundary of the proposed parking area is approximately 15m from the front of the residential properties on New Road and 90m from the closest property in Watersplash Road.
- 7.42 The adjoining land is set out for the keeping of horses and the stable block is approximately 9.5m from the boundary of the propose parking area.
- 7.43 The proposal would create a level of noise and disturbance to the occupiers of the properties on New Road as a result of the vehicle movements. However, the level over and above that of the existing traffic movements from the North Carpark would be limited and would be for a temporary period.
- 7.44 Vehicle lights within the area would be mitigated by the existing boundary treatment, location of the internal roadway and the access point not being directly facing any of the properties on New Road. The north/south vehicle aisles within the area are approximately 30m from the closest residential properties on New Road.
- 7.45 Concern has been raised in respect of overlooking and loss of privacy, however the internal trackway lies approximately 8m beyond the existing footpath on New Road, behind a hedgerow, and despite and increased footfall, there would be no significantly adverse impact on overlooking or privacy.

Noise and disturbance

- 7.46 Policy EN11 of the CS&P DPD states that the Council will seek to minimise the adverse impact of noise by requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level.
- 7.47 The mobile lighting columns have a noise level of 65 dBA at 7m. This is generally considered to be equivalent to the level of normal conversation and it should be noted that the closest residential property is located 15m from the boundary of the proposed parking area.
- 7.48 The noise and disturbance of vehicles as they manoeuvre within the site and access and egress it would likely cause some localised noise and disturbance, although this likely to be similar to the existing situation as this would not represent additional car parking provision for Shepperton Studios.
- 7.49 The Council's Environmental Health Officer was consulted on the planning application and has raised no objection.

Transportation issues

7.50 Policy CC2 of the CS&P DPD states that the Council will seek to secure more sustainable travel patterns by only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account:

- (i) number and nature of additional traffic movements, including servicing needs;
- (ii) capacity of the local transport network;
- (iii) cumulative impact including other proposed development;
- (iv) access and egress to the public highway; and
- v) highway safety

7.51 Paragraph 111 of the NPPF states that '*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*'

7.52 The proposal is for the use of the land for parking for a temporary period whilst works to the North Carpark are undertaken. This proposal is not considered to represent traffic generating development, since it is a replacement of existing parking on the Shepperton Studios site whilst that is not available. In addition, since it is replacement parking for a temporary period in connection with the operation of the existing studios, it cannot reasonably be considered to represent an unacceptable impact on highway safety or to create residual cumulative impacts on the road network.

7.53 Concern has been raised in respect of the traffic impact on the Charlton and Shepperton areas. However, the proposal for the temporary car park seeks to accommodate displaced parking from the North Carpark on Studios Road while works are undertaken. The junction improvements, identified in respect of the outline planning application (18/01212/OUT) for the redevelopment of Shepperton Studios were required and timetabled by the County Highway Authority and are not directly related to this proposal.

7.54 Concern has also been raised concerning access to the land opposite the site, below the reservoir, being refused. However, this was new access onto New Road and in this particular case for revisions to an existing access, the County Highway Authority has reached a different conclusion.

Flooding

7.55 Policy LO1 of the CS&P DPD seeks to reduce flood risk and its adverse effects on people and property. The NPPF states that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

7.56 The proposed site is located within the Flood Zone 2 which represents land having a medium probability of river flooding with a 1 in 100 risk. Highly vulnerable uses are not permitted in flood zone 2 and there is a requirement for development in this zone to be flood resilient/resistant.

- 7.57 The proposal relates to the use of the land, there are no buildings or structures proposed and its use as parking is considered to be acceptable in flooding terms as this is not a highly vulnerable use.
- 7.58 The heavy-duty aluminium roadway panels are 3m x 2.5m and although not permeable, allow water to discharge between the panels. However, the medium-duty polypropylene roadway proposed for the parking areas is a cellular construction and therefore permeable.
- 7.59 The Lead Local Flood Authority was reconsulted following the applicant's clarification and is now satisfied with the proposal, raising no concerns.

Equalities Act 2010

- 7.60 This planning application has been considered in the 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.
- 7.61 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.
- 7.62 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.
- 7.63 The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effects on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs. It is considered that it would be possible for individuals with disabilities to access the development.

Human Rights Act

- 7.64 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.65 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.

- 7.66 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.
- 7.67 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.

Other Matters

- 7.68 Representation has been made regarding a precedent being set, however each case is considered on its merits and inappropriate development within the Green Belt requires that significant weight is given to the harm and very special circumstances would be required to justify allowing a proposal. 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.
- 7.69 The use of the land for a construction compound on the B376 Laleham Road was Permitted Development (22/00098/CPD). This does not allow for its use as parking in association with the operational requirements of the existing Studios.

Financial Considerations

- 7.70 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.
- 7.71 In consideration of S155 of the Housing and Planning Act 2016, the proposal is considered to have no direct financial benefits that would represent material considerations in the determination of this proposal.

Conclusion

- 7.72 The development constitutes inappropriate development in the Green Belt carries significant weight against the proposal. The use of the land would

result in a reduction in the openness of the Green Belt and conflicts with two of the five purposes of the Green Belt set out in paragraph 138 of the NPPF.

- 7.73 The considerations put forward by the applicant in favour of the proposal have been taken into account and appropriate weight has been attributed to them, both individually and cumulatively. Other harm, as a result of the proposal, has been also been considered, together with other planning issues.
- 7.74 In this particular case and with the specific circumstances relevant to it has been concluded that there are very special circumstances that clearly outweigh the harm to the Green Belt that would allow the proposed use of the land for parking for a temporary period of 24 months.
- 7.75 Accordingly, the application recommended for approval.

8. Recommendation

8.1 To GRANT planning permission subject to the following conditions:

1. That this permission be for a limited period of 2 years only, whilst the works to the north carpark are undertaken, in connection with planning approval 21/01547/FUL, and expiring on 08 February 2025 when the use hereby permitted shall be entirely discontinued and the land restored to its former condition.

Reason:-.The land is located within the Green Belt and the use is acknowledged by both the applicant and the Local Planning Authority as being inappropriate. The Local Planning Authority has acknowledged that very special circumstances exist in relation to the construction of the North Car Park and its contribution to the existing and wider site and to allow the on-going operation of the existing Studios site whilst these works are completed.

2. Prior to the use of the land for parking and installation of any temporary trackways, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be installed for the temporary period. The boundary treatment shall be completed before the use as a temporary parking area is implemented. Development shall be carried out in accordance with the approved details and maintained as approved.

Reason:-.To ensure that the proposed use of the land as a temporary parking area does not encroach into the Green Belt beyond that accepted as being very special circumstances and to protect the countryside from inappropriate development in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 and the National Planning Policy Framework 2021.

3. The proposed use of the land as a temporary parking area shall not be implemented until the proposed modified vehicular access to New Road has

been constructed and provided with visibility zones in accordance with the approved plans and shall be maintained for the duration of the temporary period.

Reason:-.In the interests of highway safety.

4. Prior to the commencement of works to the land to create the proposed temporary parking area, a baseline survey of the condition of the site area, together with a written scheme of remediation of the land with a timeline for completion shall be submitted to and approved by the Local Planning Authority.

Reason:-.To ensure that the land is restored to its former condition and that the character and appearance of the Green Belt is not adversely impacted as a result of the very special circumstances acknowledged by the Local Planning Authority, in accordance with the National Planning Policy Framework 2021.

5. The site may only be used for the purpose of the parking of vehicles between 06:00a.m. and 10:00 p.m., unless the written consent of the Local Planning Authority is sought and given prior to the occurrence, and all lighting should be switched off whilst the car park is not in use.

Reason:-.To ensure that the proposed use of the land as a temporary parking area does not prejudice the reasonable enjoyment of neighbouring occupiers of their properties in accordance with policies SP6, EN1 and EN11 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. Prior to the commencement of the use of the land for temporary parking, details of the specific location of all proposed lighting towers, including their direction and light spill, together with the technical specification and hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall be provided prior to the use of the land and shall at all times accord with the approved details.

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

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.

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 105 residential units in two buildings, with flexible commercial and retail space, associated landscaping, parking and ancillary facilities. (Amended Application)	Spelthorne Borough Council	Russ Mouny
21/00947/FUL	Cadline House Drake Avenue Staines-upon-Thames TW18 2AP	Demolition of existing building and construction of new build 2.5 storey residential building comprising of 13 flats and 15 under-croft car spaces.	Cadline Limited	Matthew Clapham

22/00891/RVC	Builders Merchant Moor Lane Staines-upon-Thames TW18 4YN	Variation of condition 2 (plans condition) of planning application 18/01000/FUL to allow tandem garages to be reduced to single space and creation of increased habitable space at ground floor within plots 28-32 and 34-36, Ground floor extension to plots 28-32 and 34-36, Ridge height increase of 300mm to plots 28-33, and 34-36, alteration to parking layout and other alterations to floor layout, amendment to condition 7 (vehicle access) and condition 12 (refuse strategy) to reflect the altered site layout.	C/O Agent Boyer	Susanna Angell
22/01129/FUL	42 Cedar House Spelthorne Grove Sunbury-on-Thames TW16 7DD	Removal of pram sheds and replacement with enlarged bin store to meet waste requirements for 36 bins	A2Dominion Group	Matthew Churchill
22/01591/RVC	Shepperton Marina Felix Lane Shepperton TW17 8NS	The variation of planning permission 07/00002/FUL for the use of the west lake for 205 boat moorings, removal of part land split, and erection of marina workshop building and clubhouse building, and the condition imposed through planning application 07/00002/AMD2, to allow for alterations to layout and walkways of the 205 moorings, including to the eastern moorings, moorings around	Shepperton Marina Limited	Matthew Churchill

		the existing retained island, and moorings at the west bank of the lake.		
22/01615/OUT	Bugle Nurseries Upper Halliford Road Shepperton TW17 8SN	Outline application with approval sought for scale, access and siting, with details of appearance and landscaping reserved, for the demolition of existing buildings and structures, removal of waste transfer facility and the redevelopment of the site for up to 80 residential units and the provision of open space and a play area, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.	Angle Property (RLP Shepperton) LLP	Paul Tomson/ Kelly Walker
22/01634/OUT	Land At Manor Farm Charlton Road Shepperton TW17 0RJ	Outline permission for residential development of up to 30 residential units (with all matters reserved for future consideration).	Mr Wayne Michaels	Kelly Walker
22/01637/OUT	Heathrow Fencing Gleneagles Farm Gleneagles Close Stanwell Staines-upon-Thames TW19 7PB	Outline consent (with all matters reserved for future consideration except access for the demolition of all existing buildings [including telephone mast] to enable the redevelopment of the site to erect up to 21 dwellings (Use Class C3), ranging from 2 to 3 storeys, including open space, garden areas, a play area, up to 28 car parking spaces including disabled parking, cycle parking, with vehicular access from Gleneagles Close.	Ms Chloe Beach c/o Agent	Kelly Walker

22/01638/OUT	Rear Of 37 - 51 Hithermoor Road Stanwell Moor Staines-upon-Thames TW19 6AH	Demolition of existing glasshouses, polytunnels and existing structures and the erection of a new single storey office building and panel making sheds. Provision of new hardstanding to accommodate external storage racks, staff and visitor parking, and access route. Provision of hard and soft landscaping to include the creation of a nature park	Ms Chloe Beach c/o Agent	Matthew Churchill
22/01666/FUL	Land At Ashford Road Ashford Road Shepperton TW15 1TZ	Demolition of the existing buildings/ structures including Ash House and Oak House in Littleton Road and redevelopment of the site with the erection of two buildings subdivided into seven units for speculative B2 general industrial, B8 storage and distribution, and E(g)(iii) light industrial purposes with ancillary offices, together with associated car parking, servicing and landscape planting.	Urbox (Ashford) Ltd	Matthew Churchill
23/00058/FUL	Vacant Land Adjacent To The White House, White House Ashford Road Ashford TW15 3SE	Erection of a residential Block for 17 residential units, with associated parking, servicing and landscaping / amenity provision	Lichfields on behalf of Spelthorne Borough Council	Russ Mouny

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

Esmé Spinks
Planning Development Manager
24/01/2023

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Planning Appeals Report – V1.0 ISSUED

Appeals Started between 17 December 2022 – 24 January 2023

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
21/00633/FUL 484 London Road Ashford TW15 3AD	03.01.2023	Written Representation	APP/Z3635/W/22/3307008 Replacement of the existing bungalow with an apartment building comprising 8 dwellings (3 x 2 bed; 4 x 1 bed; 1 x studio)
22/01113/HOU 62 Briar Road Shepperton TW17 0HY	20.12.2022	Fast Track Appeal	APP/Z3635/D/22/3312265 Construction of a vehicle crossover

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
21/01772/FUL 37 - 45 High Street Staines-upon-Thames TW18 4QU	10.01.2023	Public Inquiry	APP/Z3635/W/22/3312440 Demolition of the former Debenhams Store and redevelopment of site to provide 226 Build-to Rent 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
22/01107/HOU 22 Windmill Terrace Walton Bridge Road Shepperton	20.12.2022	Fast Track Appeal	APP/Z3635/D/22/3312587 Erection of a single storey front extension, a two storey side extension and a part single part two storey rear extension (following refusal of planning application 22/00796/HOU)
22/01174/HOU 62 Desford Way Ashford TW15 3AT	20.12.2022	Fast Track Appeal	APP/Z3635/D/22/3312972 Extension of existing outbuilding with a new pitched roof

Appeal Decisions Made between 17 December 2022 – 24 January 2023

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
21/01272/PDR 15 Station Road Ashford TW15 2UP	08.02.2022		APP/Z3635/W/21/3285112 Prior approval notification for the part Change of Use of the First Floor Rear from Retail (Class A1) to three self-contained flats (Class C3).	Appeal Allowed	20.01.2023	The Inspector considered that the sole issue was the transport and highway impacts of the development, with particular regard to cycle parking. Notwithstanding the concerns raised by the County Highway Authority regarding access, security and size of the storage area, the Inspector noted that the number of bicycle spaces provided was acceptable and accessible and therefore concluded that that the proposed development would have an acceptable effect on transport and highways, including in respect of cycle parking and given the limitations of the requirements under Class M of the GPDO, further details of the cycle store would be unnecessary.
21/01299/FUL Kantara Pharaohs Island Shepperton	05.07.2022	Written Representation	APP/Z3635/W/22/3296881 Erection of replacement dwelling following demolition of existing dwelling and outbuildings	Appeal Dismissed	18.01.2023	The inspector considered that the proposed development would result in a footprint greater than that of the existing building and a loss of openness, given the site is highly visible on the island. The proposed would therefore constitute inappropriate development in the Green Belt with no very special circumstances. Furthermore, the inspector considered that it had not been satisfactorily demonstrated that the

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						proposed development would not increase flood risk and there is no substantive evidence that the appellant could implement a similar scheme under permitted development rights.
21/01956/HOU 10 Hawkewood Road Sunbury-on-Thames TW16 6HH	11.05.2022	Fast Track Appeal	APP/Z3635/D/22/3297553 Erection of a two-storey side extension with the incorporation of front facing dormer and erection of single rear extension. The erection of a single storey front extension to form porch. Proposed extension to the existing rear facing dormer.	Appeal Dismissed	12.01.2023	The Planning Inspector acknowledged that the application dwelling's four elevations were particularly visible from the street scene due to its corner location. In his view, the constructed of two storey side extension with less than 2m of the boundary wall and wrap around extension (extending beyond the neighbouring properties front elevations) considered to result in the dwelling being notably cramped and obtrusive feature when viewed in the street scene. Consequently, the Planning Inspector concluded that the appeal proposal would conflict with Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009 and the NPPF and as such the appeal was dismissed.
21/01813/HOU 29 Saxonbury Avenue Sunbury-on-Thames TW16 5EY	22.06.2022	Fast Track Appeal	APP/Z3635/D/22/3300639 Single storey front extension, single storey side extension, two storey side extension and two storey rear extension	Appeal Allowed	11.01.2023	The Inspector considered that the main issues are (i) the effect of the development on the character and appearance of the host dwelling and its surroundings, and (ii) the effect on the living conditions for the occupiers of No. 27 Saxonbury Avenue in terms of outlook. It was considered that the amendments to the previously refused

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
			following demolition of garage and store.			scheme showed a substantial reduction in the bulk and massing of the first-floor element of the proposed side extension and that the effect of this would be to remove most of the adverse impact. The amendments would also now address concern regarding the development being overbearing to the adjoining property. It was concluded that the appeal scheme would not have an unacceptably adverse effect on the character and appearance of the host dwelling and its surroundings or on the living conditions for the occupiers of No. 27 Saxonbury Avenue in terms of outlook. Accordingly, there would be no harmful conflict with Policy EN1
22/00467/HOU 54 Thames Meadow Shepperton TW17 8LT	18.10.2022	Fast Track Appeal	APP/Z3635/D/22/3303222 New roof to create accommodation in the roof space, incorporating balconies to front and rear and alterations to external appearance of building.	Appeal Dismissed	10.01.2023	The Inspector agreed that the proposed additions would be 'disproportionate over and above the original dwelling and therefore would be inappropriate development in the Green Belt, which, by definition is harmful'. He also considered that the proposal would have an adverse impact on the openness of the Green Belt in spatial terms. In terms of design, he considered the proposal would have a domestic feel and appearance. He stated that within the context of Thames meadow, which he described as having a mixture of ridge heights, materials and finishes, the proposal would conform to the

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						general pattern of development and would not appear out of place.
22/00796/HOU 22 Windmill Terrace Walton Bridge Road Shepperton	14.09.2022	Fast Track Appeal	APP/Z3635/D/22/3304576 Erection of a two-storey front and side extension and a part single part two storey rear extension	Appeal Dismissed	11.01.2023	The inspector considered that the two storey front and side extension would be; (i) disproportionately large; (ii) have a significant and adverse impact on the host dwelling; (iii) unbalance the pair, and (iv) be detrimental to the street scene. Overall, the inspector concluded that this would have an unacceptably adverse effect on the character and appearance of the host dwelling
22/01107/HOU 22 Windmill Terrace Walton Bridge Road Shepperton	20.12.2022	Fast Track Appeal	APP/Z3635/D/22/3312587 Erection of a single storey front extension, a two-storey side extension and a part single part two storey rear extension (following refusal of planning application 22/00796/HOU)	Appeal Dismissed	11.01.2023	The inspector considered that the proposed front extension in combination with the two storey side addition retained from the previous scheme would fail to overcome issues in the above appeal (i - iv). Therefore, the inspector concluded that this proposal would also have an unacceptably adverse effect on the character and appearance of the host dwelling
20/00237/FUL	03.03.2022		APP/Z3635/W/21/3285042 Erection of six detached dwellings, 2 fronting Thames Side and 4 fronting	Appeal Dismissed	03.11.2022 ¹	The Inspector considered the issues were the effect on the character and appearance of the area and whether it would preserve or enhance the Laleham Conservation Area (LCA). Due to the positioning of the

¹ Outstanding from January's report. Added to February's report.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
Osmanstead Condor Road Laleham			Condor Road, with associated access, parking areas and amenity following demolition of existing house and outbuildings.			<p> dwellings on the two plots facing the river, which would be positioned further forward than the other properties fronting the river, this would harm the open character of the area and erode the uniform positioning of houses along this section of Thames Side. One of these plots would also be closer to the boundary with Condor Road, which would mean the proposed houses would be prominent in the street scene and given their bulk, would appear incongruous and not in keeping. Furthermore, those plots facing Condor Road have shallow frontages which would increase their prominence and would not be in keeping. This is exacerbated by the parking arrangements, as well as the form of the proposed dwellings as semi-detached pairs in an area of detached houses, which would also be out of character. Therefore, they would appear cramped within their plots and not in keeping with other properties along the road. The Inspector concluded that the proposal would harm the character and appearance of the area and the significance of the LCA. It would, therefore, conflict with those aims of policies EN1 and EN6 of the Core Strategy and with the aim of the National Planning Policy Framework to conserve heritage assets in a manner appropriate to their significance </p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
21/01290/FUL 97 Feltham Road Ashford TW15 1BS	11.05.2022	Written Representation	APP/Z3635/W/22/3291285 Roof alterations to create a new one-bedroom flat including two side dormer windows, a rear rooflight and a front gable extension.	Appeal Dismissed	07.10.2022 ²	The Inspector concluded that, in combination, the front gable extension and side dormers would substantially alter the roof profile and design which in the Inspectors view would harm the building's character and appearance. Furthermore, the front gable extension would be out of character with the subservient dormers and bay roofs elsewhere along the street and, along with the side dormers, conflict with the aims and guidance in the Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (2011) (SPD) and Policy EN1 of the CS&P DPD.
22/00069/HOU 72 Thames Street Sunbury-on-Thames TW16 6AF	01.06.2022	Written Representation	APP/Z3635/W/22/3298205 Erection of an extension to rear along with the creation of a new floor and rooms within the roof.	Appeal Dismissed	25.11.2022 ³	The Inspector considered that the main issues are the effect of the development on the character and appearance of the area with particular regard as to whether or not it would preserve or enhance the character or appearance of the Lower Sunbury Conservation Area (LSCA) or effect the setting of a nearby listed building; and the living conditions of neighbouring occupiers.

² Outstanding from January's report. Added to February's report.

³ Outstanding from January's report. Added to February's report.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>It was considered that the proposed building's increased depth and height would give the resulting structure a significant mass and bulk within the street scene. It would not form, nor would it be read, as part of the existing terrace of buildings on the south side of Thames Street, which positively contribute to the overall character of the area. Instead, it would be a large prominent building that would dominate the street scene and would harmfully erode the significance of this sensitive and historic area. With regard to the adjoining listed building, it was considered that the proposal would not sustain or enhance the character of the space around the listed building and would distract from the position and significance of the listed building at the end of the terrace. As a result, it would be harder to appreciate the side elevation, thereby detracting from its significance. It was not considered that there would be any harm to the living conditions of neighbouring occupiers. It was concluded that the proposal would be harmful to the character and appearance of the area and would therefore be contrary to Policies EN1, EN5 and EN6 of the Core Strategy and with the NPPF as it seeks to ensure that developments are sympathetic to local character and that heritage assets are</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						conserved in a manner appropriate to their significance.
22/00436/HOU 74 Park Road Ashford TW15 1EU	04.07.2022	Fast Track Appeal	APP/Z3635/D/22/3301762 Proposed two storey side extension, single storey rear extension, loft conversion and rear dormer.	Appeal Allowed	07.11.2022 ⁴	The Inspector considered that the main issue is the effect of the proposed development on the character and appearance of the host property and the area. The Inspector concluded that the extensions are in keeping with the overall scale, design, and proportions of the host dwelling and are akin to the scale and design of other extensions in the area. It was considered that the dormer window is of a modest scale and has a subservient appearance to the host dwelling and does not appear disproportionate or unduly dominant or prominent. As such, the proposal does not appear out of keeping with the character of the area and is not unduly prominent despite its siting, due to its context and modest scale. It therefore complies with policy EN1 of the Spelthorne Core Strategy and the Framework.

⁴ Outstanding from January's report. Added to February's report.

PLANNING GLOSSARY OF TERMS AND ABBREVIATIONS

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

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

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

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

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

Esmé Spinks 13/01/2021

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