



Please reply to:

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Date: 13 July 2023

Notice of meeting

Planning Committee

Date: Wednesday, 26 July 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:

M. Gibson (Chair)
D. Geraci (Vice-Chair)
C. Bateson
S.N. Beatty
M. Beecher
M. Buck

T. Burrell
R. Chandler
D. Clarke
S.A. Dunn
K. Howkins
M. Lee

A. Mathur
L. E. Nichols
K. Rutherford
H.R.D. Williams

Substitute Members: Councillors E. Baldock, J. Button, J.T.F. Doran, A. Gale, K.M. Grant and J.Turner

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 – 10

To confirm the minutes of the meeting held on 28 June 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 - 23/00517/FUL Buildings 3, 4, 6, 11, 15 & 17, Littleton Lane, Trading Estate, Shepperton TW17 0NF**

11 - 26

Ward

Laleham and Shepperton Green

Proposal

The use of Building 3 for the storage of equipment and materials ancillary to vehicle body repairs, Building 4 for the storage of plant and equipment for groundworks / civils, Building 6 for the storage of plant and equipment for groundworks / civils, Building 11 for general storage, Building 15 for the manufacture of exhibition equipment and Building 17 as a café, for a temporary period ending 01 May 2026

Recommendation

Approve the application subject to conditions set out at Paragraph 8 of the Report

5. **Planning application - 23/00518/FUL Area B, Buildings 12 and 19, Littleton Lane Trading Estate, Shepperton TW17 0NF**

27 - 42

Ward

Laleham and Shepperton Green

Proposal

The use of Area B for the storage of shipping containers, Building 12

for general storage, and Building 19 for manufacture of safety case for camera equipment, manufacture of timber/wood products, van export, motor vehicle repair and restoration, vehicle radiator repair and exhibition furniture production

Recommendation

Approve the application subject to conditions as set out at Paragraph 8 of the Report

6. **Planning application - 22/01666/FUL Land at Ashford Road, Ashford Road, Shepperton TW15 1TZ** **43 - 74**

Ward

Laleham and Shepperton Green

Proposal

Demolition of 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.

Recommendation

Refuse the application for the reasons set out at Paragraph 8 of the Report

7. **Planning application - 23/00557/SCC Sunbury Fire Station, Staines Road West, Sunbury-on-Thames TW16 7BG** **75 - 94**

Ward

Sunbury Common

Proposal

Surrey County Council consultation for the redevelopment of the former Sunbury Fire Station site for a mixed-use hub building incorporating Class E (Commercial, business and service) and Class F1 (Learning and non-residential) uses including library plus 12 no. supported independent living units (use class C3).
(SCC Consultation reference: 2023-0051)

Recommendation

It is recommended that Spelthorne Borough Council raise NO OBJECTION to this proposal, as set out at Paragraph 8 of the Report

8. **Major Planning Applications** **95 - 98**

To note the details of future major planning applications.

9. **Planning Appeals Report** **99 - 102**

To note details of the Planning appeals submitted and decisions

received between 14 June and 11 July 2023.

10. Glossary of Terms and Abbreviations

103 - 108

**Minutes of the Planning Committee
28 June 2023**

Present:

Councillor M. Gibson (Chair)
Councillor D. Geraci (Vice-Chair)

Councillors:

C. Bateson	D. Clarke	L. E. Nichols
S.N. Beatty	S.A. Dunn	K. Rutherford
M. Beecher	K. Howkins	H.R.D. Williams
T. Burrell	M. Lee	
R. Chandler	A. Mathur	

Apologies: Apologies were received from Councillor M. Buck

In Attendance: Councillor M. Bing Dong

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.

32/23 Minutes

The minutes of the meeting held on 31 May 2023 were approved as a correct record.

33/23 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 Beatty, Beecher, Chandler, Clarke, Dunn, Geraci, Howkins, Lee, Nichols, Rutherford, Williams and Gibson Reported that they had received

correspondence in relation to application 23/00274/FUL but had maintained an impartial role, had not expressed any views, and kept an open mind.

Councillors Bateson, Burrell and Mathur Reported that they had received correspondence in relation to application 23/00274/FUL and had made an informal visit to the site but had maintained an impartial role, had not expressed any views, and kept an open mind.

34/23 Planning Application - 23/00274/FUL - Scout Hut, Wood Lane, Shepperton TW17 0DX

Description: Demolition of existing hut and erection of 2 bungalows with associated amenity space and parking.

Additional Information:

The Senior Planning Officer reported the following:

1. **Updates to paras 3.2; 7.24 and 7.26**
Paragraph 3.2: Petts Close should read Petts Lane.
Paragraphs 7.24 and 7.26 89 Wood Road should read 68 Wood Road and in paragraph 7.26 the separation distance should read 1m not 0.5m.
2. **Update to Appendices** – Plan no. 2 – Floor Plans Layout 3 - Drawing replaced by Wood Road Shepperton_19-05-23_01 Layout 3
3. **Update to Consultees:** The Council's Arboricultural Officer has advised that there are no objections to the loss of any trees. However he recommends replacement planting. (Condition 16 added).
4. **Condition 2 to be amended as follows:**
The development hereby permitted shall be carried out in accordance with the following approved plans Wood Road Shepperton_23-03-23_01 Layout 4, received 02/05/2023; Wood Road Shepperton_23-03-10-02-23_01 Layout 1; Wood Road Shepperton_23-03-10-02-23_01 Layout 2 Received 03.03.2023); Wood Road Shepperton_23-03-19-05-23_01 Layout 5; Wood Road Shepperton_23-03-19-05-23_01 Layout 6; Wood Road Shepperton_23-03-19-05-23_01 Layout 7; Wood Road Shepperton_23-03-19-05-23_01 Layout 8; Wood Road Shepperton_23-03-19-05-23_01 Layout 9; Wood Road Shepperton_23-03-19-05-23_01 Layout 10 received on 05/06/2023 and Wood Road Shepperton_23-03-19-05-23_01 Layout 3 Received 07.06.2023).
5. **Condition 16 to be added:**
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 planning 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 in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. Condition 17 to be added:

Prior to the occupation of the development hereby permitted the ground floor window on the southern side elevation of House A, and the ground floor kitchen/dining room window on the southern side elevation of House B, 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 property in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

7. Informative 10 to be added relating to Wildlife and Countryside Act 1981 as amended, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats) Regulations 1994.

8. Additional correspondence has also been received: from a local resident raising concerns about the plans not being uploaded onto the website timeously, inaccuracies in the report and reinforcing concerns regarding the proposal which are considered within the Officer's report.

Public Speaking:

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

- 68 Wood Road's only living room window would be grossly obstructed
- Significant loss of daylight would result
- There was an overwhelming aspect of brick
- House B's rear wall would dominate neighbouring gardens
- The rear windows would see over boundary fences into neighbouring gardens
- There was gross intrusion and invasion of privacy
- There was a loss of amenity and reduction in enjoyment for neighbours
- Spelthorne's proximity rule to prevent cramped housing was broken twice
- The site plan was cramped
- Petts Lane was often full with parked cars
- Reversing into busy roads would be dangerous
- There were no areas for turning and manoeuvring
- There were only four car spaces when the Council policy required five
- Traffic splays were not accurate

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

- The current application had accommodated all issues raised in previous applications
- This scheme did not have an adverse impact on the surrounding neighbours in terms of overlooking, overshadowing or overbearing
- The highways officer was satisfied that there was good visibility in both directions for both parking spots
- There was no identified highway dangers
- The bungalows had been reduced in size with the roofline lowered to make sure the development fits into the area without detriment
- the officers report dealt with relevant issues in detail
- the current building was an eyesore which added no value
- This was a user friendly and sympathetic scheme
- This development was in keeping with the local area

In accordance with the Council's procedure for speaking at meetings, Councillor Howkins spoke as Ward Councillor on the proposed development raising the following key points:

- This was the wrong development for this plot of land
- This application was best suited to one property
- This was an overdevelopment
- There was danger on the road for residents on Wood Road and Petts Lane

- The privacy and light of residents on Wood Road and Barley Mow Way would be invaded
- Neighbouring properties would have their rights to a peaceful life removed
- There was inadequate parking provision
 - Reversing out from house B onto Petts Lane could not occur safely due to parked cars
- There were highway safety concerns associated with the speed limit of 30 miles per hour in this area with blind corners
- The application broke Spelthorne's size and dimensions policy
- Access problems would be alleviated if plans were revised to include only one property

Debate:

During the debate the following key issues were raised:

- Concern was raised regarding the separation distance between the proposed dwellings
- This development was within Planning guidance
- There was inadequate parking provision
- There was an inadequate flood risk assessment
- The plans did not highlight how narrow Petts Lane was
- The highway safety concerns required readdressing
- This was an overdevelopment
- This development did not consider residents in surrounding areas
- This development was an improvement on the previous applications

The Committee voted on the application as follows:

For: 8
Against: 7
Abstain: 0

Decision: The recommendation to approve was agreed and the application was approved subject to conditions.

35/23 Planning Application - TPO 285/2023 - Land (the Paddock) to the north west of Ladye Place, Riverbank Cottage and Bank Cottage, adjacent to Ferry Lane, Shepperton, TW17 9LQ

Description: On 2 March 2023 Tree Preservation Order 285/2023 was served with immediate effect to protect 2 individual trees, (1 no. Sycamore, 1 no. Willow) 3 Groups (G1) of 8 no. Sycamores, (G2) of 2 no. Sycamores & 1 no. Oak, and Group (G3) of 4 no Sycamores on this site.

Additional Information:

There was none.

Public Speaking:

There were no public speakers.

Debate:

During the debate the following key issues were raised:

-Trees at risk of disease in future would need to be relooked at

The Committee voted on the application as follows:

For: 14

Against: 0

Abstain: 1

Decision: The Tree Preservation Order was confirmed without modification.

36/23 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.

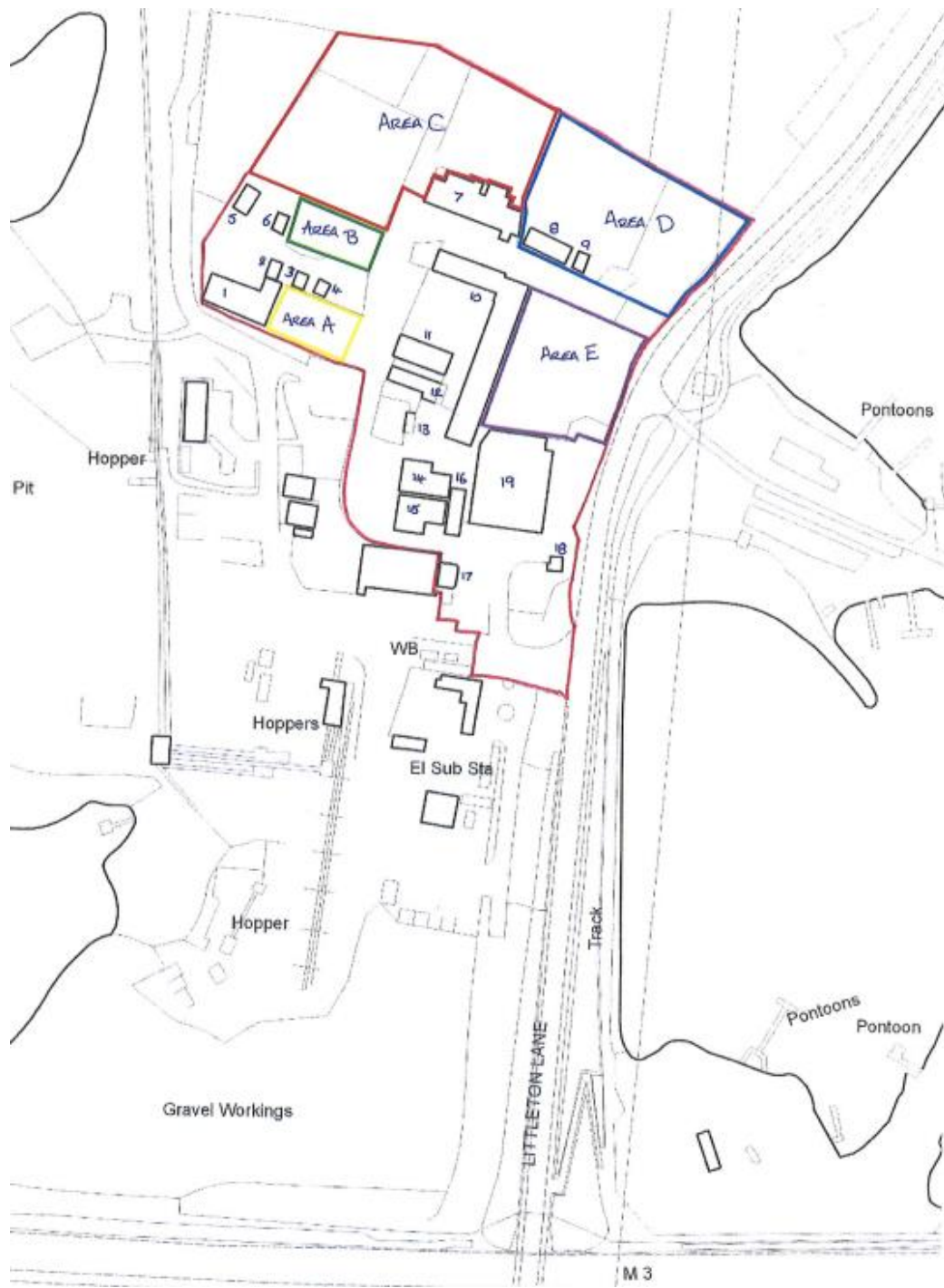
37/23 Planning Appeals Report

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.



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Location Plan



Building Layout Plan

Planning Committee

26 July 2023



Application No.	23/00517/FUL
Site Address	Buildings 3, 4, 6, 11, 15 & 17 Littleton Lane Trading Estate Shepperton TW17 0NF
Applicant	Brett Aggregates Ltd
Proposal	The use of Building 3 for the storage of equipment and materials ancillary to vehicle body repairs, Building 4 for the storage of plant and equipment for groundworks / civils, Building 6 for the storage of plant and equipment for groundworks / civils, Building 11 for general storage, Building 15 for the manufacture of exhibition equipment and Building 17 as a cafe, for a temporary period ending 01 May 2026
Case Officer	Russ Mouny
Ward	Laleham and Shepperton Green
Called-in	The application has been called in by Cllr Howkins for the following reasons: <ul style="list-style-type: none"> • Increase in lorry movements within the area. • Timing should coincide with the redevelopment proposal (19/01731/FUL) 10 August 2024. • The applicant should be made aware of the need for the redevelopment plan to be implemented.

Application Dates	Valid: 25.04.2023	Expiry: 20.06.2023	Target: Extension of Time agreed 31.07.2023
Executive Summary	<p>This planning application proposes the temporary change of use of buildings 3, 4, 6 11, 15 & 17 following a previous approval that expired 01 May 2023. The proposed uses are as follows:</p> <ul style="list-style-type: none"> • Building 3: Storage of equipment and materials ancillary to vehicle body repairs • Building 4: Storage of plant and equipment for groundworks/civils • Building 6: Storage of plant and equipment for groundworks/civils • Building 11: General storage • Building 15: Manufacture of Exhibition Equipment • Building 17: Café 		

	<p>NB Groundworks are essentially preparing the ground, constructing sub-structure elements and specifically getting the ground ready for above ground construction. Civils relates to civil engineering and is primarily used to define infrastructure of transport systems and the installation of services prior to above ground construction.</p> <p>The proposed uses are the same as previously approved, except for Building 11 which was previously used for workshop, storage and hire of commercial skips.</p> <p>The site has a Certificate of Lawful Use and Development for uses and buildings however insufficient evidence had been provided in respect of Buildings 3, 4, 6 11, 15 & 17 to accept the uses put forward by the applicant.</p> <p>It was acknowledged that these buildings were substantially completed more than 4 years before the date of the application and the fall back use of the site is for the production and storage of concrete and concrete related products.</p> <p>It is considered that the principle of commercial uses at the site is acceptable, that the proposal would have a satisfactory impact upon the character and appearance of the area, the highway network and the flood risk of the area.</p> <p>Whilst the site is located within the Green Belt, the re-use of Buildings 3, 4, 6 11, 15 & 17 do not represent inappropriate development and the proposed uses are not considered to be a material change of use that would impact the openness of the Green Belt or the reason it was included within it.</p> <p>The proposal is therefore considered to meet the requirements of the relevant policies of the Core Strategy and Policies Development Plan Document and the National Planning Policy Framework 2021.</p>
<p>Recommended Decision</p>	<p>Approve the application subject to conditions as set out at Paragraph 8 of the Report.</p>

MAIN REPORT

1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- LO1 Flooding
 - SP3 Economy and employment land Provision
 - SP6 Maintaining and Improving the Environment
 - EN1 Design of New Development
 - CC2 Sustainable Travel
 - CC3 parking
- 1.2 An examination into the Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.*
- 1.3 An examination into the Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.*
- 1.4 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
- ST1: Presumption in Favour of Sustainable Development
 - ST2: Planning for the Borough
 - PS2: Designing places and spaces
 - SP4: Green Belt
 - SP6: River Thames and its Tributaries
 - E2: Biodiversity
 - E3: Managing Flood Risk
 - EC1: Meeting Employment Needs
- 1.5 The NPPF policy states at [paragraph 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).

- 1.6 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.
- 1.7 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.
- 1.8 The National Planning Policy Framework (2021) is also relevant.

2. Relevant Planning History

2.1 The site has the following planning history

19/01731/FUL	Demolition of the existing buildings, retention of existing buildings 1, 15 and 17 and part retention of building 10 (as defined in CLUED 18/01054/CLD), creation of new buildings ranging between 1 and 2 storeys providing up to approximately 4,358.7sqm of floorspace for use classes A3, B1, B2 and B8, creation of outside storage areas for use class B2, creation of hardstanding and access routes, car parking, cycle storage, servicing, plant areas, creation of green areas and landscaping and other associated works.	Granted 10.08.2021
19/01139/FUL	Change of use of building 3, 4, 6, 11, 15 & 17 of 18/01054/CLD from manufacture of concrete and concrete products to: building 3 storage of equipment and materials ancillary to vehicle body repairs, building 4 storage of plant and equipment for groundworks / civils, building 6 storage of plant and equipment for	Granted 22.10.2019

groundworks / civils, building 11 workshop, storage and hire of commercial skips, building 15 manufacture of exhibition equipment and building 17 cafe, for a temporary period ending 01 May 2023

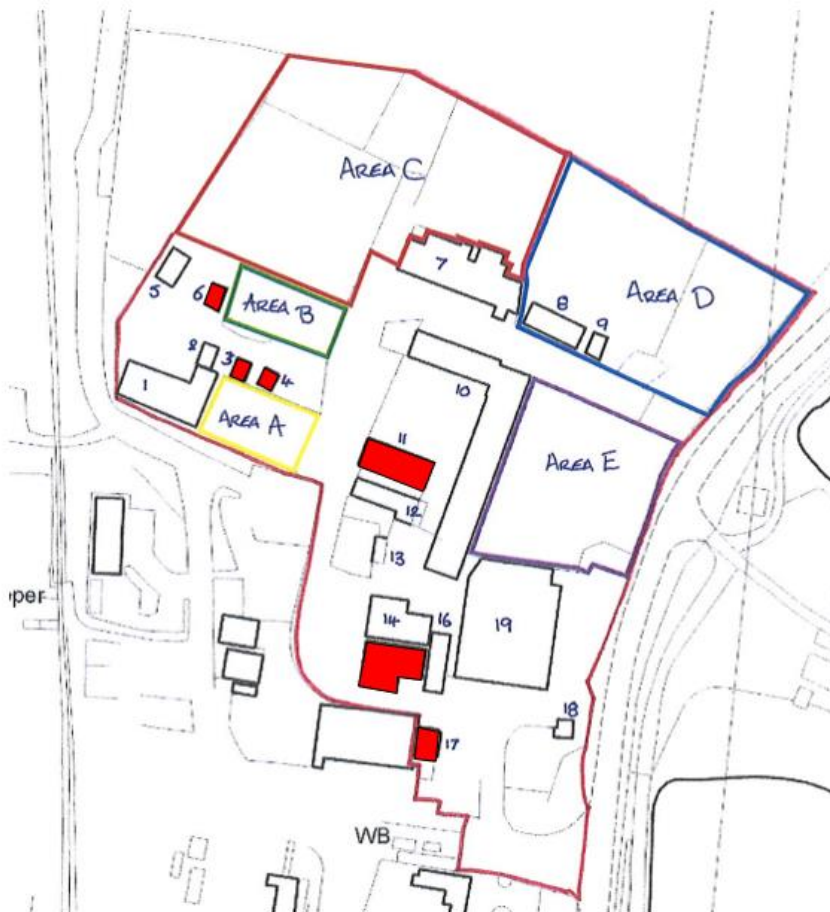
18/01054/CLD	Certificate of Lawfulness for buildings totalling 4,358.7 square metres of floor area and uses of A3, B1, B2, B8 and Sui Generis on 2.9 Ha of land at Littleton Lane.	Granted 08.03.2019
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3. Description of Current Proposal

- 3.1 The proposal relates to the Littleton Lane Trading Estate, which comprises approximately 2.9 hectares, located on Littleton Lane, north of the M3 motorway, south of the B376 Shepperton Road and opposite the Littleton Sailing Club.
- 3.2 The restored gravel pit to the west is a Site of Nature Conservation Importance and is subject to a restoration plan with the County Council. The site lies within the Heathrow safeguarding zone and the 1:20 Flood Risk area (Flood Zone 3b), although some small, isolated areas are within 1:100 Flood Risk Area (Flood Zone 3a). The site is also located within the designated Green Belt.
- 3.3 In determining the Certificate of Lawful Use and Development at the site, the Local Planning Authority determined that insufficient evidence had been provided in respect of Buildings 3, 4, 6, 11, 15 & 17 to accept the uses put forward by the applicant. However, it was acknowledged that the buildings were substantially completed more than 4 years before the date of the application.
- 3.4 Whilst the submitted uses for Buildings 3, 4, 6, 11, 15 & 17 were not accepted as part of application 18/01054/CLD, the lawful use for these would be the manufacture and storage of concrete and concrete related products.
- 3.5 The change of use of these building was approved on 22 October 2019, although at that time Building 11 was proposed to be used as workshop, storage and hire of commercial skips, for a limited period of 4 years, expiring on 1 May 2023 when the uses were to be entirely discontinued.
- 3.6 The proposal is for:
- Building 3 to be used for the storage of equipment and materials ancillary to vehicle body repairs;
 - Building 4 to be used for the storage of plant and equipment for groundworks/civils;
 - Building 6 to be used for the storage of plant and equipment for groundworks/civils;
 - Building 11 to be used for general storage;

- Building 15 to be used for the manufacture of exhibition equipment; and
- Building 17 to be used as a Café.

3.7 Groundworks are essentially preparing the ground, constructing sub-structure elements and specifically getting the ground ready for above ground construction. Civils relates to civil engineering and is primarily used to define infrastructure of transport systems and the installation of services prior to above ground construction.



4. Consultations

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

Consultee	Comment
County Highway Authority	No Objection
County Minerals and Waste	No Comment
Environmental Health	No Comment
Fischer Germans Pipeline	No Comment Received
Esso Pipeline	No Objection

Surrey County Minerals and Waste	No Objection
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5. Public Consultation

5.1 The Council has received no letters of representation to the proposal.

6. Planning Issues

- Principle
- Character and Appearance
- Highways
- Flooding

7. Planning Considerations

Principle

7.1 The Littleton Lane Trading Estate has a Certificate of Lawful Use and Development for buildings totalling 4,358.7 square metres of floor area and Uses Classes E (Commercial, Business and Service), B2 (General industry) and B8 (Storage and distribution) and Sui Generis on 2.9 Ha of land at Littleton Lane.

7.2 The site has an extant permission for redevelopment providing up to 4,358.7sqm of floorspace for Use Classes E (Commercial, Business and Service), B2 (General industry) and B8 (Storage and distribution) and outside storage areas for use class B2, with associated works.

7.3 The principle of using the buildings for the commercial uses proposed falls within the broad framework of the site. These uses have been accepted previously and whilst a temporary permission should not normally be extended, the circumstances at this site have been unusual.

7.4 The pandemic and resultant economic downturn has impacted the applicant's intended redevelopment of the site. Whilst the proposed temporary permission would not align with the redevelopment application (19/01731/FUL) that would expire on 10 August 2024, it would not prevent this being implemented.

Green Belt

7.5 The site lies within the designated Metropolitan Green Belt.

7.6 [Paragraph 137](#) of the National Planning Policy Framework (2021) sets out that:

'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green belts are their openness and their permanence.'

7.7 The Council's Saved Local Plan Policy GB1 is mostly reflected in the Green Belt policy set out in the NPPF, but 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 against the policies of the NPPF, rather than policy GB1.

- 7.8 [Paragraph 147](#) of the NPPF states that:
'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'
- 7.9 [Paragraph 150](#) identifies development that is not inappropriate in the Green Belt provided it preserves its openness and does not conflict with the purposes of its inclusion, and includes:
- the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 7.10 Buildings 3, 4, 6 11, 15 & 17 were acknowledged as having been substantially completed for a period of more than 4 years in the consideration of the Certificate of Lawful Use and Development (18/01054/CLD). The reuse of the buildings would therefore not be considered as inappropriate development and the proposed change of use of Building 11 would not be material.

Character and Appearance

- 7.11 Policy EN1 of the Core Strategy and Policies Development Plan Document requires a high standard of design and layout of new development.
- 7.12 In this particular case, the buildings already exist and are lawful. The uses have been agreed previously, with the exception of the change of building 11, previously workshop, storage and hire of commercial skips to general storage. The temporary use of the buildings is not considered to have a material difference in terms of the design and layout of the area.

Highways

- 7.13 The NPPF states at [paragraph 110](#) that in assessing specific applications for development, it should be ensured that any significant impacts from the development on the transport network, in terms of capacity and congestion, or on highway safety, can be mitigated to an acceptable degree.
- 7.14 [Paragraph 111](#) states that:
'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'
- 7.15 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety or operation of the surrounding highway network.
- 7.16 The County Highway Authority has also considered the temporary change of Building 11 against the existing site uses and consider that the change is unlikely to have a material impact on the number of vehicular movements that the site could generate. It is acknowledged that the nature of the traffic

generation may differ slightly from the currently permitted uses, but the proposed use is generally similar and capacity will not be increased.

Flooding

- 7.17 Policy LO1 of the Core Strategy and Policies Development Plan Document seeks to reduce flood risk and its adverse effects on people and property.
- 7.18 The NPPF states that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
- 7.19 The site is located within Zone 3b which represents a greater than 1:20 flood risk. However, the use of this site is lawful and therefore the principle of the change of use is considered acceptable unless the use would lead to greater risk.
- 7.20 The site comprises various commercial uses and general industrial uses and is classified as being less vulnerable and therefore appropriate development in flood risk terms.
- 7.21 The buildings are lawful and would have a lawful use for the manufacture and storage of concrete and concrete related products. The proposed uses, with the exception of Building 11, which was previously skip related, have operated on the site for a temporary period and it is not considered that a new temporary permission, including the change of use of Building 11 would have a materially different impact on flood waters.
- 7.22 Overall, the proposal is not considered to represent a material impact on the existing situation in terms of flood risk.

Equalities Act 2010

- 7.23 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
- 7.24 The elimination of discrimination, harassment and victimisation; The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it; The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights Act 1998

- 7.25 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.26 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.
- 7.27 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.

- 7.28 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.

8. Recommendation

- 8.1 APPROVE subject to the following conditions:

1. That this permission be for a limited period of 3 years only, expiring on 1 May 2026 when the uses hereby permitted shall be entirely discontinued.

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 Location Plan; SBC001 & Site Plan both dated 15 August 2019

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

INFORMATIVES TO APPLICANT

1. Access by the Fire Brigade Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings. There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).
2. The Town and Country Planning (Development Management Procedure) (England) Order 2015 Working in a positive/proactive manner In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

3. The applicant is advised that extraction equipment for the cafe should be designed to meet Environmental Health requirements.

Appendices:

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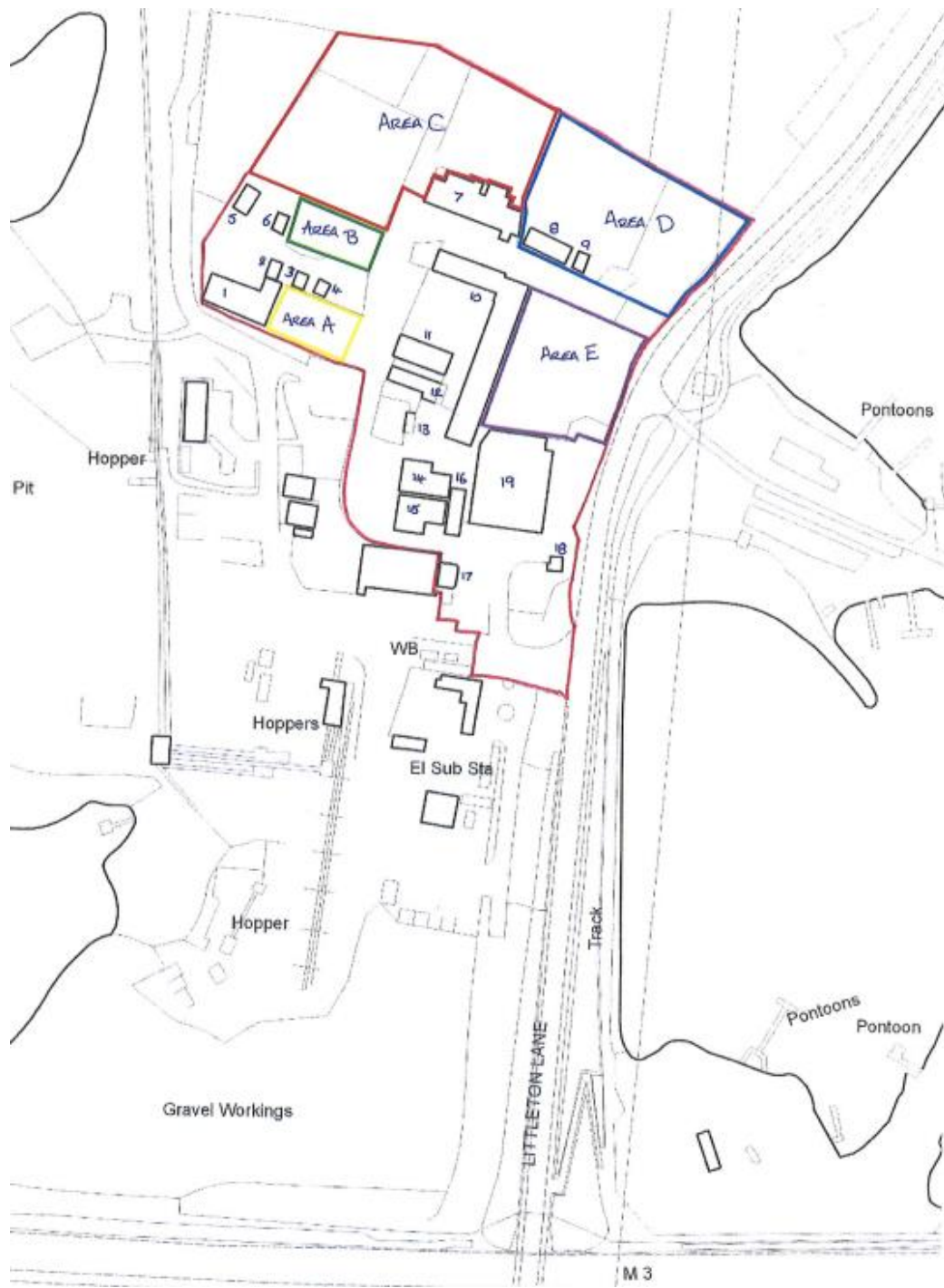
23/00518/FUL Area B, Buildings 12 & 19 Littleton Lane Trading Estate Shepperton

Scale: 1:1,250

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Location Plan



Building Layout Plan

Planning Committee

26 July 2023



Application No.	23/00518/FUL
Site Address	Area B, Buildings 12 And 19 Littleton Lane Trading Estate Shepperton TW17 0NF
Applicant	Brett Aggregates Ltd
Proposal	The use of Area B for the storage of shipping containers, Building 12 for general storage, and Building 19 for manufacture of safety case for camera equipment, manufacture of timber/wood products, van export, motor vehicle repair and restoration, vehicle radiator repair and exhibition furniture production
Case Officer	Russ Mouny
Ward	Laleham and Shepperton Green
Called-in	The application has been called in by Cllr Howkins for the following reasons: <ul style="list-style-type: none"> • Increase in lorry movements within the area. • Timing should coincide with the redevelopment proposal (19/01731/FUL) 10 August 2024. • The applicant should be made aware of the need for the redevelopment plan to be implemented.

Application Dates	Valid: 04.05.2023	Expiry: 29.06.2023	Target: Extension of Time Agreed 31.07.2023
Executive Summary	<p>This planning application proposes the change of use of three elements within the Littleton Lane Trading Estate. Both Area B and Buildings 12 and 19 are located within the heart of the site and currently have lawful commercial uses.</p> <ul style="list-style-type: none"> • Area B is an open area of approximately 600m². The area has a current lawful use for the storage and hire of commercial skips and this application seeks to change the use to the storage of shipping containers. • Building 12 has a footprint of approximately 149m². This building has a lawful use for the sale, maintenance and repair of 		

	<p>motorcycles and this application seeks to change this use to general storage.</p> <ul style="list-style-type: none"> • Building 19 has a footprint of approximately 1098m². This building has a current lawful use for the manufacture of safety cases for camera equipment, taxi leasing and repair, van export, motor vehicle repair and restoration, vehicle radiator repair and exhibition furniture production. It is proposed to replace the taxi leasing and repair use with the manufacture of timber/wood products. <p>The site has a Certificate of Lawful Use and Development for uses and buildings and Area B, Building 12 and Building 19 were identified in that Certificate.</p> <p>It is considered that the principle of commercial uses at the site is acceptable, that the proposal would have a satisfactory impact upon the character and appearance of the area, the highway network and the flood risk of the area.</p> <p>Whilst the site is located within the Green Belt, the re-use Buildings 12 and 19 do not represent inappropriate development and the change of use of Area B is not a material change of use that would impact the openness of the Green Belt or the reason it was included within it.</p> <p>The proposal is therefore considered to meet the requirements of the relevant policies of the Core Strategy and Policies Development Plan Document and the National Planning Policy Framework 2021.</p>
<p>Recommended Decision</p>	<p>Approve the application subject to conditions as set out at Paragraph 8 of the Report.</p>

MAIN REPORT

1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- LO1 Flooding
 - SP3 Economy and Employment Land Provision
 - SP6 Maintaining and Improving the Environment
 - EN1 Design of New Development
 - CC2 Sustainable Travel
 - CC3 Parking
 - Saved Policy GB1
- 1.2 An examination into the Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.*
- 1.3 An examination into the Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.*
- 1.4 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
- 1.5 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).
- 1.6 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.

- 1.7 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.
- 1.8 The National Planning Policy Framework (2021) is also relevant.

2. Relevant Planning History

- 2.1 The site has the following planning history:

19/01731/FUL	Demolition of the existing buildings, retention of existing buildings 1, 15 and 17 and part retention of building 10 (as defined in CLUED 18/01054/CLD), creation of new buildings ranging between 1 and 2 storeys providing up to approximately 4,358.7sqm of floorspace for use classes A3, B1, B2 and B8, creation of outside storage areas for use class B2, creation of hardstanding and access routes, car parking, cycle storage, servicing, plant areas, creation of green areas and landscaping and other associated works.	Granted 10.08.2021
19/01141/FUL	Change of use of buildings 1, 10, 12 & 19 of 18/01054/CLD: building 1 from abrasive blast cleaning to steel cleaning and fabrication, building 10 from motor vehicle repairs, residential construction company and motor vehicle body repairs to abrasive blast cleaning, storage, charging and maintenance of aerial platforms and light steel fabrication, building 12 from sale and maintenance of turf machinery to sale, maintenance and repair of motorcycles and building 19 from abrasive baslt cleaning, manufacture of safety cases for camera equipment, taxi leasing and repair & freight haulage to manufacture of safety cases for camera equipment, taxi leasing and repair. van export, motor vehicle repair and restoration, vehicle radiator repair	Granted 11.10.2019

18/01054/CLD	Certificate of Lawfulness for buildings totalling 4,358.7 square metres of floor area and uses of A3, B1, B2, B8 and Sui Generis on 2.9 Ha of land at Littleton Lane.	Granted 08.03.2019
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3. Description of Current Proposal

- 3.1 The proposal relates to the Littleton Lane Trading Estate, which comprises approximately 2.9 hectares, located on Littleton Lane, north of the M3 motorway, south of the B376 Shepperton Road and opposite the Littleton Sailing club.
- 3.2 The restored gravel pit to the west is a Site of Nature Conservation Importance. The site lies within the Heathrow safeguarding zone and the 1:20 Flood Risk area (Flood Zone 3b), although some small, isolated areas are within 1:100 Flood Risk Area (Flood Zone 3a). The site is also located within the designated Green Belt.
- 3.3 The wider site is part of wider restoration plan with the County Council, following the mineral extraction. However, this is subject to discussions between the applicant and the County Council and has no relevance to this planning application.
- 3.4 The Littleton Lane site has a current Certificate of Lawful Use and Development for various areas and buildings within the site (18/01054/CLD).
- 3.5 Area B is an open area of approximately 600m² within, but to the toward the west of the site. The area has current lawful use for the storage and hire of commercial skips and this application seeks to change the use to the storage of shipping containers.
- 3.6 Building 12 is located centrally within the site with a footprint of approximately 149m². This building has a lawful use for the sale, maintenance and repair of motorcycles and this application seeks to change this use to general storage.
- 3.7 Building 19 is located close to the entrance, on the east of the site and a footprint of approximately 1098m². This building current lawful use for the manufacture of safety cases for camera equipment, taxi leasing and repair, van export, motor vehicle repair and restoration, vehicle radiator repair and exhibition furniture production. It is proposed to replace the taxi leasing and repair use with the manufacture of timber/wood products.



4. Consultations

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

Consultee	Comment
County Highway Authority	No Objection
Environmental Health	No Comment
Fischer Germans Pipeline	No Comment Received
Esso Pipeline	No Objection
Surrey County Minerals and Waste	No Objection

5. Public Consultation

5.1 The Council has received no letters of representation to the proposal.

6. Planning Issues

- Principle
- Green Belt
- Character and Appearance
- Highways
- Flooding

7. Planning Considerations

Principle

- 7.1 The Littleton Lane Trading Estate has a Certificate of Lawful Use and Development for buildings totalling 4,358.7 square metres of floor area and Uses Classes E (Commercial, Business and Service), B2 (General industry) and B8 (Storage and distribution) and Sui Generis on 2.9 Ha of land at Littleton Lane.
- 7.2 The site has an extant permission for redevelopment providing up to 4,358.7sqm of floorspace for Use Classes E (Commercial, Business and Service), B2 (General industry) and B8 (Storage and distribution) and outside storage areas for Use Class B2, with associated works. This permission will expire on 10 August 2024.
- 7.3 The principle of using the outside area and buildings for the uses proposed falls within the existing range of uses at the site and those already accepted. The principle of commercial uses is considered to be acceptable.
- 7.4 The pandemic and resultant economic downturn has impacted the applicant's intended redevelopment of the site. Whilst the proposed permission would not align with the redevelopment application (19/01731/FUL) that would expire on 10 August 2024, it would not prevent this being implemented.

Green Belt

- 7.5 The site lies within the designated Metropolitan Green Belt.
- 7.6 [Paragraph 137](#) of the National Planning Policy Framework (2021) sets out that:
'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green belts are their openness and their permanence.'
- 7.7 The Council's Saved Local Plan Policy GB1 is mostly reflected in the Green Belt policy set out in the NPPF, but 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 against the policies of the NPPF, rather than policy GB1.
- 7.8 [Paragraph 147](#) of the NPPF states that:
'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'
- 7.9 [Paragraph 150](#) identifies development that is not inappropriate in the Green Belt provided it preserves its openness and does not conflict with the purposes of its inclusion, and includes:
- the re-use of buildings provided that the buildings are of permanent and substantial construction.

- 7.10 Building's 12 and 19 were acknowledged as having been substantially completed for a period of more than 4 years in the consideration of the Certificate of Lawful Use and Development (18/01054/CLD). The reuse of the building would therefore not be considered as inappropriate development and the proposed change of use would not be material.
- 7.11 The change of use of Area B from the storage and hire of commercial skips to the storage of shipping containers is not considered to be a material change of use, the imposition of a condition restricting the height of the storage consistent with that imposed on Area E on the eastern edge of the site would preserve the openness and mitigate the conflict with the purposes of its inclusion.

Character and Appearance

- 7.12 Policy EN1 of the Core Strategy and Policies Development Plan Document requires a high standard of design and layout of new development.
- 7.13 In this particular case, the variation of the use of Area B from the storage of skips to the storage of shipping containers would have little material difference in terms of the design and layout of the area. However, stacked shipping containers could have an adverse impact on the openness of the Green Belt and the applicant was advised at an early stage that a condition would be imposed to restrict the height of storage in this location consistent with that imposed at Area E, which has been accepted.
- 7.14 The proposed change of use of Building 12 from the sale, maintenance and repair of motorcycles to general storage would also have little material difference in terms of the design and layout of the area, since this would be within an existing building.
- 7.15 Building 19 is a large building, comprising a number of uses of which one would be changed from taxi leasing and repair to the manufacture of timber/wood products.
- 7.16 Given the control on the height of the storage proposed at Area B, and that the other two uses would be confined within existing buildings, it is considered that there would be no material change to the design or layout of the site and therefore its character and appearance would not be impacted.

Highways

- 7.17 The NPPF states at [paragraph 110](#) that in assessing specific applications for development, it should be ensured that any significant impacts from the development on the transport network, in terms of capacity and congestion, or on highway safety, can be mitigated to an acceptable degree.
- 7.18 [Paragraph 111](#) states that:
'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'
- 7.19 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking

provision and is satisfied that the application would not have a material impact on the safety or operation of the surrounding highway network.

- 7.20 Whilst the Ward Councillor has indicated that this proposal would increase the amount of lorry movements within the area, The County Highway Authority has determined that the proposal for the 3 specific areas within the Littleton Lane site would not have a material impact on the safety or operation of the surrounding highway network. A condition restricting the Littleton Lane site would not meet the Government's criteria for the imposition of conditions, since it would not be relevant to the development to be permitted. Imposing a condition on the 3 specific elements is also considered not to meet the criteria since it would not be necessary, given the advice of the County Highway Authority, would be difficult to enforce and would not be reasonable, given the lawful use of the site.

Flooding

- 7.21 Policy LO1 of the Core Strategy and Policies Development Plan Document seeks to reduce flood risk and its adverse effects on people and property.
- 7.22 The NPPF states that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
- 7.23 The site is located within Zone 3a which represents a greater than 1:20 flood risk. However, the use of this site is lawful and therefore the principle of the change of use is considered acceptable unless the use would lead to greater risk.
- 7.24 The site comprises various commercial uses and general industrial uses and is classified as being less vulnerable and therefore appropriate development in flood risk terms.
- 7.25 Area B has an existing lawful use for the hire and storage of skips, and it is not considered that the change of use to the storage of shipping containers would have a materially different impact on flood waters.
- 7.26 Building 12 is an existing building and a change of use from the sale, maintenance and repair of motorcycles to general storage is not considered to represent a material change to the flood risk resulting from the site.
- 7.27 Building 19 is a large building, comprising a number of existing uses and the change of use from taxi leasing and repair to the manufacture of timber/wood products is not considered to represent a material change to the flood risk resulting from the site.
- 7.28 The proposal is not considered to represent a material impact on the existing situation in terms of flood risk.

Equalities Act 2010

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

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

which applies to people from the protected equality groups.

Human Rights Act 1998

- 7.30 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.31 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.
- 7.32 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.
- 7.33 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.

8. Recommendation

8.1 APPROVE 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 Location Plan; SBC001 & Site Plan both dated 15 August 2019.

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

- 3. The shipping containers stored within Area B, shall not exceed a total height of 5.5 metres.

Reason:-.To ensure that the proposed outdoor storage does not prejudice the character and appearance of the locality in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 and accords with the National Planning Policy Framework 2019 .

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22/01666/FUL - Land at Ashford Road, Shepperton. TW15 1TZ

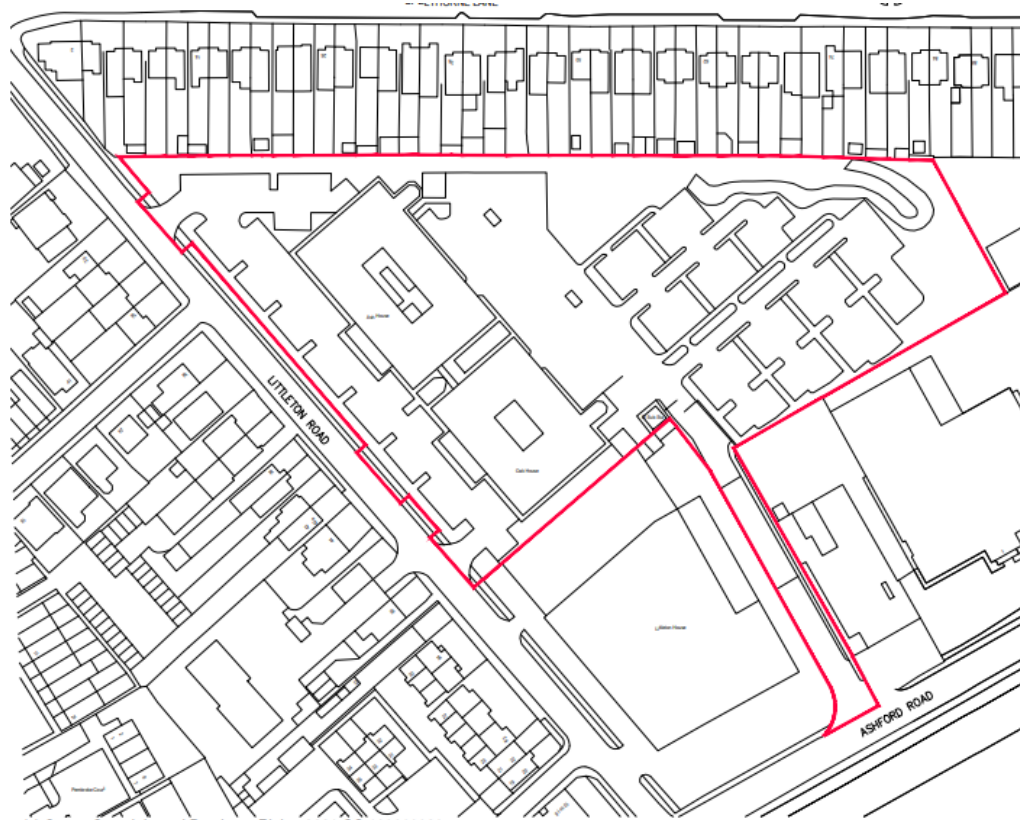
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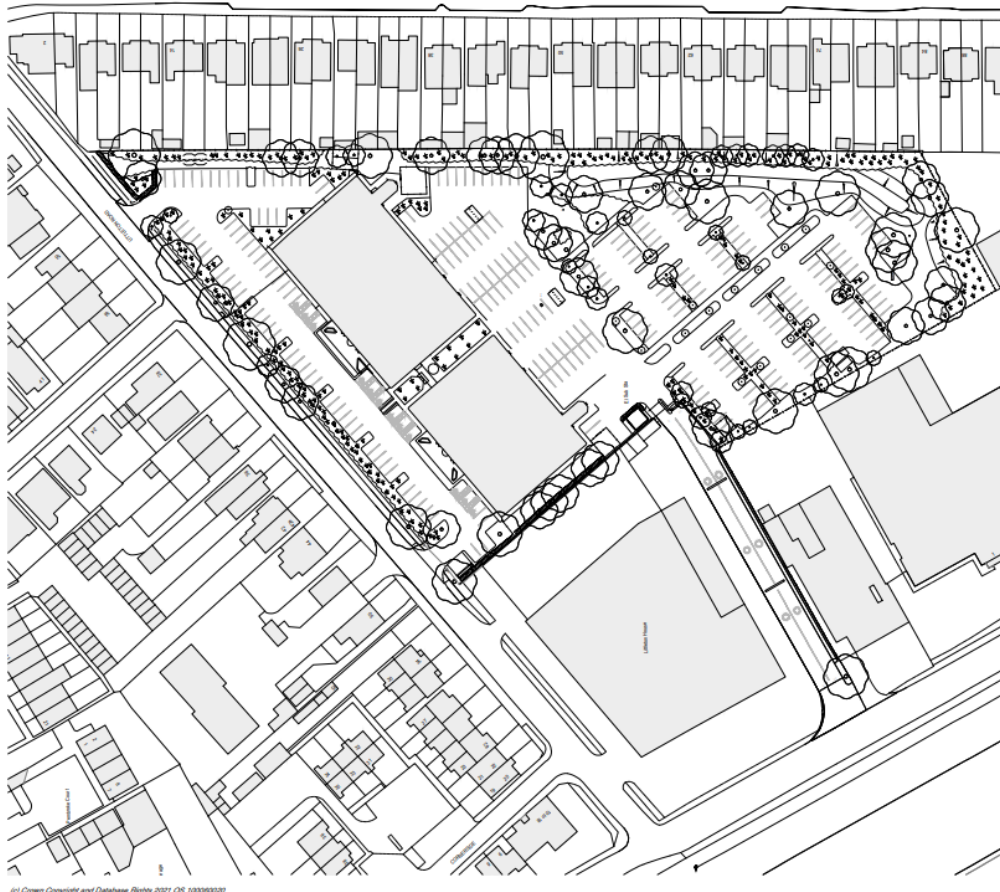


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Site Location Plan



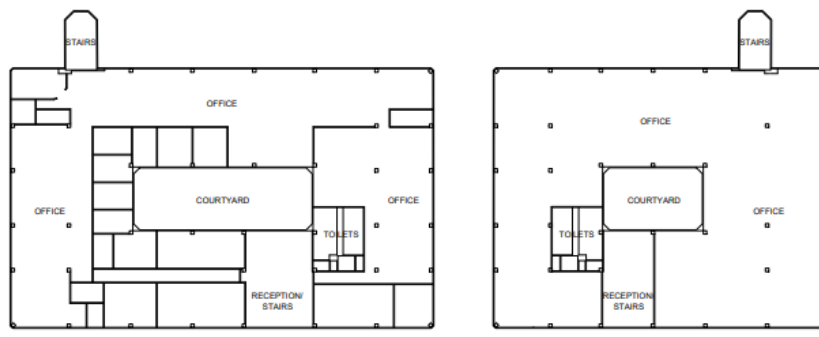
Existing Site Layout



Existing Floor Plans



FIRST FLOOR PLAN

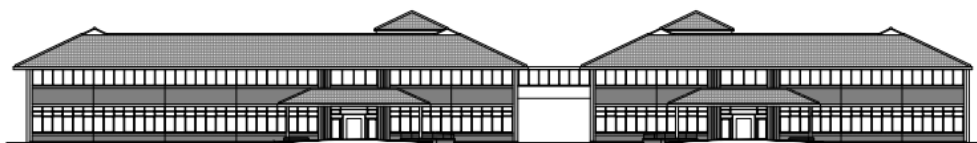


GROUND FLOOR PLAN

ASH HOUSE

OAK HOUSE

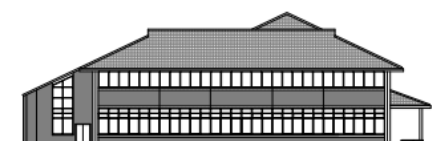
Existing Elevations



NORTHERN ELEVATION



SOUTHERN ELEVATION



EASTERN ELEVATION

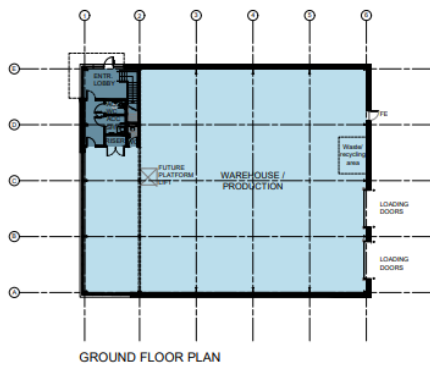
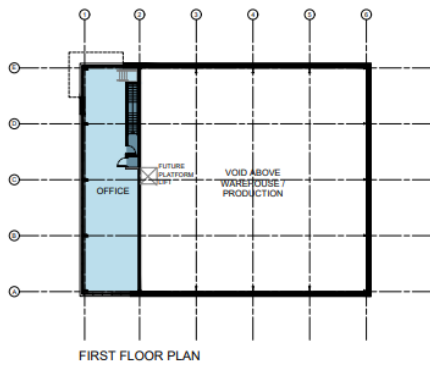


WESTERN ELEVATION

Proposed Site Layout



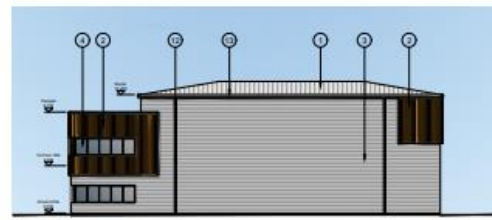
Proposed Floor Plan Unit 1



Proposed Elevation Plan Unit 1



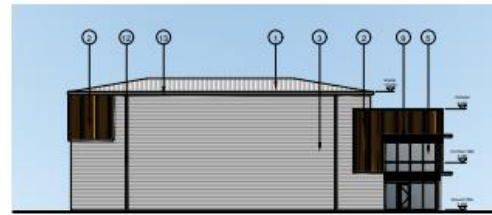
NORTHERN ELEVATION



WESTERN ELEVATION

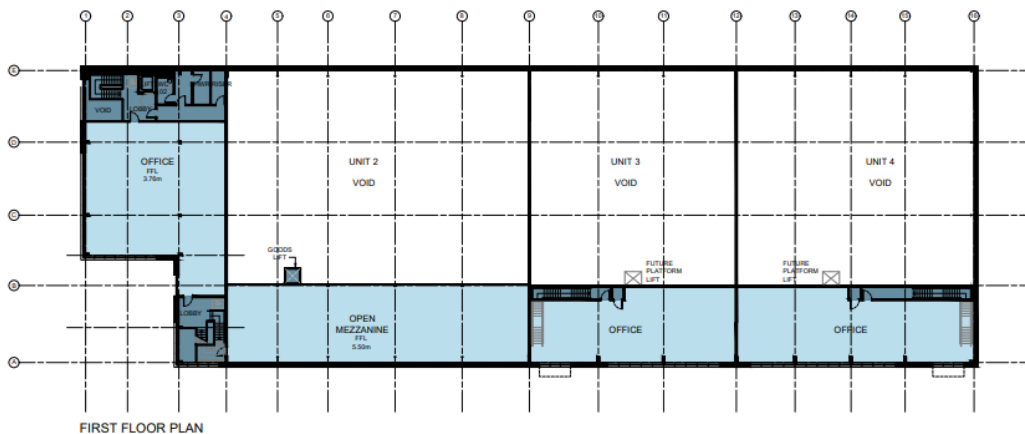


SOUTHERN ELEVATION

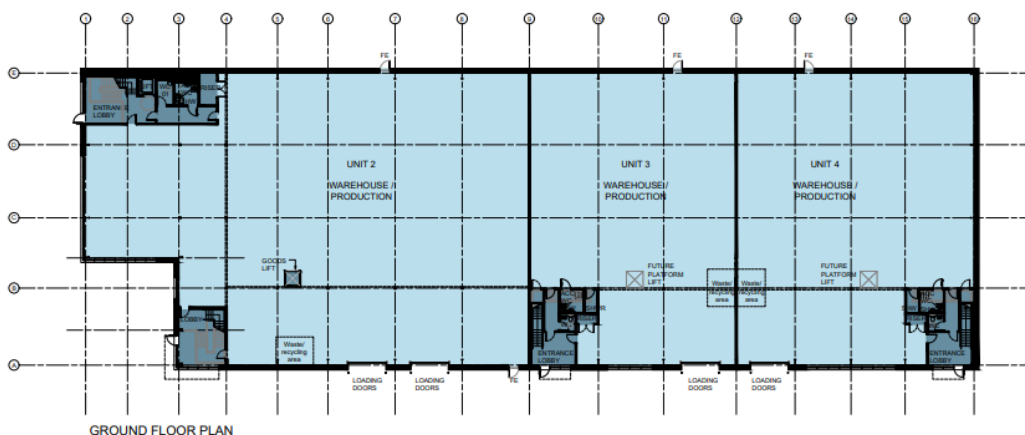


EASTERN ELEVATION

Proposed Floor Plans Units 2, 3 & 4



FIRST FLOOR PLAN

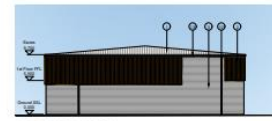


GROUND FLOOR PLAN

Proposed Elevation Plans Units 2, 3 & 4



WESTERN ELEVATION



SOUTHERN ELEVATION

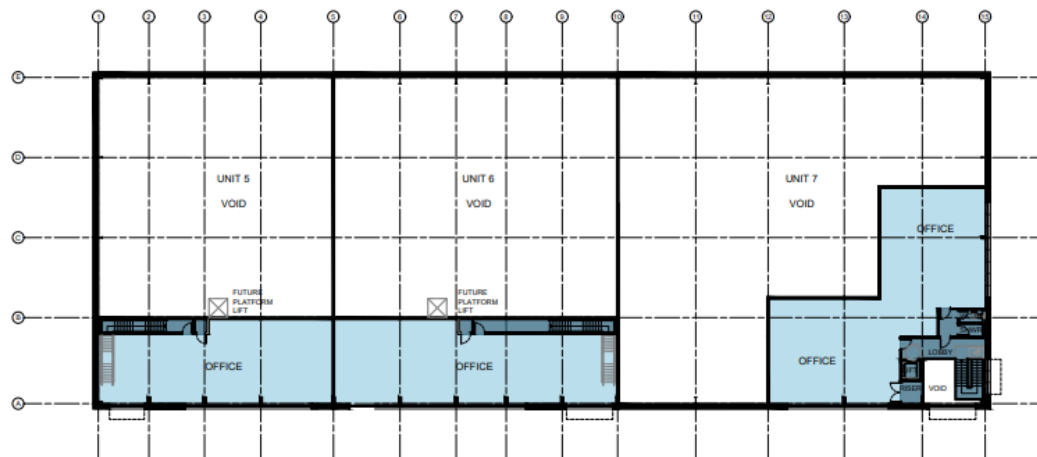


EASTERN ELEVATION

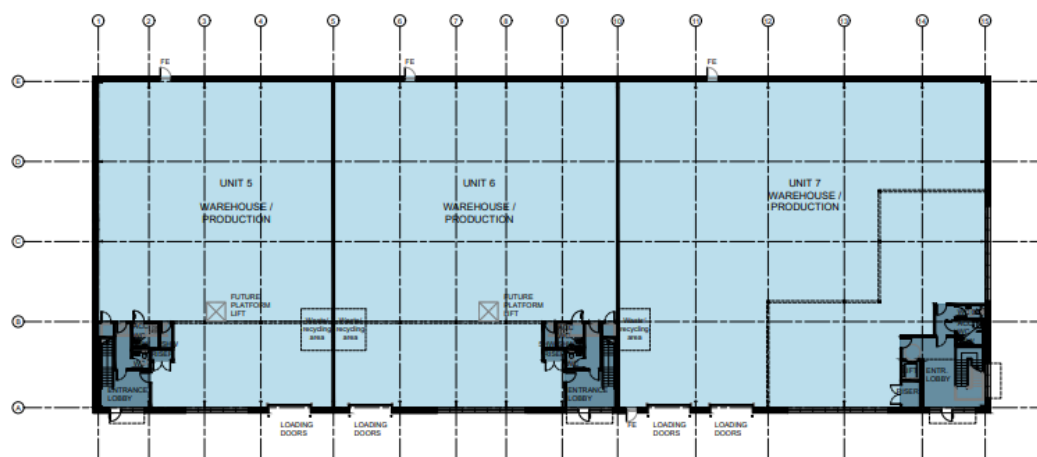


NORTHERN ELEVATION

Proposed Floor Plans Units 5, 6 & 7



FIRST FLOOR PLAN



GROUND FLOOR PLAN

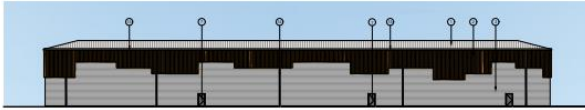
Proposed Elevation Plans Units 5, 6 & 7



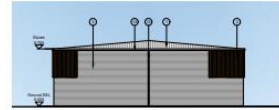
WESTERN ELEVATION



SOUTHERN ELEVATION



EASTERN ELEVATION



NORTHERN ELEVATION

Planning Committee

26 July 2023



Application No.	22/01666/FUL
Site Address	Land At Ashford Road, TW15 1TZ
Applicant	Urbox (Ashford) Ltd
Proposal	Demolition of 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.
Case Officer	Matthew Churchill
Ward	Laleham and Shepperton Green
Called-in	Whilst the officer recommendation is for refusal, in accordance with the Planning Committees Terms of Reference as set out in the Constitution, the Planning Development Manager has decided after consultation with the Chairman of the Planning Committee, this application should be submitted to the Planning Committee for determination.

Application Dates	Valid:15.12.2023	Expiry:16.03.2023	Target: Extension of Time Agreed
Executive Summary	<p>The application site is currently occupied by Ash House and Oak House, which are situated on the southern side of Littleton Road. The site is accessed through two vehicular access points in Littleton Road and also from a further vehicular access in Ashford Road. The site is located within the Ashford Road, Littleton Road and Spelthorne Lane designated Employment Area. The site is adjoined by residential dwellings in Spelthorne Lane to the east and residential dwellings are also located on the northern side of Littleton Road situated opposite the site. A number of commercial properties are located to the west, which are situated within the designated Employment Area, including Littleton House and Action Court.</p> <p>The proposal involves the construction of three buildings that would be divided into 7 commercial units. The two larger buildings would be located to the east of the site and would contain 6 of the proposed units. A smaller building would be located to the north-west of the site and would contain a single commercial unit. Each of the units would contain an ancillary office space. The application is speculative, and it is proposed that the units would be in either a B2 (general industrial), a B8 (storage and distribution) or a E(g)(iii) use (industrial processes).</p>		

	<p>The main access to the units would be from Ashford Road. There would also be two vehicular accesses from Littleton Road, one existing and one proposed, which would serve two parking areas. This would follow the removal the existing western vehicular accesses onto Littleton Road. Overall, the application proposes 81 car parking spaces.</p> <p>The proposal would increase employment floorspace at the site from 4017m² in the existing office buildings to 8137m² in the proposed buildings. The application form also indicates that the proposal would increase the number of jobs at the site from 45 to 285, which would be significant benefit in this designated employment area. However, the LPA considers that the capacity of the current office space amounting to 4017m² and served by 250 car parking spaces, is likely to be higher than the 45 employees stated on the application form, as this would represent a ratio of approximately 1 employee per 89m², which would appear to be an inefficient use of space.</p> <p>Notwithstanding the benefits of additional employment space in this designated employment area, the two larger buildings would be located approximately 10.4 metres from the rear boundary of gardens serving dwellings in Spelthorne Lane and would also typically be located 26-31 metres from the rear elevations of dwellings in this road. The building containing Units 2, 3 & 4 would measure approximately 96.5 metres in width, 32.2 metres in depth, 9.7 metres in height at the eaves and some 11.2 metres in height at the ridge. The building containing Units 5, 6 and 7 would be approximately 85.5 metres in width, and a similar height to the building containing units 2, 3 & 4.</p> <p>As a result of the proposed scale, mass, height and proximity of the two larger buildings to the boundary, the proposal is considered to have an overbearing impact upon the occupiers of dwelling in Spelthorne Lane.</p> <p>Officers also consider that the proposal would have a cramped and overdeveloped appearance, as demonstrated by the scale of the larger buildings, a significant shortfall in parking spaces when assessed against the Council's Parking Standards SPG, and a 4 metre high acoustic barrier required to mitigate noise and disturbance, that would measure some 64 metres in length and would front onto Littleton Road.</p> <p>Officers consider that the benefits of some 4120m² of additional employment floorspace in this designated Employment Area, whilst attracting substantial weight, would not outweigh the harm to the amenity of the occupiers of neighbouring dwellings and to the character of the area. The proposal is therefore considered to be contrary to the objectives of policy EN1a, EN1b and the NPPF.</p>
<p>Recommended Decision</p>	<p>Refuse the application for the reasons set out at Paragraph 8 of the Report.</p>

MAIN REPORT

1. Development Plan

- 1.1 The following policies in the [Council's Core Strategy and Policies DPD 2009](#) are considered relevant to this proposal:
- EN1 – Design of New Development
 - SP3 - Economy and Employment Land Provision
 - EM1- Employment Development
 - EN7 – Tree Protection
 - EN8 – Protecting and Improving Landscape and Biodiversity
 - EN11 – Development and Noise
 - EN13 – Light Pollution
 - EN15 – Development on Land Affected by Contamination
 - SP7 – Climate Change and Transport
 - CC1 – Renewable Energy, Energy Conservation and Sustainable Construction
 - CC2 – Sustainable Travel
 - CC3 - Parking Provision
- 1.2 Also relevant is the [National Planning Policy Framework \(July 2021\)](#).
- 1.3 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 to the Planning Inspectorate on 25th November 2022. An Examination into the Local Plan commenced on 23 June 2023. However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.*
- 1.4 The following policies of the Pre-Submission 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

- E2: Biodiversity
- E3: Managing Flood Risk
- E4: Environmental Protections
- EC1: Meeting Employment Needs
- ID2: Sustainable Transport for New Developments

1.5 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).

The Council has received 212 representations in relation to the relevant policies. With reference to [para 48 of the NPPF](#), the new local plan is not yet at an advanced stage of preparation (a), and there are unresolved objections (b). In view of this, it is concluded that in this particular case, the emerging policies can only be given limited weight in development management decision making.

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. As a consequence, given this requirement, 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.

1.6 Whilst the site is currently located within a designated Employment Area, it is relevant to note that the site is not located within an Employment Area in the Council's Local Plan 2022-2037.

2. Relevant Planning History

2.1 The site has the following planning history:

SPE/OUT/84/781	Erection of a two-storey light industrial building of 52,500 sq. ft. (4,879 sq. m) (gross) and associated parking, together with alternative parking provision for an existing factory.	Granted 01.09.1976
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SPE/OUT/84/781	Erection of a two-storey light industrial building of 52,500 sq. ft. (4,879 sq. m) (gross) and associated parking, together with alternative parking provision for an existing factory.	Granted 16.01.1985
SPE/RVC/87/728	Relaxation of Condition 7 attached to planning permission E/85/349 dated 5th June 1985 to enable occupation of the whole building by industries not in the Spelthorne locality.	Granted 21.10.1987
PLANC/FUL/74/62	Erection of two buildings for storage and warehouse purposes.	Refused 05.08.1974
SPE/FUL/85/349	Erection of 2 two-storey light industrial buildings with a gross floorspace of 23,300 sq ft (2184 sq m) and 29,000 sq ft (2693 sq m) respectively and associated parking, together with alternative parking provision for an existing factory.	Granted 05.06.1985
SPE/FUL/85/160	Erection of a two-storey light industrial building of 52,500 sq ft (4,879 sq m) (gross) and associated parking, together with alternative parking provision for an existing factory.	Granted 10.04.1985
SPE/FUL/88/252	Relaxation of Condition 8 of planning permission E/85/349 to allow occupation of the premises by a person, trade, firm, business or industry not established and operating with Spelthorne, Elmbridge, Runnymede, Surrey Heath or Woking, or within 6 miles of the boundary of Spelthorne if outside those Boroughs.	Granted 04.05.1988
96/00415/FUL	Change of use to Class B1 and construction of car park with landscaping	Granted 04.12.1996
98/00251/FUL	Construction of new chiller plant and enclosure following demolition of existing.	Granted 30.06.1998
00/00154/FUL	Enclosure of link bridge at first floor level between Ash House and Mimosa Court and alterations to car parking layout.	Granted 01.05.2000
15/00343/ADV	Retention of one non-illuminated double sided totem entrance sign and two non-illuminated fascia signs	Granted 01.05.2015

3. Description of Current Proposal

- 3.1 The application site is currently occupied by two office buildings, namely Ash House and Oak House, which are both set over two storeys. The plot is an irregular shape and is set over 1.6 hectares.
- 3.2 The site incorporates a car park at the front of the existing buildings that contains approximately 90 parking spaces, which is accessed from two entrances in Littleton Road.
- 3.3 A further car park is situated to the rear of the buildings, which contains approximately 160 parking spaces, and is accessed from Ashford Road to the west, through an access road situated between Littleton House and Thames House.
- 3.4 The site is located within the Ashford Road, Littleton Road and Spelthorne Lane, Ashford, Employment Area.
- 3.5 The current buildings are located on the southern side of Littleton Road. The site adjoins Littleton House to the west, also located on the southern side of Littleton Road, which is occupied by a commercial building set over two storeys that includes car parking and servicing areas around the building.
- 3.6 The northern side of Littleton Road is residential in character and predominantly contains detached and semi-detached dwellings set over two storeys. A building containing flatted units is also situated on the northern side of Littleton Road at the junction of Ashford Road, which is set over three storeys, with the second floor contained within the roof space (10-18 Cornerside).
- 3.7 The eastern site boundary adjoins the rear gardens of dwellings in Spelthorne Lane, which on the western side of the road, are typically two-storey, semi-detached dwellings that are similar in scale and design and contain garden areas at the rear, which adjoin the application site.
- 3.8 Ashford Road is largely residential in character to the north of the site, and commercial in character to the south, with the southern end of the road situated within the Littleton Road, Ashford Road and Spelthorne Lane Employment Area. This includes Action Court and Thames House situated to the south of the site.
- 3.9 The application proposes the demolition of the existing buildings and structures on site including Ash House and Oak House, and the redevelopment of the site with the erection of three 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 and landscape planting.
- 3.10 The application initially proposed two buildings, the smaller of which would have been contained at the northwest of the site and which would have been occupied by a single commercial unit. A further larger building would have been located to the east of the site, which would be set in approximately 8.5

metres from the rear boundaries of the gardens of dwellings in Spelthorne Lane, and would be occupied by 6 further commercial units. The original proposed site layout is shown below:



3.11 As part of the application process and requests for further information from external consultees, the applicant was made aware that the Local Planning Authority (LPA), had concerns over the scale of the proposals as a result of the depth, mass and size of the larger building and the impact this would have had upon surrounding dwellings. The LPA also raised concerns over the impact to the Littleton Road street scene and concerns that the proposal represented overdevelopment of the site.

3.12 In response, the applicant separated the larger building into two smaller buildings, each occupied by 3 commercial units and with an approximate 4 metre gap incorporated between the separated buildings. The distance between the buildings and the boundary with dwellings in Spelthorne Lane was also increased to approximately 10.4 metres when measured from the plans. The heights of the buildings were also reduced from some 11.7 metres to approximately 11.2 metres. The revised layout is shown below:



- 3.13 The eastern entrance to site on Littleton Road would be retained and would serve a car park with 14 spaces for the occupiers of Unit 2. There would be a new crossover on Littleton Road with 7 car parking spaces for the occupiers of Unit 1, with the current western entrance removed. There would be 81 off-street parking spaces across the site as a whole.

4. Consultations

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

Consultee	Comment
County Highway Authority	Recommends Conditions and Informatives.
County Archaeological Officer	No Objections.
Environment Agency	No Objections.
Thames Water	No Objections.
Environmental Health (Air Quality)	Recommends Conditions and Informatives.
Environmental Health (Contamination)	Recommends Conditions and Informatives.
Environmental Health (Noise)	No Objections.
HSE	HSE would not advise against the proposals.
Natural England	No Comments Received.
Tree Officer	No Objections.
Sustainability Officer	The Renewable Energy Requirement would be met.
Surrey Wildlife Trust	Recommends Conditions.
SUDS	No Objections Subject to Conditions.
Thames Water	No Objections.

5. Public Consultation

- 5.1 The Council has received 167 letters of representation which object to the proposal on the following grounds:

- Noise and disruption during the construction period (Officer Note: an informative would be attached to the decision notice in this regard if the proposal is found to be acceptable).
- Concerns over noise during the operation of the warehouses and the 24 opening hours.
- The parking and turning is inadequate for lorries, parking and forklifts.
- Loss of surrounding property values (Officer Note: this is not a planning matter).

- Overshadowing, loss of light and privacy.
- Staff parking concerns.
- The development is too large and concerns over the proposed height.
- There would be an increase in traffic and heavy goods vehicles and local infrastructure cannot cope.
- The scheme will overshadow surrounding dwellings.
- The scheme is not in keeping with the local area.
- Concerns over noise and air pollution.
- There will be a loss of mature trees.
- There would be an adverse impact upon wildlife and sheep at the nearby Queen Mary Reservoir.
- The height of the building will have an adverse impact upon sunlight and daylight.
- Improved road safety measures should be incorporated if planning permission is approved.
- The proposal will impact TV, FM and DAB radio reception.
- Highway safety concerns.
- The existing buildings should be converted to housing or for healthcare purposes and should not be demolished.
- The proposal would be overbearing.
- Concerns over waste storage.
- The proposed use is much more intense than the current office use.
- Other developments in the area including Shepperton Studios have already increased traffic.
- Concerns of the application address (Officer Note: The development description was amended and re-advertised during the application process to make it clear the proposal involves the demolition of buildings in Littleton Road).
- The existing buildings are more in keeping with the local character.
- Concerns over the timing of the application, which was submitted prior to Christmas (Officer Note: the application was re-advertised with the amended description, giving additional time for the occupiers of neighbouring and adjoining dwellings to comment on the proposals).
- There would be a loss of jobs.
- There would be a negative impact upon air quality.
- There would be inadequate parking at the site.
- There is a lack of choice of other transport modes.
- The proposal has insufficient regard to sustainability and climate change.

- Concerns over noise from air conditioning units.
- The neighbour consultation process should have been wider (Officer Note: notification has taken place in accordance with the Town And Country Planning (Development Management Procedure) Order 2015 (as amended)).
- Surrounding roads currently restrict lorries and HGVs, or are used as 'cut through' routes.

A petition has also been received with 185 signatures, which objects to the proposal on the following grounds:

- Concerns over the application address.
- The proximity of the development to surrounding dwellings.
- The development will block out light and cause overshadowing.
- Noise concerns.
- Surrounding roads are not designed for HGV's.
- Pollution concerns.

6. Planning Issues

- Employment Development
- Residential Amenity
- Design, Height and Appearance
- Noise & Disturbance
- Transportation Issues
- Parking
- Air Quality
- Biodiversity
- Flooding
- SUDS
- Lighting
- Trees & Landscaping
- Archaeology
- Renewable Energy
- Biodiversity
- Equality Act
- Human Rights Act
- Local Financial Considerations

7. Planning Considerations

Employment Development

- 7.1 The application site is located within the Ashford Road, Littleton Road and Spelthorne Lane Designated Employment Area. Policy EM1 of the Core Strategy & Policies Development Plan Document (CS&P DPD) states that the Council will maintain employment development by supporting in principle proposals for employment development in designated employment areas.
- 7.2 The applicant's submission documents state that employment floorspace would increase at the site from 4017m² in the existing office buildings to 8137m² in the proposed buildings. The application form also indicates that the number of employees would increase at the site from 45 to 285 (although the Design & Access Statement states 221-320 jobs would be created).
- 7.3 Whilst the application form states that there are currently 45 jobs at the site, the LPA does not consider this to be the capacity of the offices as this would represent approximately 1 employee per 89m² of floorspace and would represent an inefficient use of the space. The offices are also served by 250 car parking spaces.
- 7.4 The application nevertheless proposes a 4120m² increase in employment floorspace in the Ashford Road, Littleton Road and Spelthorne Lane Employment Area and as such, the proposal is considered to be acceptable when assessed against the objectives of Policy EM1.

Residential Amenity

- 7.5 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.6 The NPPF at [paragraph 130](#) states the planning decisions should ensure that developments create places that are safe, inclusive and accessible, which promote health and well-being, with a high standard of amenity for existing and future users.

Overbearing Impact

- 7.7 The application proposes three buildings. The building containing units 2, 3 & 4 would be located to the north-east of the site and would measure some 96.5 metres in width, 32.2 metres in depth, 9.7 metres in height at the eaves and some 11.2 metres in height at the ridge. It would be located approximately 10.4 metres from the site boundary adjoining the rear gardens of dwellings in Spelthorne Lane, although a landscape buffer would be situated between. The building containing units 5, 6 & 7 would be located to the south of the building containing units 2, 3 & 4, also alongside the eastern site boundary. It would measure a similar height to the larger building and would be some 85.5 meters in width.
- 7.8 There would be a 'back-to-back' separation distance of approximately 23 metres between the rear elevation of the nearest residential dwelling and the larger building (no.40 Spelthorne Lane), although this is the closest dwelling

shown on the plans, and there be a separation distance range of 27-31 metres between the rear elevation of the other dwellings in Spelthorne Lane and the proposed buildings. However, the rear elevations of the majority of the dwellings in Spelthorne Lane would be located less than 30 metres from the proposed buildings.

- 7.9 At such a distance, scale and height, akin to the height of a three-storey residential building, and with a continuous mass of some 96.5 metres in width for the building containing Units 2, 3 & 4, and 85.5 metres in width for the building containing Units 5, 6 & 7 with a 4-metre separation, Officers consider that the proposal would have an overbearing impact on dwellings in Spelthorne Lane, by reason of the scale, mass and proximity of the larger buildings.
- 7.10 The Council's SPD on *Design of Residential Extensions and New Residential Development* (April 2011) contains a useful 'back-to-back' guide, which is aimed towards residential dwellings, and states that there should be a minimum 'back-to-back' separation distance of 30 metres between three storey dwellings. This guide is primarily designed to ensure that structures are not overbearing and do not lead to unacceptable levels of overlooking. Whilst this guidance is aimed towards residential dwellings rather than commercial development, given the scale of the buildings, the height to the eaves which is akin to the height of a three-storey residential building, and the proposed separation distance, this is considered to be indicative of an overbearing development.
- 7.11 It is acknowledged that this impact would be partially mitigated by removal of the existing office buildings, which measure approximately 8.2 metres at the eaves, a maximum height of 13.2 metres, although the majority of the ridge measures approximately 11 metres in height. However, given the siting and scale of the two larger buildings and their positioning in proximity to the boundary and dwellings in Spelthorne Lane, Officers consider that the proposal would have an unacceptable and overbearing impact and would fail to meet the objectives of policy EN1b.

Daylight, Sunlight and Overshadowing

- 7.12 The application has been accompanied by a daylight and sunlight report. This uses the Vertical Sky Component Test to calculate the impact of the proposal on daylight. The report indicates that the development would not breach the 25-degree test when measured from windows serving dwellings in Littleton Road and Spelthorne Lane. As such, in regards to daylight, the report concludes that the proposes would achieve BRE's daylight criteria and would also have an acceptable impact upon sunlight serving neighbouring windows.
- 7.13 The Council's SPD on the *Design of Residential Extensions and New Residential Development* (April 2011), contains a 25° guide, which is designed to ensure that in the area to the front and rear of a property a significant view of the sky is not lost. The guide is measured from a height of 2 metres, from the centre of the relevant windows. When measured from the

submitted plans, both the smaller and larger buildings are considered to be in compliance with this guide.

- 7.14 The daylight and sunlight report also confirms that the proposal would comply with BRE criteria in relation to overshadowing.

Overlooking

- 7.15 It is noted that a number of letters of representation have been received, which object to the proposal on the grounds of overlooking. The plans show that there would be no first-floor windows within the rear elevation of Units 2-7. As such it is considered that the proposals would have an acceptable impact upon the privacy of the occupiers of dwellings in Spelthorne Lane, notwithstanding the overbearing impact.
- 7.16 The larger building would contain first-floor windows in its front and side elevations. The northern elevation would be situated approximately 35 metres from the front elevation of the nearest residential dwelling on the opposite site of Littleton Road (no.26) and is considered to have an acceptable impact upon privacy. The building containing Units 5, 6 & 7 would also contain windows in its front and side elevations. The units to the south and west of the property are commercial and as such, windows in these elevations are not considered to cause harm to residential amenity.
- 7.17 The application proposes first floor windows in the front and side elevations of Unit 1. When measured from the plans this unit is situated approximately 30 metres from the front elevation of the nearest dwelling in Littleton Road (no.44), and at such a distance is considered to have an acceptable impact upon privacy.
- 7.18 The proposal is therefore considered to have an acceptable impact upon the privacy of the occupiers of all neighbouring and surrounding dwellings.

Design, Height and Appearance

- 7.19 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will respect and make a positive contribution to the street scene and character of the area in which they would be situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
- 7.20 [Part 12 of the NPPF](#) on '*achieving well-designed spaces*' states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. The NPPF further states that development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance such as supplementary planning documents.

- 7.21 In addition, the NPPF states that planning decisions should ensure that development should function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to the local character and history including the surrounding built environment, while not preventing or discouraging appropriate innovation or change.
- 7.22 The application proposes the construction of three commercial buildings in a designated employment area. The construction of three commercial buildings in this designated area is not in itself considered to be unduly out of character. However, the proposed site layout and overall scale of the development is considered to result in a cramped and overdeveloped proposal that would have an adverse impact upon the character and appearance of the area.
- 7.23 As highlighted above, the larger buildings would measure some 96.5 and 85.5 metres in width, 32.2 metres in depth, 9.7 metres in height at the eaves and some 11.2 metres in height at the ridge. The larger buildings would be an overly-dominant and visually overbearing feature within the plot, and whilst the principle of a commercial building in this location is acceptable, the dominance of the larger buildings is considered to have an unacceptable impact upon the character and appearance of the area.
- 7.24 Moreover, the application proposes a 4-metre high acoustic fence between the service area and Littleton Road, which would span the distance of the gap between the building containing units 2, 3 & 4 and the smaller building containing unit 1. It would measure approximately 64 metres in length and is required to mitigate the noise impacts of the development upon surrounding residential dwellings. Whilst elevation plans have not been provided for the fence, a 4-metre fence measuring some 64 metres in length would be visually oppressive and out of character with the setting and street scene of Littleton Road, where Ash House and Oak House are currently set back from the highway and form an integral part of the street scene. The Design & Access Statement suggests that the barrier would be completely covered by plants within a few years. Whilst this may be the case, the scale of the barrier is nevertheless considered to cause harm to the street scene of Littleton Road and would be an oppressive visual feature.
- 7.25 Whilst the use of the proposed units is also speculative, the development would also fall significantly short of maximum parking space requirements set out within both the Council's and County Highway Authority's guidelines, which is considered to be further indication of a cramped and overdeveloped appearance, by reason of the over-dominance within the plot of the larger buildings.
- 7.26 It is accepted that the construction of a new commercial building in this location would not be unduly out of character in itself. However, in this instance, the scale of the two larger buildings in the context of the plot layout and size, and the buildings over-dominance of the site, together with the scale of the 4-metre acoustic fence, which would cause a disconnect between the site and Littleton Road, is considered to cause harm to the character of the area and would not be sympathetic to the surrounding street scene. Officers therefore consider that the overall scale and design of the buildings and the

acoustic fence within the context of the plot, would be contrary to the objectives of policy EN1a and section 12 of the NPPF on '*well designed buildings and places*'.

Noise & Disturbance

- 7.27 Policy EN11 CS&P DPD states that the Council will seek to minimise the adverse impacts of noise by requiring development that generates unacceptable noise levels to include measures to reduce noise to an acceptable level.
- 7.28 [The NPPF](#) states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area impacts, that could arise from development. In doing so they should mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts upon health and quality of life.
- 7.29 The applicant's submission documents state that the development would be operational for 24 hours a day. The LPA has also received a number of letters of representation, which object to the proposals on the grounds of noise and disturbance.
- 7.30 The application proposes a 4-metre acoustic barrier between the service areas and Littleton Road. A barrier is also proposed between the now separated larger buildings. The application has been accompanied by a noise statement, which provides details of noise creation on site including HGV movements. It concludes that noise arising from operational activities at the site are predicted to be 11 dB below measured daytime background sound levels during weekday and 6 dB below measured daytime background levels during weekend periods. The operational noise level is also predicted to be 2 dB above measured night-time weekday rating levels and 1 dB above measured night-time weekend rating levels at the façade of the measured noise sensitive receptors. The applicant has also submitted additional noise information during the application process.
- 7.31 The Noise Statement and additional information has been reviewed by the Council's Environment Health Department, which has raised no objections, subject to conditions and informatives being imposed. The Noise Officer was also re-consulted following the separation of the larger buildings and the recommendations remained unchanged. As such, whilst there would be some noise and disturbance amounting from the proposals, the proposed impact of noise is considered to be satisfactory.

Transportation Issues & Highways

- 7.32 The application proposes two parking areas that would be accessed from Littleton Road, one through an existing entrance at the north-east of the site, and one vehicular access to the west. The remainder of the car parking

spaces, and heavy goods vehicle loading areas would be accessed from Ashford Road.

7.33 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 transport infrastructure in the area taking into account the:

- 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*
- v) *Highway safety.*

7.34 Policy CC3 of the CS&P DPD states that that Council will require appropriate provision to be made for development proposals in accordance with its parking standards.

7.35 [At paragraph 111](#), the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network would be severe.

7.36 It is also noted that the LPA has received a number of letters of representation, which object to the proposal on highways and parking grounds.

Highway Network

7.37 The LPA has consulted the County Highway Authority (CHA). As the development is speculative and the end user is not currently known, the CHA requested that the 'worst case scenario' was assessed for trip generation purposes, in terms of cars and HGV's. A TRICS survey of industrial units was carried out, which included parcel distribution within the B8 category.

7.38 The CHA has noted that the vehicular trip rates and associated passenger car unit movements for the AM peak (08:00-09:00) and PM peak (17.00-18.00) periods are shown in the applicant's transport statement. This shows that there would be a reduction in the personal car units as a result of the development proposals, meaning the CHA expected that congestion would be lessened. The CHA further noted that, depending upon the commercial development implemented, a proportion of the trips maybe 'pass by' trips by vehicles already on the local highway network.

7.39 The CHA expressed concerns over the use of the site for a B8 parcel distribution use, although has not objected to the proposals on such grounds.

7.37 With regard to HGV movements, the CHA has noted that many residents have expressed concerns over 'rat-running' of HGV's along Littleton Road. As the industrial nature of the development would likely make this significantly worse, the CHA has recommended that a condition is imposed upon the

decision notice, to amend a traffic regulation order already in place so that the restriction extends along the entire length of Littleton Road from its junction with the A308 to its junction with Ashford Road. In the event that the proposals were found to be acceptable, it is recommended that this condition is imposed upon the decision notice.

- 7.38 The CHA having assessed the application on safety, capacity and policy grounds, recommended that conditions and informatives were attached upon the decision notice.

Parking Provision

- 7.39 The application is speculative and it is proposed that each of the units will fall within Use Class B2, B8 or E (g)(iii).
- 7.40 The Council's Parking Standards SPG (updated September 2011) contains minimum and maximum parking space requirements for various uses. The table below illustrates the parking requirements relevant to the application:

Use Class	Maximum Parking Space Requirement
B1 (including offices and light industrial and research) (now absorbed into Class E)	1 space per 35m ² gross floor area
B2 (General Industry)	1 space per 35m ² gross floor area 1 lorry space per 200m ²
B8 (Storage and Distribution) used solely for storage	1 space per 100m ² 1 lorry per 200m ²
B8 (Storage and Distribution) cash and carry warehouse	1 space per 50m ² 1 lorry space per 200m ²

- 7.41 Each of the units would incorporate an area of ancillary office floorspace. The Parking Standards SPG states that ancillary B1 floorspace used for industry and warehousing will be assessed on the basis of a maximum provision of one parking space per 35m² of floorspace.
- 7.42 The LPA has calculated from the plans that there would be approximately 1300m² of ancillary office floorspace. This would generate a maximum parking space requirement of 37 parking spaces.
- 7.43 The remainder of the floorspace would generate the following maximum requirements, dependent upon the use of the units:
- B8 Storage Use: 66 off street parking spaces (103 including office spaces).
 - B8 'cash and carry use': 132 off street parking spaces (169 including office spaces).

- B2 general industry: 189 off street parking spaces (226 including office spaces).

7.44 The Parking Standards SPG does not stipulate a maximum requirement for an E (g)(iii) Use Class. However, the B1 requirement is considered most relevant as this includes light industrial uses. This would generate a maximum parking space requirement of 189 off street paces, the same as a general industry use.

7.45 The Surrey County Council Vehicular, Electric Vehicle and Cycle Parking Guidance for New Developments, which is not an adopted Spelthorne planning document, also stipulates the following maximum parking space requirements:

Use Class	Maximum Parking Space Requirement
B1 Business	A maximum range of 1 car space per 30m ² to 1 space per 100m ² dependent on location.
B8 Storage and Distribution (warehouse storage)	1 car space per 100m ² 1 lorry space per 200m ²
B8 Storage and Distribution (warehouse distribution and cash & carry).	1 car space per 70m ² 1 lorry space per 200m ²
B2 General Industrial	1 car space per 30m ²

7.46 On the basis of the Surrey County Council guidance, the following maximum parking space requirements would be applicable to the development (excluding the ancillary office space requirements):

- B8 warehouse storage: 66 off-street parking spaces.
- B8 warehouse distribution & 'cash & carry': 94 off-street parking spaces.
- B2 general industry: 220 off street parking spaces.

7.47 The application proposes 81 off-street car parking spaces. Whilst the development is speculative and the units may fall within Use Class B2, B8 or E (g)(iii), when assessed against the Council's maximum parking standards there would be a significant shortfall, particularly against a B2 use where there would be a 145-car parking space shortfall. Furthermore, the number of car parking spaces also falls significantly below the applicants job creation figure of some 285 employees.

7.48 Whilst the Parking Standards are applied as a maximum and not a minimum, the site is located in excess of 1.8km from the nearest railway station (Upper Halliford) and is not located in one of the Borough's four town centres where a reduction may be considered. The distance to public transport nodes is considered to be particularly relevant given the number of employees proposed.

- 7.49 It is acknowledged that in regard to sustainability, the County Highway Authority has requested that a condition is imposed, to upgrade footway provision along the sites Littleton Road frontage as well as the access at the Littleton Road Access, in order to offer an improved pedestrian access route. It is also acknowledged that the applicant's transport assessment indicates that 16,388 individuals live within a 20-minute walk of the site. Nevertheless, the significant shortfall against the Council's Parking Standards, when considered cumulatively with the overbearing impact upon dwellings in Spelthorne Lane, the impact upon the surrounding character, and mass and scale of the larger buildings, is considered to be a further indicator of an overdevelopment of the site.
- 7.50 The County Highway Authority has also commented on the level of car parking provision. The CHA is satisfied with the 81 car parking spaces proposed, as it is acknowledged that the site is located in an area where there are opportunities for sustainable travel to the site. The CHA further commented that the site is located within walking and cycling distance of a large residential area where there is access to local bus services. However, in order to support the reduction against parking standard requirements, the CHA has requested conditions for the applicant to provide footway improvements to Littleton Road and Ashford Road.
- 7.51 If any issues were to arise with regard to parking overspill, the CHA commented that it would be able to review this, although the CHA does not expect that significant overspill to surrounding roads would occur. The CHA concludes that if there is a situation where parking demand exceeds the number of parking spaces, this is unlikely to cause significant highway safety issues.
- 7.52 Whilst the LPA attaches significant weight the CHA's comments, the substantial shortfall against the Council's and Surrey's parking guidance is nevertheless considered to be indicative of overdevelopment of the site, particularly given the distance of the site to the nearest railway station.

Electric Vehicle Charging Points

- 7.53 The applicant's Transport Statement indicates that a total of 25 dual charging ports would be provided across the site that would allow a total of 50 vehicles to be charged.
- 7.54 The Surrey County Council 'Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development' February 2023 states that 50% of available spaces should be fitted with a fast charge socket for an E(g), B2, or B8 use. The CHA in its comments have recommended that a condition is attached to the decision notice to secure this.

Air Quality

- 7.55 Policy EN3 of the CS&P DPD states that the Council will seek to improve the air quality of the borough and to minimise harm from poor air quality by amongst other things, refusing development where the adverse effects on air quality are of a significant scale, either individually or in combination with

other proposals, and which are not outweighed by other important considerations or effects cannot be appropriately and effectively mitigated.

- 7.56 The applicant has submitted an Air Quality Assessment, which has been reviewed by the Council's Environmental Health Department. The Environmental Health Officer has recommended conditions relating to demolition and cycle parking. Had the proposals been acceptable in all other regards, it is recommended that such conditions were attached to the decision notice.

Flooding

- 7.57 The application site is situated outside of the flood event areas. As such the proposal is considered to have an acceptable impact upon flood flows and flood storage capacity and would be acceptable in this regard.
- 7.58 The LPA has also consulted the Environment Agency, which has recommended that the requirements of the NPPF are followed. Had the proposal been considered as acceptable in all other regards, and informative would have been recommended to be attached to the decision notice in relation to flooding.

SUDS

- 7.59 The application has been reviewed by the County SUDS Department, which has recommended that a condition is imposed upon the decision notice in the event that planning permission is granted.

Lighting

- 7.60 Policy EN13 of the CS&P DPD states that the Council will seek to reduce light pollution by encouraging the installation of appropriate lighting including that provided by other statutory bodies and by only permitting proposals which would not adversely affect amenity of public safety. The policy further requires lights to be appropriately shielded, directed to the ground and sited to minimise the impact on adjoining areas, and of a height and illumination level of the minimum required to serve their purpose.
- 7.61 The applicant has submitted an external lighting layout plan and an external lighting proposals document. The Council's Environmental Health Department has been consulted with regard to lighting and has raised no objections subject to conditions.

Trees & Landscaping

- 7.62 Policy EN7 states that the Council will promote Tree Preservation Orders wherever appropriate to safeguard healthy trees of amenity value, giving priority to the protection of those known to be under threat.
- 7.63 The NPPF states that trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to

climate change. The Framework further states that planning decisions should ensure that trees are retained wherever possible.

- 7.64 The applicant has submitted an Arboricultural Method Statement, which indicates that some trees will be removed from the site. This has been reviewed by the Council's Tree Officer who also undertook a site visit. The Tree Officer noted that most of the boundary trees are to be retained and the larger trees that are to be removed are poorly structured and of low value. The Tree Officer further commented that new planting could compensate for any loss.
- 7.65 Given the comments of the Tree Officer the proposal is considered to be acceptable in this regard. However, had the proposal been regarded as acceptable it would have been recommended that landscaping details were secured by condition.

Archaeology

- 7.66 The applicant has submitted a desk-based archaeology assessment which has been reviewed by the County Archaeology Officer. The Officer has raised no archaeological concerns.

Renewable Energy

- 7.67 Policy CC1 of the CS&P DPD states that the Council will support the provision of renewable energy, energy efficiency and will promote sustainable development generally by including measures to provide at least 10% of the development's on-site renewable energy sources to be provided by renewable sources, unless it can be shown that it would seriously threaten the viability of the development.
- 7.68 The applicant has submitted a renewable energy statement, which indicates that photovoltaic panels and air source heat pumps have been incorporated into the development proposals. The report has been reviewed by the Council's Sustainability Officer. The Officer confirmed that they were satisfied that the Council's Renewable Energy requirements would be met. The proposal is therefore considered to be in accordance with the objectives of policy CC1.

Biodiversity

- 7.69 Policy EN8 CS&P DPD states that the Council will seek to protect and improve landscape and biodiversity in 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 nature conservation value.
- 7.70 At [paragraph 174, the NPPF](#) states that planning decisions should contribute to and enhance the local environment. The Framework further states that if significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.

- 7.71 The LPA has consulted the Surrey Wildlife Trust (SWT), which initially requested further information. The applicant submitted further details including a biodiversity net gain calculation, landscaping details and a revised preliminary ecological appraisal. On the basis of the additional information the SWT recommended that a Landscape and Ecological Management Plan was secured by condition, as well as a condition to secure a biodiversity net gain.
- 7.72 The LPA has also consulted Natural England, although no response has been received.

Equalities Act 2010

- 7.73 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.74 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.
- 7.75 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.

Human Rights Act 1998

- 7.76 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.77 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.
- 7.78 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
- 7.79 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

- 7.80 In total the Council has received 167 letters of representation in objection to the proposals. Of the objections not already covered in this report, whilst the impact upon TV reception is considered to be a material planning consideration, it is not considered that sufficient evidence has been submitted to demonstrate this harm to an extent that a recommendation for refusal could be justified. The impact upon surrounding property values is not a planning matter.

Planning Balance

- 7.81 At [paragraph 81, the NPPF](#) states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. The Framework further states that significant weight should be placed on the need to support economic growth and activity.
- 7.82 The application proposes 4120m² of additional employment space in one of the Council's designated employment areas. which weighs in the development's favour and is attributed substantial weight. It would also potentially create a significant number of additional jobs, although the current 45 employees appears to be below the capacity of the existing buildings.
- 7.83 Despite the increase in employment floor space, the proposal would nevertheless, cause substantial harm to the amenity of the occupiers of dwellings in Spelthorne Lane as the scale, mass and bulk of the larger buildings would result in an overbearing impact. Furthermore, the scale and mass of the buildings within the site and the overall site layout, including the significant shortfall against the Council's parking standards is considered to result in overdevelopment. The 4-metre high, 64 metre length acoustic barrier between the majority of the site and Littleton Road would be a visually overbearing and oppressive feature that would cause significant harm to visual amenity in a road where Oak House and Ash House currently form part of the fabric of the street scene. The substantial shortfall in parking spaces when assessed against the Council's Parking Standards, whilst not a highway safety issue given the CHA's comments is considered to be indicative of overdevelopment of the site.
- 7.84 As such, whilst substantial weight is afforded to the benefits of additional employment floorspace in designated employment area and the creation of additional jobs, this is not considered to outweigh the substantial harm associated with the scheme namely to residential amenity by reason of an overbearing impact, and to the character of the area by reason of overdevelopment and the impact upon the street scene of Littleton Road.

Conclusion

7.85 Officers consider that the continuous mass, scale and bulk of the larger buildings measuring some 96.5 and 85.5 metres in width respectively, 32.2 metres in depth, 9.7 metres in height at the eaves and some 11.2 metres in height at the ridge, would have an overbearing impact upon the occupiers of dwellings in Spelthorne Lane and would be contrary to the objectives of policy EN1b. Furthermore, the scale and mass of the larger buildings within the site, together with the visually oppressive design of the acoustic barrier, and the significant shortfall in parking spaces, is considered to result in an unacceptable impact upon the character and appearance of the area and would represent an overdevelopment of the site contrary to the objectives of policy EN1a and section 12 of the NPPF on 'achieving well-designed places'.

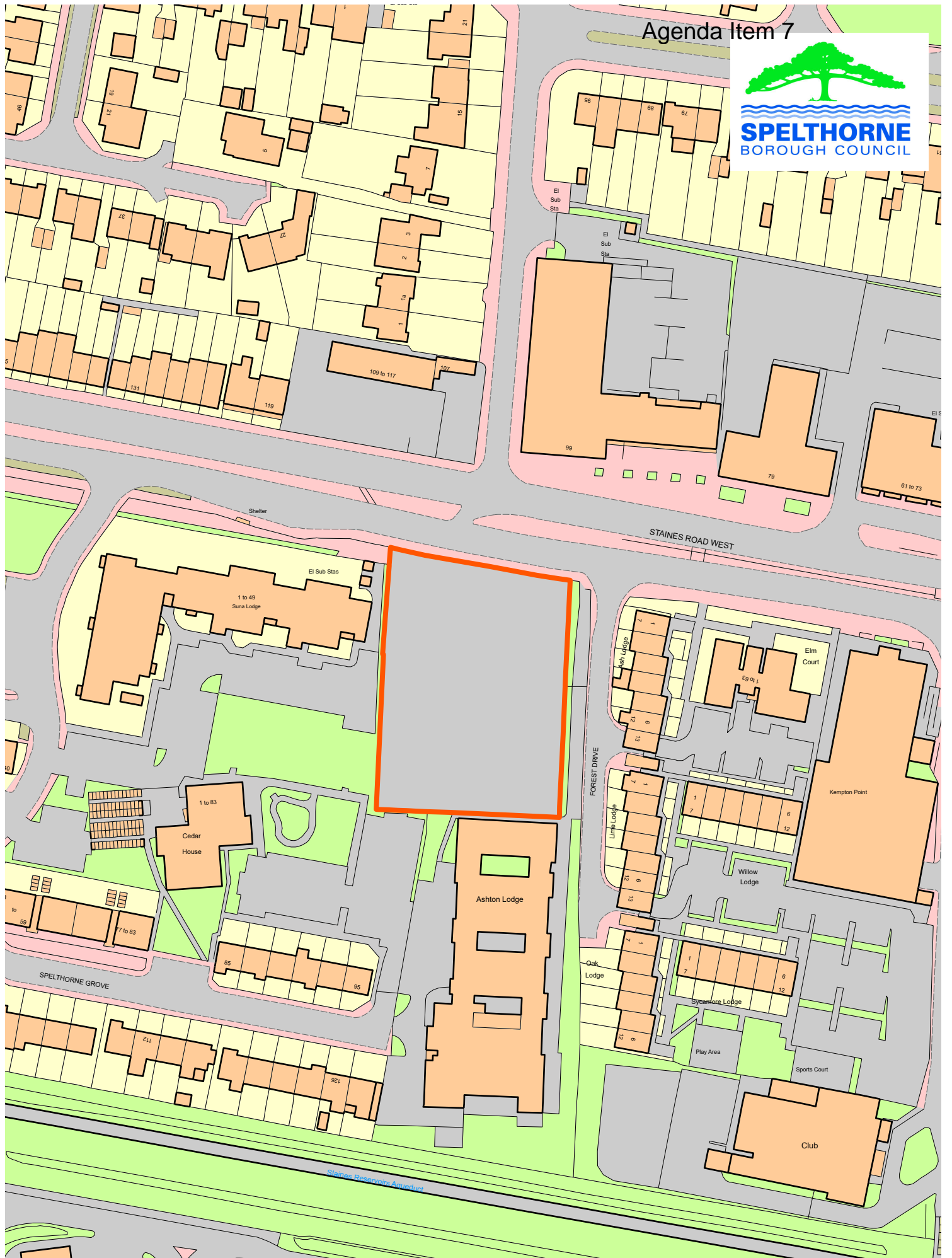
7.86 Accordingly, the application is recommended for refusal.

8. Recommendation

8.1 REFUSE for the following reasons:

1. The proposed development by reason of the scale, mass and siting of the buildings would have an unacceptable overbearing impact upon the occupiers of dwellings in Spelthorne Lane and would have an un-neighbourly impact and adverse impact upon residential amenity. The proposal would therefore be contrary to the objectives of policy EN1b of the Council's Core Strategy and Policies Development Plan Document (February 2009) and the National Planning Policy Framework (July 2021).
2. The proposed development by reason of the scale and size of the buildings, the site layout and significant shortfall in parking spaces without adequate justification, and the siting and scale of the acoustic barrier, would have an unacceptable impact upon the street scene and character of the surrounding area and would represent an overdevelopment of the site. The proposal is therefore contrary to the objectives of policy EN1a of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) and the National Planning Policy Framework (July 2021).

Appendices:



23/00557/SCC Sunbury Fire Station, Staines Road West, Sunbury-on-Thames

Scale: 1:1,250

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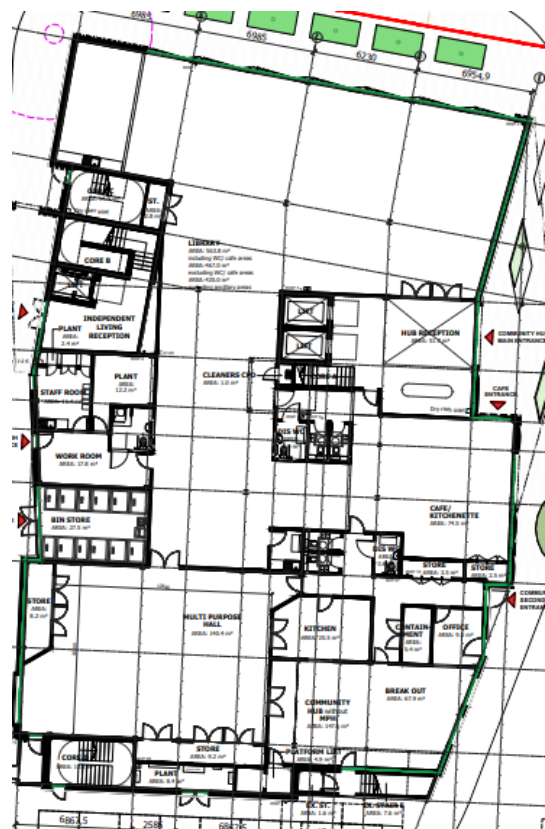


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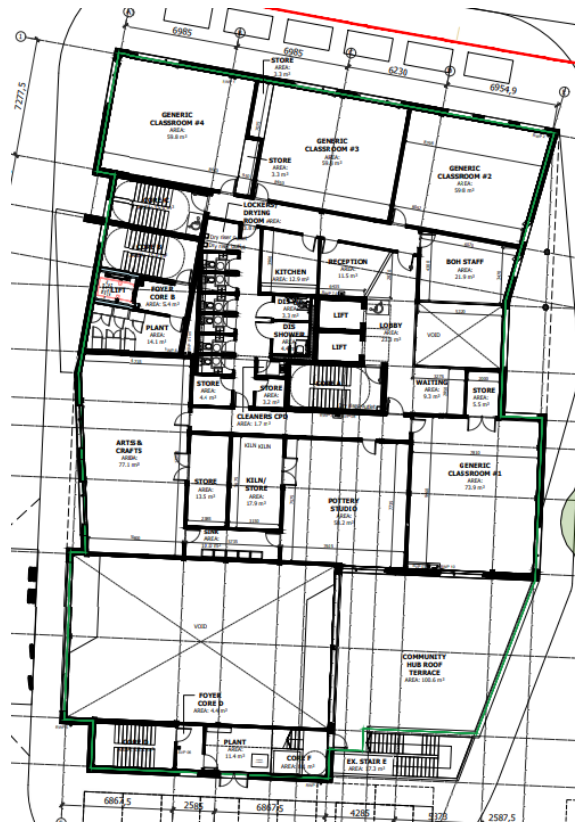
Site Layout:



Proposed Ground Floor Plan:



Proposed First Floor Plan:



Proposed North Elevation:



Proposed South Elevation:



Proposed East Elevation:



Proposed West Elevation:



Proposed Street Scene Elevations:



ELEVATION WEST (B-B)



Planning Committee

26 July 2023



Application No.	23/00557/SCC
Site Address	Sunbury Fire Station, Staines Road West, Sunbury-on-Thames, TW16 7BG
Applicant	Surrey County Council
Proposal	Surrey County Council consultation for the redevelopment of the former Sunbury Fire Station site for a mixed-use hub building incorporating Class E (Commercial, business and service) and Class F1 (Learning and non-residential) uses including library plus 12 no. supported independent living units (use class C3). (SCC Consultation reference: 2023-0051)
Case Officer	Kelly Walker / Kiran Boparai
Ward	Sunbury Common
Called-in	N/A

Application Dates	Valid: 03.05.2023	Expiry: N/A	Target: N/A
Executive Summary	<p>The application is a consultation from Surrey County Council (SCC) for the erection of community facilities, including commercial uses, library and residential accommodation in the form of supported independent living units. The proposed facility would support the borough of Spelthorne and would replace the former Sunbury fire station, which was demolished in 2020 following its closure.</p> <p>Because the application is for a community facility which is provided by SCC as a function of their services, they will determine this planning application. As such, this application is a consultation on a planning application which has been submitted by SCC, seeking the views of Spelthorne Borough Council (SBC) as the site is located within Spelthorne. SCC as the determining authority also consult with various statutory consultees including the County Highway Authority (CHA) and the Environment Agency (EA). All comments received by consultees will be taken into account when the application is determined by the County.</p> <p>The application site is a rectangular piece of land located on the southern side of Staines Road West. The former fire station building has been demolished and the site is currently surrounded by a hoarding. To the east of the site is Forest Drive which is a cul-de-sac consisting of residential properties in the form of flats. To the west of the site is Sunna Lodge, a four-storey flatted development and to the</p>		

	<p>south is Ashton Lodge, a two-storey nursing home.</p> <p>The building would provide floorspace over 5 storeys with parking and cycle spaces, associated refuse and servicing bay within the site. The ground floor would contain library floorspace and a community hub. The first floor would be community floorspace, including adult education. The second floor would offer flexible community/commercial space and the third and fourth floor would provide 12 no. supported living units, and associated staff space.</p> <p>The proposal is for a community hub, providing a range of community facilities including a library, adult education and supported living accommodation. It is an efficient use of land on a brownfield site in a sustainable location and would meet a community and housing need. It would have an acceptable design and appearance, as well as have an acceptable impact on the amenity of neighbouring residential properties. Contaminated land, air quality, impact on trees, landscaping and ecology are also considered to be acceptable.</p>
<p>Recommended Decision</p>	<p>It is recommended that Spelthorne Borough Council raises NO OBJECTION to this proposal, as set out at Paragraph 8 of the Report.</p>

MAIN REPORT

1. Development Plan

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

- EN1 – Design of New Development
- EN3 – Air Quality
- EN11 – Development and Noise
- EN15 - Development on Land Affected by Contamination
- CO1 – Providing Community Facilities
- HO1 - Providing for New Housing Development
- HO4 - Housing Size and Type
- CC1 - Renewable Energy, Energy Conservation and Sustainable Construction
- CC2 - Sustainable Travel
- CC3 – Parking Provision

1.2 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 to the Planning Inspectorate on 25th November 2022.

- 1.3 An examination into the Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.*
- 1.4 The following policies of the draft Spelthorne Local Plan 2022-2037 are of relevance:
- Policy PS2: Designing places and spaces
 - Policy E4: Environmental Protection
 - Policy H1: Homes for All
 - Policy ID2: Sustainable Transport for New Developments
- 1.5 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).
- 1.6 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.
- 1.7 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.
- 1.8 National Planning Policy Framework (NPPF) 2021 is of relevance.
- 1.9 National Design Guide 2021 is of relevance to the proposal.

2. Relevant Planning History

- 2.1 The site has the following planning history:

20/00236/SCC	Surrey County Council consultation for the prior notification of proposed demolition of all existing buildings on the site.	No Objections 13.03.2020
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3. Description of Current Proposal

- 3.1 This application is a consultation on a planning application which has been submitted by Surrey County Council (SCC), seeking the views of Spelthorne Borough Council (SBC) on the proposal to construct a new mixed-use

building incorporating Class E and Class F1 uses including library plus 12 no. supported independent living units (use class C3). Because the application is for a community facility which is a function of the County's services, SCC are the authority responsible for determining this particular application yet are required to consult with SBC and many other statutory consultees as part of their assessment.

- 3.2 The application site is a rectangular piece of land, which is currently surrounded by hoarding. The Sunbury Fire Station was demolished in 2020, following its closure (along with Ashford Fire station) with a new Fire Station constructed at Fordbridge roundabout in their place.
- 3.3 The site is located on the southern side of Staines Road West. To the east of the site is a row of trees and Forest Drive which is a cul-de-sac consisting of residential properties in the form of flats. Ash Lodge is a 4-storey block of flats located on the corner of Forest Drive and Staines Road West, and Lime Lodge is another 4-storey block of flats, located further along the cul-de-sac to the south. Adjacent to Ash Lodge fronting Staines Road West is Elm Court a 15-storey residential tower, with further towers towards Sunbury Cross including Kempton Point.
- 3.4 To the west, fronting Staines Road West, is Sunna Lodge, a 4-storey flatted development, with landscaping/amenity space and parking located behind. Located behind Sunna lodge, also to the west of the application site, is Cedar House which is a tall residential tower of 14 storeys. Directly to the south of the application site is Ashton Lodge, a two-storey nursing home.
- 3.5 On the opposite side of the road is Crownage Court at 99 Staines Road West. This is a former office building which has been converted to residential and has planning permission to extend on top of the existing building with an additional 2 floors proposed to measure approximately 20 metres in height. To the east further along Staines Road West is Sunbury Cross and the M3. Staines Road West at this point contains a mixture of uses including residential with many flats and commercial uses, including offices, a church, shops, hotel and car sales. There are also many tall buildings in the vicinity including residential towers, The View, Isobel House, and Hotel Premier Inn.
- 3.6 The proposed scheme is for a new building up to 6 stories in height, which would contain a mix of community, commercial and residential floorspace. The ground floor would contain library floorspace and a community hub. The first floor of the building would be community floorspace in the form of adult education. The second floor would offer flexible community/commercial space and the third and fourth floor would provide 12 no. supported living units, and associated staff space, which would be retained and managed by Surrey County Council. A total of 35 parking spaces would be provided on-site including 3 disabled spaces. There would also be a dedicated refuse and servicing bay within the development. 13 public cycle parking spaces and 12 secure staff cycle spaces, as well as 5 motorcycle spaces are also proposed.
- 3.7 The building would have a maximum height of 24.4 metres, with variations through the reduction in height as the building drops down to 21 metres and then 13 metres nearest to the eastern elevation, on top of which would be external communal spaces.

4. Consultations

- 4.1 The following table shows those bodies consulted and their response. All comments received have been sent onto the Case Officer at SCC for them to take into account in their assessment of the application as the determining authority.

Consultee	Comment
Environmental Health (Noise)	No objection - recommends condition
Environmental Health (Contamination)	Requested further details. Any comments or recommended conditions will be sent directly onto SCC.
Environmental Health (Air Quality)	No objection – recommends conditions
Crime Prevention Officer	No objection
Tree Officer	No objection
Sustainability (Renewable Energy)	No objection – recommends condition
Sustainability (Biodiversity, Ecology)	No objection

5. Public Consultation

- 5.1 The applicant has carried out consultation with the local community, by the use of a consultation website, a virtual consultation and an in-person exhibition. Two drop-in public exhibition events were held at Sunbury Adult Learning Centre and at Sunbury Library, 41-43 The Parade, Staines Road West. Members of the project team were on hand during the session and feedback forms were provided. In addition, a phone number and email address were made available, and an invitation was posted to 2,009 residential and business addresses surrounding the site.
- 5.2 As Spelthorne is a consultee, SCC have notified adjoining neighbours of the application and displayed site notices. Five letters have been received noting the following: -
- Parking provision/pressures
 - Concerns about the type of people living in the accommodation.
 - Support for the community hub
 - The proposed metal cladding is not a suitable choice
 - Concerns with the space for rehousing the library and adult education, being inappropriate, inadequate and inaccessible. Need more detail for properly assessment.
 - Public exhibition was not very informative as people running it were not knowledgeable.

One of these letters was received from the SCAN Officer (Spelthorne Committee for Access Now) who is in support of the application noting that

the proposal provides much needed living accommodation for people with disabilities.

6. Planning Issues

- Principle
- Community Facilities
- Housing Need
- Design and Appearance
- Highway and parking issues
- Residential amenity
- Sustainability and renewable energy
- Contaminated land and Air Quality

7. Planning Considerations

Principle of development

- 7.1 The application site is brownfield land which has previously been developed. It is within an accessible location, within close proximity to public transport links and local facilities, including Sunbury Cross shopping centre. The area has a mix of types of uses including commercial and residential in the form of flats and houses. As such, the proposed use as a community hub, providing a range of community facilities including a library, adult education and supported living accommodation is considered to be acceptable in principle, subject to policy requirements which are discussed further below.

Community facilities

- 7.2 Policy CO1 of the of the Council's Core Strategy and Policies Development Plan Document states that the Council will seek to ensure community facilities are provided to meet local needs by supporting the provision of new facilities for which a need is identified in locations accessible to the community served. The proposed building would incorporate such community facilities with a library, community hub, adult learning areas, commercial spaces, a community roof terrace, as well as supported housing.
- 7.3 The applicant has submitted a Statement of Community Need noting that, *'...In the current economic climate, it is more important than ever that every penny of public finance is used in the most efficient way, to support delivery of critical services to residents. The Council's Service Hubs programme looks to do exactly this and more. They bring together multiple local services into a collocated interoperable facility. Providing efficiencies to residents who can access multiples services in a single location and to the public sector through operational elements such the requirement to only run a single modern efficient local facility.'*
- 7.4 They go on to explain the project aims of the County's Service Hub programme as follows: -

'The project aims to move services from several existing old and run-down properties into a modern, fit for purpose, new building. This will generate capital receipts, save on high future costs of maintaining current buildings,

and provide a facility which contributes to meeting the Council's net zero ambitions. It will also improve residents' experience and enhance the area and community.'

7.5 The applicant explains that the Former Sunbury Fire Station site at Staines Road West was selected specifically for the delivery of supported independent living accommodation for people with a learning disability and/or autism and for people with a mental health need. The site would provide accommodation for 12 individuals in one bed self-contained flats across two floors. The applicant notes that six would be designated for residents with a learning disability and/or autism and the remaining six units would provide accommodation for residents with mental health needs, along with communal and outdoor space for residents with care and support needs.

7.6 The hub would also include adult learning and a library. The applicant notes that the inclusion of Surrey Adult Learning services within the multi-purpose community Sunbury Hub would allow for no break in existing services, and would provide new and futureproofed facilities, for an existing well used facility which needs updating. They state having the combination of uses would add value to the delivery of the service, as well as improving links to related and partner services. Noting that: -

'The Hub is centrally located enabling easier access from all parts of the community to Adult Learning services. Co-location with the partner services such as the library will enable greater opportunities for learners to extend their studies, through easier access to reference and other materials on site. The increased footfall will increase marketing opportunities and improve access for potential learners to sign-up for courses.'

7.7 The applicant states that the proposal aims to move services from several existing old and run-down properties into a modern, fit for purpose, new building. All the service facilities will remain open until the service has relocated to the proposed new building. The Community Hub will provide an enhanced building which will consolidate services and create an active building with a variety of uses which will benefit the community. Although a community use of the fire station has been lost at the application site, this has been re-provided at the other end of Staines Road West, to the west by Fordbridge roundabout.

7.8 As such the proposal would provide a range of community facilities in one accessible location on a brownfield site. These community facilities would be provided to meet local needs and would support the provision of new facilities for which a need is identified in a location accessible to the community served. Therefore, the proposal is considered to conform to the requirements of Policy CO1.

Housing need

7.9 Policy HO1 states that the Council will ensure provision is made for housing by, *'encouraging the inclusion of housing in mixed use schemes where housing can be accommodated in an acceptable manner without compromising other planning objectives... ensuring effective use is made of urban land for housing by applying Policy HO5 on density of development and opposing proposals that would impede development of suitable sites for housing.'*

- 7.10 Policy HO4 states that the Council will ensure that the size and type of housing reflects the needs of the community by encouraging the inclusion within housing schemes of a proportion of dwellings that are capable of meeting the needs, as occupiers, of people with disabilities.
- 7.11 Accordingly, the proposed use for housing in this location as part of the mixed-use scheme is considered to be acceptable. The applicant has demonstrated there is a particular need for the type of supported accommodation proposed in this instance and it accords with Policies HO1 and HO4 on housing as well as CO1 regarding community need.

Design and Appearance

- 7.12 Policy EN1 of the Council's Core Strategy and Policies Development Plan Document states that proposals for new development should demonstrate that they will 'create buildings and places that are attractive with their own distinct identity,' contributing to the character of the area, whilst also being sympathetic to the height, scale, materials, and other elements of design of nearby buildings. They should also be designed in an inclusive way to be accessible to all members of the community, create a safe environment, and incorporate landscaping and waste facilities, as well as providing for renewable energy generation.
- 7.13 [Paragraph 126](#) of the NPPF refers to the importance of well-designed places and how this is a fundamental element of what development should achieve. It notes that good design is also a key aspect of sustainable development as it can help to create thriving communities suitable for living and working.
- 7.14 The National Design Guide (2021), details what makes well designed places. It notes that these places should enhance existing positive qualities and improve negative ones. Well-designed new developments should effectively integrate with their surroundings, though equally, this section highlights that 'well-designed places do not need to copy their surroundings in every way.'
- 7.15 The proposed scale of the building which would be predominantly 5/6 storeys at the frontage is considered to fit in well within the setting of the area, where the built scale of the surroundings buildings varies significantly from 4-15 storeys, fronting Staines Road West. The tallest part of the building is to the west and would be seen in context with Cedar House which is 14 storeys in height and set back from the road, behind Sunna Lodge. The reduction in height of the building to the east and south of the site, is considered to pay due regard to the surrounding buildings, in particular the 4 storey flats along Forest Drive and the 2 storey care home to the rear of the site. As a result, this helps to ensure the building would not appear overly dominant or out of keeping in the street scene. The proposed building would be set in from the side boundaries of the site. This along with the fact that the adjacent blocks of flats are set back from their boundaries with the application site and the presence of the road to the side at Forest Drive, results in gaps between the built development being retained. In addition, the proposed building would be set back from the street frontage with Staines Road West, which, although would be closer to Staines Road West than Sunna Lodge to the west, would be in line with the side of Ash Lodge to the east.
- 7.16 The proposed building would consist of a variety of materials including brick, cladding, aluminium windows and aluminium screening. The materials provide

a visual differentiation between the public community hub/library area and the independent living areas. As such the proposed building is considered to integrate into the existing street scene where a variety of materials are present and would make a positive contribution to it, conforming to Policy EN1.

Highway and parking issues

- 7.17 The applicant has submitted a Transport Assessment (TA), Travel Plan, Car Park Management Plan and Construction Transport Management Plan (CTMP). The TA notes that providing a range of uses at the site, has the potential to reduce the number of vehicular trips through combined linked trips which are already being undertaken.
- 7.18 Two vehicular access points are proposed to serve the new building, in similar locations to the existing accesses. There would be an access for entry to the east of the site and an exit point to the west of the site. A one-way internal carriageway would link the access and egress from the site allowing for vehicles to re-circulate the site if required. SCC as the determining authority will consult the County Highway Authority (CHA) and National Highways, taking into account any comments raised. It is understood that the CHA has requested more detail from the applicant on the proposed accesses.
- 7.19 The location of the site is on a dual carriageway with good capacity and transport links, including for motor vehicles, trains and buses, as such the site is considered to be well connected. Given this and the nearby local facilities including commercial and retail units at including at Sunbury Cross, the site is considered to be in a sustainable location. The proposal includes 35 parking spaces, including 3 disabled spaces. There would also be a dedicated refuse and servicing bay within the development. 13 public cycle parking spaces and 12 secure staff cycle spaces, along with 5 motorcycle spaces are also proposed. Overall, it is considered that the proposals would not lead to a severe adverse impact on the surrounding highway network and would encourage sustainable modes of transport in line with [relevant NPPF paragraphs](#) and Policy CC2.

Residential amenity

- 7.20 Policy EN1 (b) of the Council's Core Strategy and Policies Development Plan Document requires that all new developments achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight, sunlight, or overbearing effect due to bulk proximity or outlook.
- 7.21 The SPD on the 'Design of Residential Extensions and New Residential Development' acknowledges that most developments will have some impact on neighbours, but the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed. It states the "*scale and position of buildings, including window positions, should not create any unacceptable impact on the amenity enjoyed by adjoining occupiers*".
- 7.22 To the east of the site are residential blocks of flats on Forest Drive. Ash Lodge is located on the corner with Staines Road West and this block of flats would look out towards the proposed new building, which would take up much of the front of the application site. Lime Lodge, which is located further to the south, would look out towards the proposed car park at the rear of the site.

The proposed separation distance between the flats and the new building would be approximately 24 -27 metres, with the building reducing in height to the east, with a reduced height of approximately 13.4 metres nearest the eastern boundary, it is considered that the proposed building would have an acceptable relationship with this block of flats. Furthermore, the line of trees located close to the eastern boundary of the site would help to screen and soften the new building. The rear elevation of the flats face onto Forest Drive, for the most part, the existing ground floor and patio windows on Ash Lodge look out onto the rear boundary fence. As such it is considered that the proposed building would not have a significant impact on the amenity of these properties in regard to loss of outlook or light.

- 7.23 The proposed windows on the first and second floors of the proposed building facing towards the east and the properties along Forest Drive, serve the adult education and commercial spaces. As such, given the separation distance and the use of these areas, along with the presence of the trees which provide further screening, the proposal is not considered to lead to an overlooking or loss of privacy issue that would cause a significant loss of amenity to the existing flats located to the east at Ash Lodge. †
- 7.24 The property to the south of the site is a two-storey nursing home at Ashton Lodge and the side of this building adjoins the application site. The proposed building would be set back from this boundary, and a separation distance between the 2 buildings of approximately 19 metres at its closest point. There are some windows on the northern side elevation of Ashton Lodge which face towards the proposed development. 4 of these windows serve bedrooms at the care home and are the only window to 4 bedrooms in the care home (2 on the ground floor and 2 on the first floor). It is to be noted that the ground floor windows look out onto the existing boundary wall. Although the proposed building goes up to 5 stories in height, (the plant on the 6th floor is located to the front of the site), only part of the building is this height at its full depth. The stairwell is the element which extends furthest into the site and therefore closest to the rear boundary and is within approx.19 metres of Ashton Lodge. The main part of the proposed building would be set back further from the rear boundary at some 23m from Ashton Lodge. This 5 storey part of the building would have a width of some 16m, with the remainder of the width of the proposed building, being set further back from the rear at second floor level. As this point the proposed building would be over 30m from the care home. As such it is considered that the proposal would not have a harmful loss of light, be overbearing, cause loss of outlook or overlooking impact to the residents of Ashton Lodge care home.
- 7.25 The external roof terraces which are proposed to be situated to the east of the building are not considered to adversely impact the amenity of the adjacent buildings. The existing trees on Forest Drive and separation distances are considered to mitigate any adverse impacts of the roof terrace on the blocks of flats on Forest Drive. The height of the privacy screens and means of enclosure would prevent people from getting too close to the edge of the terrace which is considered to mitigate any noise or disturbance to Ashton Lodge to the rear of the site.

- 7.26 To the west of the site, to the side of the application site, is a 4-storey flatted development at Sunna Lodge, fronting Staines Road West. On the eastern elevation of these flats, facing the application site, are two existing windows, both of which serve living rooms for units on the second and third floor. It is considered that these windows would be classified as secondary, as these living rooms are also served by a rear window with a balcony area to the south, which would provide the main source of light to these living room areas. As a result, the new building is not considered to adversely impact light to these neighbouring units. The proposed building would be located approximately 11 metres to the side of Sunna Lodge and would extend much deeper into the site than Sunna Lodge with an average height of 21 metres. As such this is likely to result in some overshadowing impact, however, given these properties have a side by side relationship, the proposed gap between the buildings, and the adjacent existing parking/landscaping area, the impact is not considered to be adverse. The proposed development is therefore considered to have an acceptable relationship on the amenity of the occupants of Sunna Lodge in regard to potential overlooking, overbearing impact and loss of outlook or light.
- 7.27 The proposal would be to the south of Crownage Court, 99 Staines Road West which is located on the opposite side of Staines Road West across the dual carriageway. However, given the distance between buildings, and the public domain between them, the relationship is considered to be acceptable and there would be no significant loss of amenity to occupiers of this property. In addition, the submitted daylight sunlight survey illustrates that all of the windows on the southern elevation of Crownage Court, facing the application site would be within the guidelines for daylight and sunlight, as such, the impact in regard to loss of light, outlook and privacy, as well as being overbearing are acceptable.
- 7.28 When viewed in context of the surrounding area, the height, scale and design of the proposed building is considered to have an acceptable relationship with and impact on the amenity of the neighbouring residential properties avoiding any adverse loss of privacy, outlook, daylight and sunlight. The proposal therefore accords with Policy EN1.

Sustainability and renewable energy

- 7.29 The proposal is considered to make effective use of the land which is a brownfield site. [Paragraph 120 of the NPPF](#) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. In addition, the site is considered to be situated in a sustainable location in close proximity to other town centre uses with an existing bus stop to the west of the site on Staines Road West. The proposed provision of electric vehicle charging points and a car club for this scheme further promotes sustainable transport.
- 7.30 The submitted energy and sustainability information identifies the ways in which the development would incorporate sustainable measures including the provision of new landscaping/planting, air source heat pumps and solar panels. The solar panels would provide 38.8% of the regulated energy demand of the building. This would comply with Policy CC1 which states that the Council would support the provision of renewable energy by requiring

residential development of one or more dwellings and other development involving new building to include measures to provide at least 10% of the developments energy demand from on-site renewable energy sources.

- 7.31 The Council's Sustainability Officer has reviewed the information and is satisfied that the renewable energy requirements would be met.

Contaminated land and Air Quality

- 7.32 The Council's Environmental Health Officer (EHO) has been consulted on contaminated land. They have requested further detail from the applicant, which has been received and is currently being assessed. Any further comments received, including the recommendation of planning conditions, would be forwarded to SCC to consider when they determine the application.
- 7.33 Policy EN3 sets out that the Council will seek to improve the air quality of the Borough and minimise the harm from poor air quality. The applicant has submitted an Air Quality Assessment which recommends a Construction Environmental Management Plan (CEMP) is put in place to secure the environmental management that is required through the construction process. The EHO has raised concerns about dust issues during construction, given the proximity to residences along the site boundary and therefore has recommended that a condition to secure this is imposed, as well as one for the CEMP. It is also recommended that due to the potential exposure of residents to air pollution the development should incorporate mechanical ventilation with suitable air treatment/filtration to protect the residents from the ingress of traffic emissions related air pollution. As such there is no objection, subject to the imposition of conditions. The responses have been sent onto SCC as the determining authority.

Other matters

- 7.34 Policy EN11 sets out that the Council will seek to minimise the adverse impact of noise. The Council's EHO has been consulted and raises no objection, but has recommended conditions relating to noise from plant and road traffic.
- 7.35 In regard to trees, landscaping and ecology, SBC's Tree Officer and Biodiversity Officer have been consulted and raise no objection.
- 7.36 One tree would be removed on site, in order to accommodate the access. The existing trees along the eastern boundary, which help to screen the site from the adjacent flats, would remain and tree protection measures would be incorporated during construction. The applicant has also submitted a Preliminary Ecological Assessment (PEA). The Council's Biodiversity Officer has noted that, '*...the biodiversity value of the proposed design is a huge improvement on the previous and existing use of the land, and it incorporates some desirable nature-based solutions such as rain gardens and green roofs that will set a good example for future development in the Borough.*' The proposal would incorporate a number of ecological and landscaping enhancements and is therefore considered to be acceptable.
- 7.37 The applicant has submitted a Fire Strategy in order to meet recommendations for Building Control. This would include an automatic water fire suppression system for the residential accommodation, given the potential for occupants needing assistance in their evacuation in the event of a fire. The report notes that fire safety features and systems would need to be further developed and incorporated into the design and specifications. This is a

matter for Building Control and SCC are likely to consult with the Surrey Fire Service during the application as part of their assessment.

- 7.38 In regard to drainage and flooding, the applicant will consult with the Environment Agency (EA) and SCC as the Local Lead Flood Authority (LLFA) and take into account any comments in their determination.

Conclusion

- 7.39 The proposal is for a community hub, providing a range of community facilities including a library, adult education and supported living accommodation. It is an efficient use of land on a brownfield site in a sustainable location and would meet a community and housing need. It would have an acceptable design and appearance, as well as have an acceptable impact on the amenity of neighbouring residential properties. Contaminated land, air quality, noise, ecology and impact on trees and landscaping are also considered to be acceptable and as such SBC recommend no objection is raised to SCC as the determining authority. As noted previously SCC will also consult many other statutory consultees who comments will be taken into account when they determine the application.

Equality Act 2010

- 7.34 In the submitted Design and Access statement the applicant notes that the building would be designed for accessibility and inclusivity. The building has been designed to be accessible to all users. Finished floor levels have been set to enable level threshold throughout with easily identifiable path leading to the main entrances/ exits while taking into account the existing topography, in accordance with Part M of the Building Regulations principles. The Community Hub and the Independent Living core, both provide fully compliant Part M lifts. All community hub and commercial spaces are equipped with disabled showers and WC's. In particular the Independent Living Accommodation is designed to fully comply with Building Regulations Part M4[2] (accessible and adaptable units) and Part M4[3] (wheelchair user units).
- 7.35 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

- 7.36 This planning This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.37 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.

- 7.38 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.
- 7.39 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.

8. Recommendation

- 8.1 That Surrey County Council be informed that Spelthorne Borough Council raises NO OBJECTION to the proposed new mixed use hub building incorporating Class E and Class F1 uses including library plus 12 no. supported independent living units (Use Class C3).



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 Mounty
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	Shepperton Marina Limited	Matthew Churchill

		moorings, moorings around 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
22/01666/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	Erection of a residential Block for 17 residential units, with associated parking, servicing, and landscaping / amenity provision	Lichfields on behalf of	Russ Mouny

	Ashford Road Ashford TW15 3SE		Spelthorne Borough Council	
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.	Bellway and Angle Property (Sunbury) LLP	Russ Mounty
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.	Lichfields on behalf of Spelthorne Borough Council	Russ Mounty / Drishti Patel
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.	Shanly Homes	Susanna Angell

23/00388/FUL	Multi Storey Car Park Church Road Ashford TW15 2TY	Demolition of Multi-Storey Car Park and erection of a residential block for 42 no. residential units, with associated car parking, together with a further provision of public car parking spaces, and a ground floor commercial unit (Use Class E). Landscaping/public realm and access arrangements.	Lichfields on Behalf of Spelthorne Borough Council	Paul Tomson / Susanna Angell
23/00453/FUL	Matthew Arnold County Secondary School Kingston Road Staines-upon-Thames TW18 1PE	Installation of three new canopies to the south of the school building to create an external covered area.	Matthew Arnold School	Kelly Walker
23/00623/RVC	Works Langley Road Staines-upon-Thames TW18 2EJ	Variation of condition no. 2 (plan numbers) of planning permission 22/01584/RVC for the demolition of existing works building and erection of 22 dwellings including access, parking, landscaping and replacement substation to substitute plans with a minor material amendment involving the erection of a car port to service plot 7	Shanly Homes	Kelly Walker
23/00680/OUT	Land To The East Of Desford Way Ashford	Outline Planning Permission with all matters reserved except for access for a site to accommodate Travelling Showpeople (Sui Generis)	Ashford Corporation Ltd	Paul Tomson / Kelly Walker

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

Esmé Spinks, Planning Development Manager
13/7/2023



Planning Committee

26 July 2023

Planning Appeals Report – V1.0 ISSUED

Appeals Started between 14 June – 11 July 2023

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
22/01653/HOU 36 Kenton Avenue Sunbury-on-Thames TW16 5AR	22.06.2023	Fast Track Appeal	APP/Z3635/D/23/3321019 Proposed loft conversion that would include the installation of L-shaped rear facing dormer with two rooflights at the front. Erection of a single storey outbuilding at the rear of site and erection of a single storey front extension to form a porch.

Appeal Decisions Made between 14 June – 11 July 2023

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
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)	Appeal Allowed	29.06.2023	<p>The Inspector considered that the main issue was the effect of the development on the character and appearance of this part of London Road.</p> <p>The Inspector commented that the existing bungalow appears somewhat incongruous as it is the only single storey building between Avondale Road and Irwin Court. The Inspector therefore considered that there is an opportunity to improve the street scene in this location, and a bungalow if proposed today, would likely be refused on character grounds.</p> <p>The Inspector also noted that the footprint of the building would be similar to nos. 482 and 486. The height and proposed roof were also found to be acceptable, including the crown element that would be hidden behind a pitch.</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>The inspector acknowledged the letters of representation objecting to the proposals on design grounds. However, they concluded that the proposals complied with policy EN1 and the NPPF in design terms.</p> <p>The Inspector also noted other concerns raised in the letters of representation including highways matters and concerns with the accuracy of the plans. However, on planning balance they considered that the benefits of 7 additional dwellings to the Council's 5-year housing supply outweighed any harm of the proposals. The appeal was therefore allowed subject to condition.</p>
22/01189/FUL 9 Arlington Road Ashford TW15 2LS	20.04.2023	Written Representation	APP/Z3635/W/23/3314007 Erection of 2 no. detached single storey dwellings	Appeal Withdrawn	16.06.2023	Appeal withdrawn, no comments.
22/01589/HOU 8 Celia Crescent Ashford TW15 3W	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 Dismissed	29.06.2023	The Planning Inspector acknowledged that the appeal site comprised one of four pairs in similar design within this part of the road. However, an exception now makes the appeal site with hip to gable addition built under the Permitted Development legislation. The Planning Inspector considered that the side

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>extension would complete the infilling of the building's footprint across the whole width of the plot and at the same time would increase the bulk of the frontage and at the rear. Along with the proposed crown and flat roofs, the Planning Inspector was in a view that the appeal corner site together with large flat roofed box dormer and the new additions would dominate the appearance when viewed from the street scene. Consequently, the appeal was dismissed</p>

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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