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Date: 12 April 2023

## **Notice of meeting**

### **Planning Committee**

**Date:** Wednesday, 26 April 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)  
M. Gibson (Vice-Chairman)  
R.O. Barratt  
C. Bateson  
M. Beecher

A. Brar  
S. Buttar  
J. Button  
R. Chandler  
K. Howkins

O. Rybinski  
R.W. Sider BEM  
B.B. Spoor  
J. Vinson  
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 5 April 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- 23/00171/FUL - 2 Milton Drive Shepperton TW17 0JJ**

**9 - 22**

**Ward**

Laleham and Shepperton Green

**Proposal**

Change of use from a dwelling (use Class C3) to a House of Multiple occupation (HMO) (Sui Generis) (including a manager's flat) and shared living facilities for occupants for up to 8 people.

**Recommendation**

Approve the application subject to conditions.

**5. Planning Appeals Report**

**23 - 28**

To note details of the Planning appeals submitted and decisions received between 22 March 2023 and 11 April 2023.

**6. Major Planning Applications**

**29 - 32**

To note the details of future major planning applications.

**7. Glossary of Terms and Abbreviations**

**33 - 38**



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**Minutes of the Planning Committee  
5 April 2023**

**Present:**

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

**Councillors:**

C. Bateson	R. Chandler	S.J Whitmore
M. Beecher	K. Howkins	
J. Button	R.W. Sider BEM	

**Apologies:** Councillors R.O. Barratt, A. Brar, O. Rybinski, B.B. Spoor and J. Vinson

**16/23 Minutes**

The minutes of the meeting held on 8 February 2023 and the Extraordinary meeting held on 16 March 2023 were considered.

Councillor Button requested that the minutes from 8 February 2023 be amended to include his disclosures of interest. The Committee **resolved** to agree the proposed amendment.

The minutes of the meetings held on 8 February 2023 and 16 March 2023 were approved as a correct record subject to the agreed amendment.

**17/23 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 Bateson, Button, Gibson, Howkins and Sider 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 kept an open mind.

Councillor Beecher reported that he 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 in relation to application 22/01410/ADV and had met with the applicant and a Planning Officer at the site to discuss a compromise. He still approached this meeting with an open mind.

**18/23      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:**

There was none.

**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:

- It was agreed at the last meeting that the sign was over conspicuous and should be shortened.
- The sign was still there with the original dimensions in breach of planning consent
- The sign was intrusive, unattractive, and not in keeping with the local area
- Even without illumination many gardens in Station Crescent were invaded
- It was an unnecessary structure
- This should have never been approved for the original position
- Residents should not have to suffer
- The Council should have liaised with Lidl to find a compromise
- The sign should either be taken away or shortened

**Debate:**

During the debate the following key issues were raised:

- The lack of compromise from Lidl reflected a disappointing outcome
- The request from residents was not unreasonable
- Voting for this application would avoid appeal
- The original application was less favourable
- The applicant had made an effort to lower illumination
- There was a lack of community spirit and corporate responsibility from Lidl
- From a highways perspective the sign was a distraction for motorists
- The original application was approved during Covid

The Committee voted on the application as follows:

For: 4

Against: 0

Abstain: 5

**Decision:** The recommendation to approve was agreed and the application was approved as set out in the Committee report.

### **19/23 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.

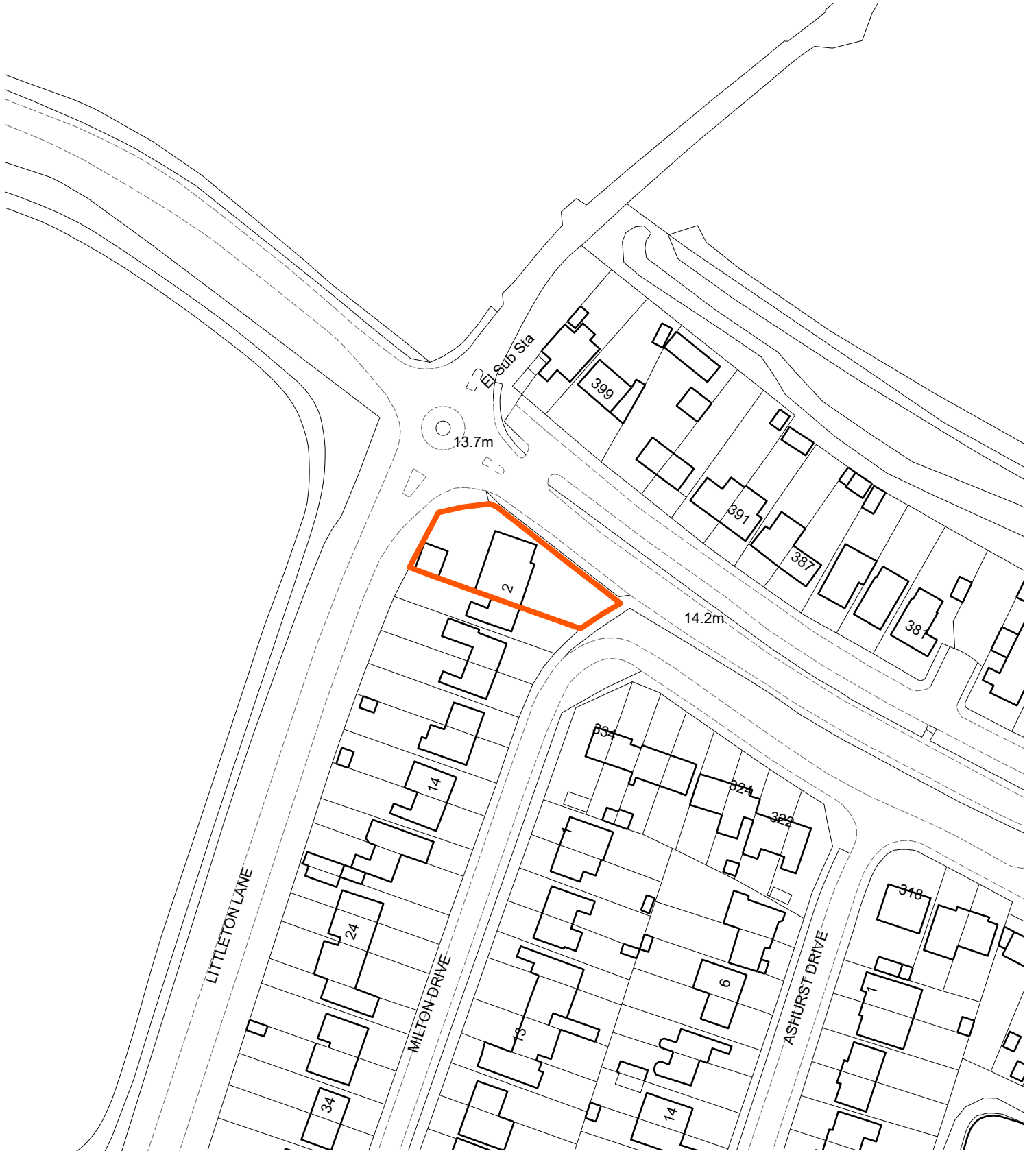
**Resolved** that the report of the Planning Development Manager be received and noted.

### **20/23 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.

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23/00171/FUL - 2 Milton Drive, Shepperton. TW17 0JJ

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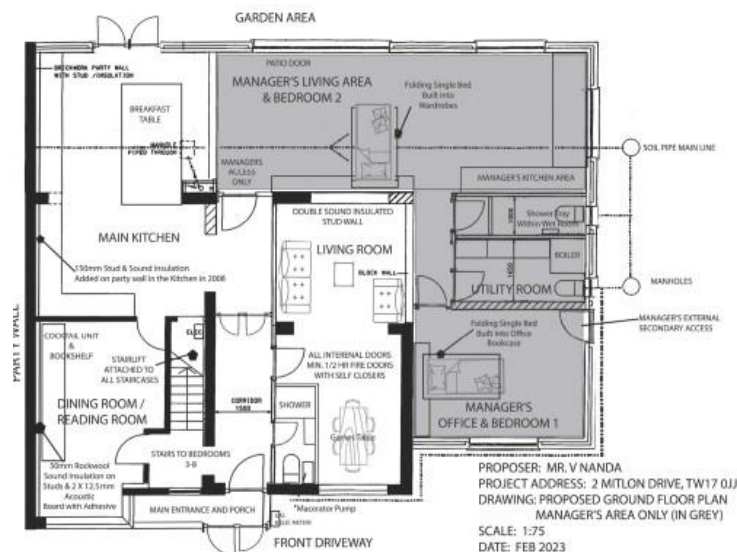
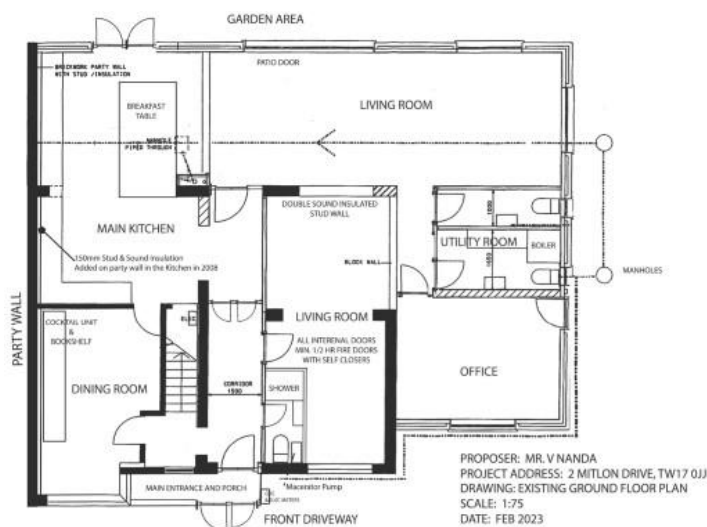
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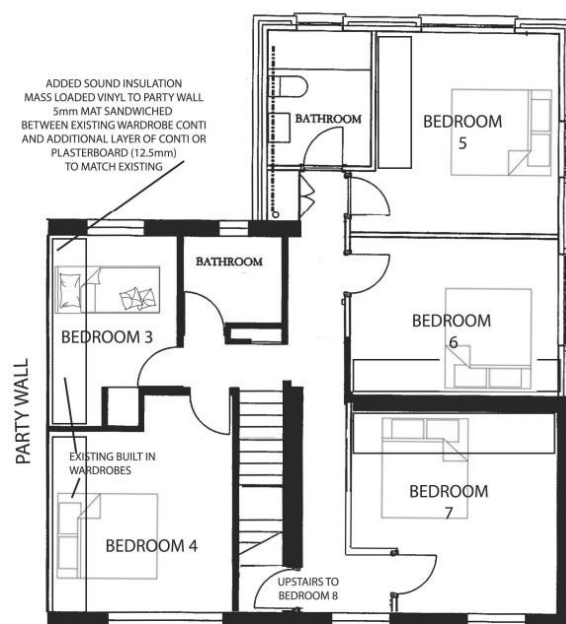
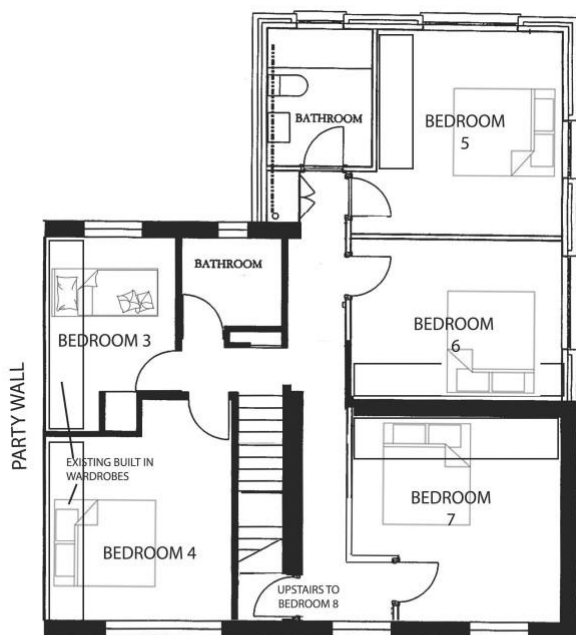


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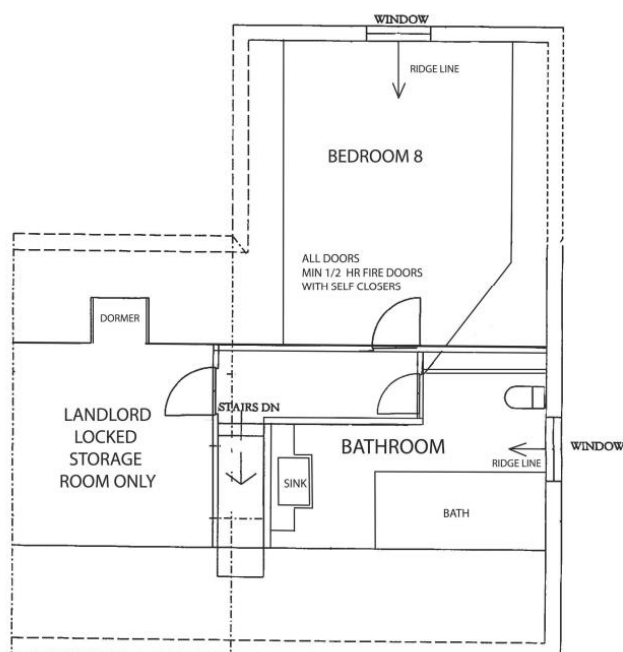
## 2 Milton Drive Existing and Proposed Ground Floor Plan



## Existing and Proposed First Floor plan

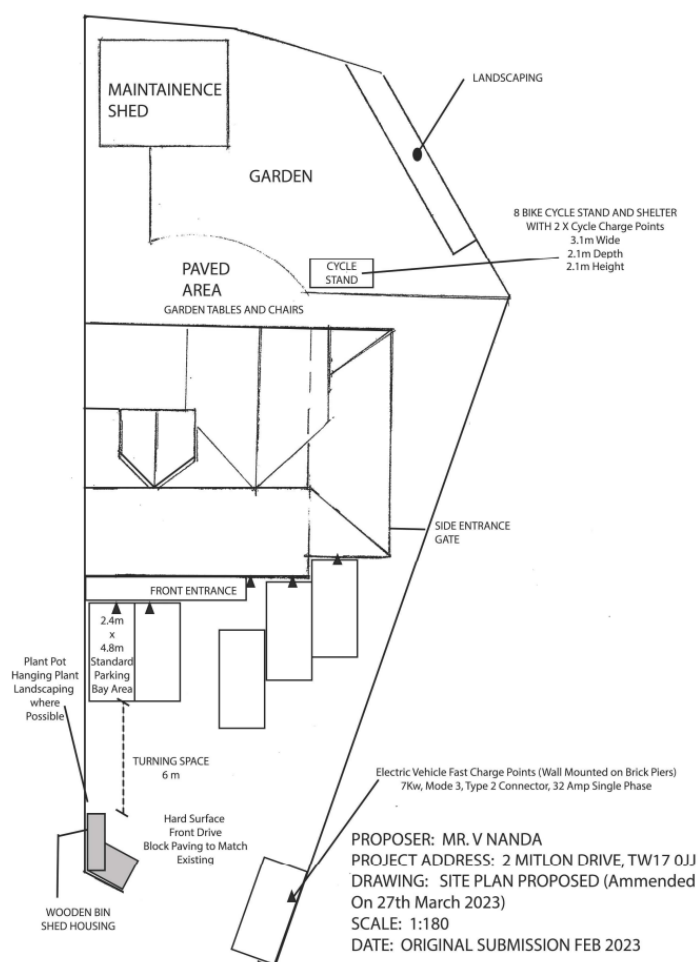


## Existing and Proposed Second Floor Plan



PROPOSER: MR. V NANDA  
 PROJECT ADDRESS: 2 MITLON DRIVE, TW17 0JJ  
 DRAWING: EXISTING & PROPOSED SECOND FLOOR PLAN  
 (Ammended 28th March 2023)  
 SCALE: 1:75  
 DATE: FEB 2023

## Proposed layout



PROPOSER: MR. V NANDA  
 PROJECT ADDRESS: 2 MITLON DRIVE, TW17 0JJ  
 DRAWING: SITE PLAN PROPOSED (Ammended On 27th March 2023)  
 SCALE: 1:180  
 DATE: ORIGINAL SUBMISSION FEB 2023

# Planning Committee

26 April 2023



<b>Application No.</b>	23/00171/FUL
<b>Site Address</b>	2 Milton Drive Shepperton TW17 0JJ
<b>Applicant</b>	Mr Vishal Nanda
<b>Proposal</b>	Change of use from a dwelling (use Class C3) to a House of Multiple occupation (HMO) (Sui Generis) (including a manager's flat) and shared living facilities for occupants for up to 8 people.
<b>Case Officer</b>	Kelly Walker
<b>Ward</b>	Laleham and Shepperton Green
<b>Called-in</b>	This application has been called in by Councillor Howkins due to concerns over noise and disturbance from the increase in the intensity of use of the site and the associated parking pressures.

<b>Application Dates</b>	Valid: 13.02.2023	Expiry: 26.04.2023	Target: Extension of time agreed to 28.04.2023
<b>Executive Summary</b>	<p>The subject property is an extended two-storey semi-detached dwelling situated on a corner plot. The site is located on the bend of Milton Drive and is the last property on a line of semi-detached dwellings, close to the roundabout at the end of Shepperton Road, Littleton Lane and Laleham Road. There are no relevant planning constraints.</p> <p>According to Schedule 2, Part 3, Class L of the General Permitted Development Order (2015), the property could be used as a House of Multiple Occupation (HMO) for six residents without planning permission. The current proposal requires planning permission as it proposes an HMO for up to eight people, resulting in two additional residents from what could be carried out without the need for planning permission.</p> <p>Therefore, the main issue is whether the change of use from a small HMO of no more than six residents, (which does not require planning permission), to an HMO for eight residents, results in an intensity of use which is of detriment to the amenity of neighbouring properties by reason of the additional two people, over and above that for six residents.</p> <p>The existing family dwelling has been substantially extended with a two storey side and rear extension along with a single storey side and rear extension and loft conversion, providing a substantial amount of accommodation over 3 floors, with a large rear garden, outbuilding and driveway for a number of vehicles to the front of the site. The ground floor layout will provide a significant amount of communal space. As</p>		

	<p>such it is considered to provide an adequate level of amenity for future occupiers. The addition of 2 more occupants over the 6 that can be accommodated in a dwelling without the need for planning permission is not considered to amount to an intensity of use of this particular property on this site that would lead to a harmful impact on the amenity of neighbouring residential properties.</p> <p>There are no transportation issues, Surrey County Highways Authority raises no objection to the proposal and the level of parking is acceptable.</p> <p>The proposal is therefore considered to be acceptable.</p>
<b>Recommended Decision</b>	Approve the application subject to conditions

## MAIN REPORT

### 1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- Policy CC3 (Parking Provision)
  - Policy HO1 (Providing for New Housing Development)
- 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 19<sup>th</sup> September. The Local Plan was submitted for examination in November 2022 and the examination is due to commence week beginning 24 May 2023.
- 1.3 The following policy of the draft Spelthorne Local Plan 2022-2037 is of relevance:
- Policy DS1 (Place shaping)
  - Policy ID2 (Sustainable Transport for New Developments)
  - Policy H1 (Homes for All)
- 1.4 At this stage, the policies carry limited weight in the decision-making process of this current planning application.
- 1.5 National Planning Policy Framework (NPPF) 2021

### 2. Relevant Planning History

- 2.1 The site has the following planning history:

09/00081/FUL	Alterations to existing outbuilding to include lowering of eaves height, formation of pitched roof, and addition of timber cladding.	Refuse 03.04.2009  Appeal dismissed. 19.03.2010
09/00082/FUL	Erection of rear facing dormer following removal of existing.	Grant 03.04.2009
08/00049/FUL	Retrospective planning permission for garden outbuilding.	Refused 25.03.2008  Appeal dismissed. 08.01.2009
	Appeal against the serving of an Enforcement Notice for the erection of an unauthorised	

outbuilding and the erection of an unauthorised boundary wall.

Appeal against the serving of an enforcement notice for the erection of an unauthorised rear dormer window.

07/01130/FUL	Erection of rear dormer window and porch extension (retrospective)	Refused 11.01.2008 Appeal Split Decision 08.012009
07/01130/ENF	Erection of an unauthorised rear dormer	Issued 23.04.2008. Appeal dismissed and EN upheld. 08.01.2009
	<b>Officer note:</b> EN was complied with the dormer was reduced in size (09/00082/FUL)	
07/00345/ENF	Unauthorised outbuilding and boundary wall,	Issued 22.04.2008. Appeal dismissed and EN upheld. 08.01.2009
	<b>Officer note:</b> EN was complied with the wall was removed and the pitched roof to the outbuilding was replaced with a flat roof (pd)	
06/01211/FUL	Erection of 2 storey rear extension and single storey side and rear extension.	Grant 02.05.2007
06/01106/FUL	Erection of attached 2 storey, 3 bedroom dwelling and alteration to existing house including rear single storey extension.	Refused 17.01.2007

### 3. Description of Current Proposal

- 3.1 This application relates to 2 Milton Drive which is situation on a corner plot with an irregular shape. The site is located on the bend of Milton Drive and is the last property of a line of semi-detached dwellings, close to the roundabout at the end of Shepperton Road, Littleton Lane and Laleham Road. The site is set back from Laleham Road, which also runs to the side of the application site (north), Littleton Lane runs along the rear of the site, to the west of the plot. Shepperton Studios is located to the northwest and forms a side

boundary to the site. There are other semi detached dwellings along Milton Drive located to the south and east and other dwellings to the north, set back from Laleham Road. There are no relevant planning constraints.

3.2 The property is a two-storey semi-detached dwelling which has been substantially extended in the past. It has a 2 storey side and rear extension, a single storey rear and single storey side extension in addition, as well as a loft conversion, including a rear facing dormer in the roof providing second floor accommodation. As such the existing family dwelling currently has 7 bedrooms on the first and second floors, with living accommodation on the ground floor, including an office. There is a large rear garden with an outbuilding and a large drive to the front of the property.

3.3 This application is for the change of use from a dwelling (use Class C3) to a House of Multiple Occupation (HMO) (Sui Generis) (including a manager's flat) and shared living facilities for occupants for up to 8 people.

#### 4. Consultations

The following table shows those bodies consulted and their response.

Consultee	Comment
Environment Health (noise)	No objection
Environment Health (HMO)	No objection
County Highway Authority	No objection

#### 5. Public Consultation

5.1 The Council has received 9 letters of objection noting the following issues: -

- Overdevelopment
- Out of keeping with the character of the area
- Loss of family housing
- Parking provision, 6 car spaces is cramped.
- Will put more pressure on on-street parking and as the site is located on a corner will cause road safety issues.
- Road is full of family housing. This HMO will not fit in with this.
- Commercial use
- The application is misleading regarding types of occupants referring to elderly and professionals.
- Noise and disturbance
- Loss of privacy
- Could have more than 8 people as double beds in most rooms.
- If elderly residents, why do you need sound proofing?
- Antisocial behaviour
- Further strain on drainage system
- Already pollution and traffic due to Shepperton Studios extension
- Previous planning applications being retrospective and having shown little regard to planning rules. (*Officers note: This relates to the extensions from 2007 but is not relevant to this application*)
- No site notice displayed (*Officers note: This is not mandatory*)

## **6. Planning Issues**

- 6.1 The main planning considerations are the impact of the proposal on the amenity of neighbouring properties and the impact on the amenity of future occupants, as well as parking provision.

### **Planning Considerations**

#### Principle

- 6.2 The Use Classes Order defines Use Class C3 as a dwelling house (whether or not as a sole or main residence) (a) by a single person or people living together as a family, (b) by not more than six residents living together as a single household (other than a use of within Class C4). Class C4 is classified as a house in multiple occupation that is used by not more than six residents as a HMO. Under the Government's Uses Classes Order, planning permission is not required to move from Use Class C3 to C4 and vice versa. Consequently, the property could be used as an HMO for six residents without requiring planning permission. There is, therefore, no 'in principle' planning objection to the use as an HMO for six persons. Therefore, the question that needs to be addressed is whether the use change from a small HMO of no more than six residents to an HMO for eight residents (by an additional 2 people) is acceptable in planning terms.
- 6.3 The site is situated in a predominantly residential area characterised by two-storey houses, mainly semi-detached. The existing property is a 7 bedroom, two-storey semi-detached dwelling. The subject property has been substantially extended with a two storey side and rear extension, a single storey side and rear extension and loft conversion, including a rear facing dormer. As such the property provides a substantial amount of accommodation over 3 stories. There is a large rear garden with an outbuilding and large driveway for a number of vehicles to the front of the site. The proposal will provide rooms for 8 people, with a 'manager's flat' on the ground floor with 2 bedrooms, a further 5 rooms on the first floor and one in the roof space at second floor level. There is also a significant amount of communal space on the ground floor, including a large open plan kitchen, a separate dining/reading room and a lounge/games room, for use by its occupants.
- 6.4 The internal layout of the property would be almost unchanged compared to the existing, with rooms continuing to be laid out as they currently are. The existing 5 bedrooms on the first floor will continue to be used as bedrooms and likewise the bedroom on the second floor will also continue to be used as a bedroom.
- 6.5 Each bedroom would be of a sufficient size to accommodate one bedspace (8 people in total) ensuring that it has a floor area of at least 7.5m<sup>2</sup> and will be at least 2.55m<sup>2</sup> wide as per the Government's nationally described Technical Housing Standards (March 2015). Several letters of objections have referred to the bedrooms potentially accommodating double occupancy. Despite many of the bedrooms being large and double beds shown on the plans, a condition would be imposed in order to limit the number of residents to eight, as is the usual way to control occupancy numbers for HMOs. The shared kitchen lounge, study and dining area would be located on the ground floor of the property which is considered to be sufficient in size for the number of

occupants. Residents would also have access to a large, shared rear garden and have a cycle storage facilities.

- 6.6 In light of above, it is considered that the principle of the development would be acceptable as it would result in an appropriate standard of living accommodation and the permitted development 'fall-back' position of a 6 persons HMO. The Council's Environmental Health Department has been consulted and note that, *'Regarding change of use to an 8 person HMO, the property would appear to meet the standards required for a licensable HMO, but I would direct the applicant to our website <https://www.spelthorne.gov.uk/hmo>, where they can download our Landlords' Guide to Standards for HMOs. This details what the requirements are. Environmental Health have no objection to the change of use.'*
- 6.7 As noted above, the applicant will need to submit an HMO licence application, which is also the case for a HMO for 6 people.
- 6.8 There are minimal internal changes required to the existing property to convert it to the 8 person HMO. The applicant could convert the property into a 6 bed HMO without planning permission. Given the location and size of the property, which has been substantially extended, it is considered that the proposal for two additional residents, over and above what could be carried out without planning permission given it would not result in a significant intensification of the use possible under permitted development. The proposal is considered to be acceptable in principle.

#### Amenity of neighbouring properties

- 6.9 In regard to the impact on the amenity of neighbouring properties, policy EN11 sets out the Council's general approach to minimise the impact of noise refers to noise by reducing noise levels from noise generating activities and locating noise sensitive development away from sources of high noise.
- 6.10 The proposal does not include any extensions and the building will be converted for the proposed use, which continues to be residential in nature. There are generous sized bedrooms and shared communal spaces, including the garden and plenty of off street parking. Therefore, it is considered that the number of occupants would be able to be comfortably accommodated in the subject property. The property is located at the end of a line of dwellings adjacent to Laleham Road with Littleton Lane to the rear. As such the subject property adjoins only one other residential property. Considering that an HMO for 6 people can be created under permitted development, the impact of two additional residents in a substantially extended semi-detached property (in particular when the property as original, before being extended, could have been converted to a HMO for 6 people). Consequently, it is not considered to have a significant impact on neighbouring residential properties that would justify refusal on these grounds.
- 6.11 The addition of 2 more occupants over the 6 that can be accommodated in a dwelling without the need for planning permission is not considered to amount to an intensity of use of this particular property on this site that would lead to a harmful impact on the amenity of neighbouring residential properties. In addition the subject property adjoins one other dwelling, with its rear boundary adjoining Littleton Lane and the side boundary adjoining Laleham Road, given its corner location.

### Parking Provision

- 6.12 Policy CC3 states that the Council will require appropriate provision to make for off-street parking in development proposals in accordance with its maximum parking standards. In considering the level of provision the Council will have regard to the anticipated demand for parking arising from the use proposed, or other uses to which the development may be put without needing planning permission.
- 6.13 Third party representations have raised concerns about parking pressures. Surrey Highways Authority has been consulted on this application and has advised that the development is unlikely to generate significantly greater parking demand than the existing use of a family dwelling. In addition, there is a permitted development fall back of a 6 bed HMO, whereby parking provisions cannot be considered. SCC as the County Highway Authority raise no transportation objections.
- 6.14 The proposal has a large parking area to the front of the dwelling where in excess of 6 cars could be parked off-road. In addition, there are opportunities for future occupiers to make journeys by foot or by cycle. The application site is located within reasonable walking distance of Shepperton High Street, Shepperton Railway Station, and there are bus stops on Laleham Road. As such, Surrey Highways Authority considers that this location is sufficiently accessible to the extent that it would not be a necessity for future occupiers to own their own private cars. Cycle storage will also be provided on site to encourage a sustainable travel mode.
- 6.15 The National Planning Policy Framework states that development should only be prevented on highways grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impact on the road network would be severe. For any objection to be valid, the authority must demonstrate the harm that the development would result in. Surrey County Highway Authority does not consider the development is likely to result in material harm in respect of highway safety or capacity.
- 6.16 It is therefore considered that the proposed parking provision would not conflict with Policy CC3 of the Spelthorne Core Strategy and Policies Development Plan Document (2009) and is acceptable.

### Conclusion

- 6.17 It is considered that the proposed development would not have a significant impact on the amenities of neighbouring properties that would justify refusal. The proposed addition of two further residents in this already extended semi-detached dwelling, compared to the permitted development requirement, is not considered materially harmful to justify refusal. The bedrooms and communal space, as well as the garden provides a development which is of a sufficient size for future occupants, and it is considered that the parking provision is acceptable.

### Equality Act 2010

- 6.18 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.

#### Human Rights Act 1998

- 6.19 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 6.20 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.
- 6.21 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.
- 6.22 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/ 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.

## **7. Recommendation**

- 7.1 To GRANT planning permission subject to the following conditions:

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan received on 13.02.2023, site plan proposed and site plan existing, Proposed Ground floor plan, Existing Ground floor plan, Proposed First floor plan, Existing First floor plan and Existing and proposed Second floor plans received on 07.03.2023.

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

3. The occupation of the House of Multiple Occupation (HMO) hereby permitted shall be limited to a maximum of 8 residents at any time.

Reason: To safeguard the amenity of future residents of the property and neighbouring properties.

4. Prior to the occupation of the development, details of the refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority and the agreed facilities shall be installed prior to the occupation of the development 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.

5. Prior to the occupation of the development, details of the cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority and the agreed facilities shall be installed prior to the occupation of the development and retained thereafter.

Reason: To safeguard the amenity of future residents of the property and neighbouring properties.

6. That the proposed 'manager's flat' hereby approved shall only be occupied for that use ancillary to the HMO and shall not be used as an independent unit of accommodation.

Reason: In the interest of the amenity of neighbouring properties

### **Informatives**

1. In accordance with Approved Document S of the Building Regulations, you will be required to install electric vehicle charging facilities.
2. A license will be required to operate the property as a HMO. Please contact the Councils Environmental Health Department.



Planning Committee

26 April 2023

**Planning Appeals Report – V1.0 ISSUED**

**Appeals Started between 22 March – 11 April 2023**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
22/00470/OUT  <b>Land At 1-12 New Road Shepperton TW17 0QQ</b>	27.03.2023	Written Representation	APP/Z3635/W/22/3311540  Erection of 9 no. two storey dwelling houses with associated amenity space, car-parking and accesses (Outline).  As shown on drawings numbered LP; 203; HW1; HW2; HW3; HW4; HW5; HW6; HW7; HW8; Site Survey drawings 01 and 02 received 29 March 2022.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
22/00666/FUL  <b>192 Feltham Hill Road Ashford TW15 1LJ</b>	27.03.2023	Written Representation	APP/Z3635/W/22/3311716  Retrospective application for the erection of wooden canopy to the front of the coffee shop to allow for sheltered seating and installation of new extraction fan unit
22/00974/FUL  <b>2 Witheygate Avenue Staines-upon-Thames TW18 2RA</b>	30.03.2023	Written Representation	APP/Z3635/W/22/3312109  Conversion and extension of existing building, including the installation of a new roof with west facing dormer, and partial demotion, to create 2 Bedroom Residential Dwelling with associated parking and amenity space.
22/00210/FUL  <b>280, 282 And 284 Staines Road East Sunbury-on-Thames TW16 5AX</b>	30.03.2023	Written Representation	APP/Z3635/W/22/3312221  Demolition of existing buildings and development of a 47-bedroom care home with associated parking, facilities and landscaping as shown on drawings numbered H21.31 (00)2, 3 and 4 all Rev B, (005), (9)3, 4 and 5, (21)1 and 2, 1361-00 PRLP, EX SS, 2021-5917-001 (P1), 002 (P2) and 003 (P1) and 484.3 Rev 2 received on 14 February 2022.
22/01589/HOU  <b>8 Celia Crescent Ashford TW15 3NW</b>	31.03.2023	Fast Track Appeal	APP/Z3635/D/23/3318530  Erection of single storey side and rear extension (following demolition of existing single storey structure and conservatory) and erection of single storey front extension.

**Appeal Decisions Made between 22 March – 11 April 2023**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
20/01112/FUL  <b>Phase 1C Charter Square High Street Staines-Upon- Thames</b>	06.06.2022	Written Representation	APP/Z3635/W/22/3291661  Redevelopment of the site to provide 64 new residential units (Use Class C3) with flexible commercial, business and service floorspace (Use Class E) and drinking establishment floorspace (Sui Generis) at ground floor, rooftop amenity space; landscaping and enhancements to the central public square, associated highway works, and other ancillary and enabling works.	Appeal Dismissed	24.03.2023	<p>The Inspector identified the main issues to be whether the proposal would provide appropriate levels of affordable housing, the effect of the development upon living conditions of neighbouring properties with particular regard to daylight, sunlight and outlook, and whether an appropriate level of parking provision would be provided.</p> <p>The development would have been 100% affordable, with 58 shared-ownership units and 6 affordable rented units. The Inspector noted the Council's concerns that not all of the landowners would have been party to the Unilateral Undertaking (UU). The Inspector was concerned that the proposed UU would not run with the land and bind with the applicant's successors. The Inspector also considered that there were no substantive evidence of any exceptional circumstances to justify securing the affordable housing through condition. The Inspector could therefore not be certain that the proposal would deliver an appropriate level of affordable</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>housing, contrary to policy HO3 and the NPPF.</p> <p>In regards to daylight and sunlight, the Inspector noted that 39 habitable rooms in Phases 1A and 1B would not achieve the 1.5% Average Daylight Factor stated within BRE guidance. Taken across the whole development, 90% of the dwellings would meet BRE guidelines or experience no noticeable alteration in their current daylight levels. The Inspector considered that there would be some conflict with policy EN1 b). The Inspector also considered that the distances between the proposal and units in Phase 1A and 1B were appropriate and that there would be an acceptable impact in terms of outlook.</p> <p>In terms of parking provision, the Inspector considered that the 20 car parking spaces in Phase 1A proposed for the occupiers of Phase 1C could not be secured as part of the current application, and as such considered that only one car parking space would be available situated on the link road. The Inspector considered that the site is well-served by sustainable forms of transport, with bus and train stations in close proximity. The closeness to the town centre also provides potential occupiers</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>with numerous facilities. It was noted that the County Highway Authority considered the site to be in sustainable location. Given the sites location, the Inspector did not consider that the lack of parking would be so significant that it would lead to tangible highway safety or residential amenity issues. It was therefore considered that the proposal would accord with policy CC3 and the NPPF in this regard.</p> <p>In terms of the planning balance, it was noted that the proposal would contribute 64 dwellings to the Council's 5-year housing supply. However, there was no certainty that the proposal would provide affordable housing. Additionally, whilst the proposal would have an acceptable impact upon outlook, the Inspector found there to be an adverse impact upon the daylight and sunlight of existing occupiers. The adverse impacts of granting planning permission were not considered to be demonstrably outweighed by the benefits and the Inspector concluded that the appeal should be dismissed.</p>

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## **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.

<b>App no</b>	<b>Site</b>	<b>Proposal</b>	<b>Applicant</b>	<b>Case Officer(s)</b>
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)	<b>Spelthorne Borough Council</b>	<b>Russ Mounty</b>
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	<b>A2Dominion Group</b>	<b>Matthew Churchill</b>

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 the existing retained island, and moorings at the west bank of the lake.	<b>Shepperton Marina Limited</b>	<b>Matthew Churchill</b>
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.	<b>Angle Property (RLP Shepperton) LLP</b>	<b>Paul Tomson/ Kelly Walker</b>
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.	<b>Urbox (Ashford) Ltd</b>	<b>Matthew Churchill</b>

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	<b>Lichfields on behalf of Spelthorne Borough Council</b>	<b>Russ Mounty</b>
23/00070/FUL	Hazelwood Hazelwood Drive Sunbury-on-Thames TW16 6QU	Planning application for residential development comprising 67 units with the provision of landscaping, access, parking and associated works.	<b>Bellway and Angle Property (Sunbury) LLP</b>	<b>Russ Mounty</b>
23/00098/FUL	Kingston Road Car Park, Kingston Road, Staines TW18 4LQ	Proposed mixed use development for new NHS Health and Wellbeing Centre, 184 residential flats, workspace and refurbishment of the Oast House to provide community / arts / workspace use with potential for cafe and theatre, and servicing and landscaping / amenity provision, together with associated parking, with disabled parking and drop off space only on site, and a decked parking solution on the Elmsleigh Centre surface car park.	<b>Lichfields on behalf of Spelthorne Borough Council</b>	<b>Russ Mounty / Drishti Patel</b>
23/00173/RVC	Builders Merchant Moor Lane Staines-upon-Thames TW18 4YN	Application to vary condition 2 (plans condition) of planning permission 22/00891/RVC (which varied condition 2 of planning permission 18/01000/FUL) to allow the addition of balconies with fenestration to plots 6-11, dormer to replace roof light on plot 9 and creation of terraces and access doors to plots 1-5.		<b>Susanna Angell</b>

23/00273/RVC	Eden Grove 17-51 London Road Staines-Upon-Thames TW18 4EX	Variation of Condition 1 (Approved Plans), imposed upon planning permission 22/00765/RVC (which sought the variation of Condition 2 imposed upon planning permission 19/00290/FUL for residential homes and flexible commercial space at ground and first floors, car parking, pedestrian and vehicle access, landscaping and associated works and the Condition imposed in 19/00290/AMD4), to allow for alterations to the unit mix in Blocks C and D together with associated elevation and internal alterations and to the PV panels on Block C and D.		<b>Matthew Churchill</b>
23/00359/FUL	Sunbury Sports Association Kenton Court Meadow Lower Hampton Road Sunbury-on-Thames TW16 5PS	Extending the cricket nets facility (currently 4 lanes) by adding 2 x new lanes.		<b>Vanya Popova</b>

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

Esmé Spinks  
Planning Development Manager  
06/04/2023

**PLANNING GLOSSARY OF TERMS AND ABBREVIATIONS**

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

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

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

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

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

Esmé Spinks 13/01/2021

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