



Please reply to:

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Date: 07 September 2023

Notice of meeting

Planning Committee

Date: Wednesday, 20 September 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, J.Turner and N. Islam

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

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

Agenda

Page nos.

1. Apologies and Substitutions

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

2. Minutes

5 - 14

To confirm the minutes of the meeting held on 23 August 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 - 01/00018/FUL, Wheatsheaf Park, Wheatsheaf Lane, Staines-upon-Thames TW18 2PD

15 - 50

Ward

Riverside & Laleham

Proposal

To enter into a Deed of Variation (DoV) to the Agreement dated 12 September 2001 made under Section 106 of the Town and Country Planning Act 1990, relating to Land at Staines Town Football Club, Wheatsheaf Lane, Staines, Middlesex, under Planning Application PA/01/0018 ('the section 106 Agreement').

Recommendation

Agree to enter into the DoV for the reasons set out in this Report.

5. Planning Development Management Performance Report

51 - 98

To note the Planning Development Management performance report.

6. Major Planning Applications

99 - 102

To note the details of future major planning applications.

7. Planning Appeals Report

103 - 114

To note details of the Planning appeals submitted and decisions

received between 12 July – 06 September 2023.

8. Glossary of Terms and Abbreviations

115 - 120

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**Minutes of the Planning Committee
23 August 2023**

Present:

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

Councillors:

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

Apologies: Apologies were received from Councillor K. Howkins.

In Attendance: Councillors J. Button and J.R. Sexton

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.

46/23 Minutes

The minutes of the meeting held on 26 July 2023 were approved as a correct record.

47/23 Disclosures of Interest

a) Disclosures of interest under the Members' Code of Conduct

There were none.

b) Declarations of interest under the Council's Planning Code

Councillors Bateson, Beatty, Buck, Chandler, Mathur, Rutherford and Gibson declared that they had received correspondence in relation to applications 22/01615/OUT and 23/00058/FUL. Councillor Gibson also declared she had made an informal visit to the site in application 23/00058/FUL but in all instances Councillors had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors Beecher, Burrell and Williams declared that they had received correspondence in relation to application 23/00058/FUL. Councillor Williams also declared that he was the Chair of Development Sub Committee but in all instances Councillors had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors Clarke and Lee declared that they had received correspondence in relation to application 22/01615/OUT but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor Dunn declared she had received information, and had attended public events in relation to application 22/01615/OUT. She also reported that she had received correspondence in relation to application 23/00058/FUL, however in both instances had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor Nichols declared he had received correspondence in relation to application 22/01615/OUT and had attended a public exhibition of proposals for the site. He also declared that he had received correspondence in relation to application 23/00058/FUL. He further declared he was a director of Knowle Green Estates, but in all instances had maintained an impartial role, had not expressed any views and had kept an open mind.

As ward Councillor registered to speak on application 23/00058/FUL, Councillor Caplin declared he had received correspondence in relation to application 23/00058/FUL and had responded minimally, but still maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor Gibson also spoke on behalf of all members present who were part of the Development Sub Committee and declared an interest in relation to application 23/00058/FUL.

48/23 Planning application - 22/01615/OUT, Bugle Nurseries, Upper Halliford Road, Shepperton TW17 8SN

Description:

Outline application with approval sought for scale, access and siting, with details of layout, 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.

Additional Information:

Paul Tomson, Team Leader, Planning Development Management reported on the following updates:

1. One late letter of objection has been received. The issues raised are already covered in the report.
2. A consultation response has been received from the Group Head of Neighbourhood Services regarding bin collection. She raises no objection subject to the imposition of a condition to prevent the turning area at the end of the new roadway from being used for parking.
3. A letter has been received from the applicant setting out the background to the case and setting out why he disagrees with each reason for refusal in the Committee report: - Inappropriate development in the Green Belt; housing mix; and the impact on the amenity of neighbouring properties.

The note under the reasons for refusal on page 67 should refer to 'reasons for refusal' at the end rather than 'conditions'.

Public Speaking:

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

- The applicant had worked positively with the council in its preparation of the emerging Local Plan 2022-2037
- The scheme achieved all draft site allocation requirements which included 80 homes and 50% affordable housing and the strategic gap
- A non-determination appeal was submitted due to delays in the Local Plan process
- The scheme was an appropriate development in the Green Belt
- This scheme allowed for the complete redevelopment of previously developed land with no greater impact on openness
- Extant permission did not set a limit on what was regarded as appropriate development
- This scheme was justified considering special circumstances related to the Council's worsening housing land supply
- The objection to the housing unit mix was an aged policy requirement which no longer reflected housing needs
- The applicant had responded to the current housing needs

Debate:

During the debate the following key issues were raised:

- The proposed landscaping reflected a better use of land
- This site rewarded the process of creating hard standing ground and turning this into housing
- This was an overdevelopment
- Local residents were not supportive of this application
- The application made no reference to providing any social or key worker housing
- The principle of developing on Green Belt was unacceptable
- The incentive of a playground on site offered in a previous application was omitted from the current scheme
- The design and appearance of the site was poor
- Concern was raised of how the open space would be managed
- Concern was raised regarding remediation of the waste transfer created at the rear of the site
- It was unlikely that local people could afford detached three to four bedroom dwellings

The Committee voted on the motion as follows:

For: 13

Against: 0

Abstain: 2

Decision:

The application would have been refused had the Council been able to formally determine it. The reasons for refusal will form the basis of the Council's case at Planning Appeal.

49/23 Planning application - 23/00058/FUL, Vacant Land adjacent to the White House, Kingston Road, Ashford TW15 3SE**Description:**

Erection of a residential Block for 17 residential units, with associated parking, servicing, and landscaping / amenity provision.

Additional Information:

Russ Mouny, Team Leader, Planning Development Management reported on the following updates:

The County Highway Authority has confirmed that having assessed the application on safety, capacity and policy grounds, it raises no objection subject to conditions.

An additional informative is recommended:

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

It is recommended that Condition 2 is updated to change plan number 1423-DNA-ZZ-GF-DR-A-1000 Rev 3 to Rev 5 received 22/08/23.

Public Speaking:

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

- This was an ill-conceived application considering the Council's position as a Local Planning Authority
- The application was non-compliant with many Council policies
- The location had never been developed for residential use
- Sole access into the site was bordered by a hazardous road junction with constant use by lorries
- The hostel was an inappropriate height which violated policy EN1
- The hostel was overbearing and overlooked residents' gardens and a children's nursery
- This development would result in a harmful loss of privacy along both Kingston and Ashford Roads
- Approval would set a dangerous precedence with harmful repercussions for local communities and over similar applications
- This development did not make a positive contribution to the street scene and character of the area
- The design of the hostel was an eyesore to the local area
- The density of the housing development violated policy HO5
- There was no affordable housing which violated policy HO3 and section five of the NPPF
- There was a lack of amenity space
- The application violated the Council's parking standards with an insufficient number of spaces

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

- The proposal was deemed acceptable on the grounds of housing size and type, character and density, residential distances, impact upon existing residential dwellings, daylight and sunlight provision, affordable housing, parking provision, highways and sustainability.
- This development would provide high quality affordable housing to key workers and to local people on the housing register
- The site was previously developed land which was not within Green Belt
- The provisions of EN1 were followed, with the building positioned obliquely to the existing White House Hostel to minimise overlooking
- The proposal still complied with the Council's residential design guide
- Car parking was provided at a ratio of 1:1
- Electric vehicle charging points were provided for parking spaces which fulfilled Surrey County Council requirements
- This development was the first Council scheme with a whole life carbon assessment
- The development exceeded adopted policies on renewable energy provision and reduction in carbon emissions
- All apartments exceeded internal space standards
- There would be a contribution of £25,000 to the enhancement of play space area at Fordbridge park which would benefit both residents and the wider community
- This development would help to meet demand for homes at affordable rents

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

- Concern was raised regarding road safety for residents crossing on a busy road with frequent road works in operation
- There would be increased traffic and obstructions in the area
- Concern was raised regarding the maintenance of blue hoarding panels around the site
- The consideration of adding a pedestrian crossing was suggested
- There were limited transport links
- This building was not in keeping with the street scene
- Concern was raised regarding the sharing of waste facilities with the hostel next door

Debate:

During the debate the following key issues were raised:

- The units were not affordable and would attract buyers from outside of the borough
- There was inadequate parking

- The financial contribution of £25,000 towards improvements to Fordbridge park would have no financial benefit to the Council as the developer
- This application breached a number of Council policies
- The design of the building was not in keeping with the street scene and not comparable with nearby residential properties
- There was inadequate parking which would cause surplus parking on the other side of Kingston Road which would impact on residents leaving their properties
- There was a lack of amenity space offered
- There were poor transport links
- There was a lack of communication with residents
- There were poor crossing facilities, particularly for children and disabled residents
- A residential development in close proximity to the hostel was inappropriate
- The Council should be complying with its own policies and exceeding them
- The prospect of adding underground parking was suggested
- Road safety assurances should be made before developing residential properties

A recorded vote was requested by Councillor Beecher.

For (1)	D Clarke
Against (11)	C Bateson, S Beatty, M Beecher, M Buck, T Burrell, S Dunn, D Geraci, M Lee, K Rutherford, H Williams, M Gibson
Abstain (3)	R Chandler, A Mathur, L Nichols,

The motion to approve the application FELL.

It was proposed by Councillor Geraci and seconded by Councillor Bateson that the proposal would have a poor standard of layout, be a cramped overdevelopment of the site with excessive density and height and poor level of amenity space, would not make a positive contribution to the street scene and would be of excessive height out of character with the surrounding area, contrary to policies EN1 and HO5 of the Spelthorne Core Strategy and Policies DPD, 2009.

The voting was as follows:

For: 14
 Against: 0
 Abstain: 1

Decision:

The application was **overturned** and **refused** planning permission for the following reason:

The proposal would have a poor standard of layout, be a cramped overdevelopment of the site with excessive density and height and poor level of amenity space, would not make a positive contribution to the street scene and would be of excessive height out of character with the surrounding area, contrary to policies EN1 and HO5 of the Spelthorne Core Strategy and Policies DPD, 2009.

50/23 Planning application - 23/00799/HOU, 41 Windsor Road, Sunbury on Thames TW16 7QY**Description:**

Erection of single storey side and rear extension.

Additional Information:

There was none.

Public Speaking:

There were no public speakers.

Debate:

During the debate the following key issues were raised:

-The process of determining this application at Planning Committee solely due to the applicant being a member of staff at Spelthorne Borough Council seemed inefficient. **The Planning Development Manager advised this would be looked at when the Council's Planning Code is reviewed.**

The Committee voted on the application as follows:

For: 15

Against: 0

Abstain: 0

Decision:

The application was approved subject to conditions as set out at paragraph 8 of the report.

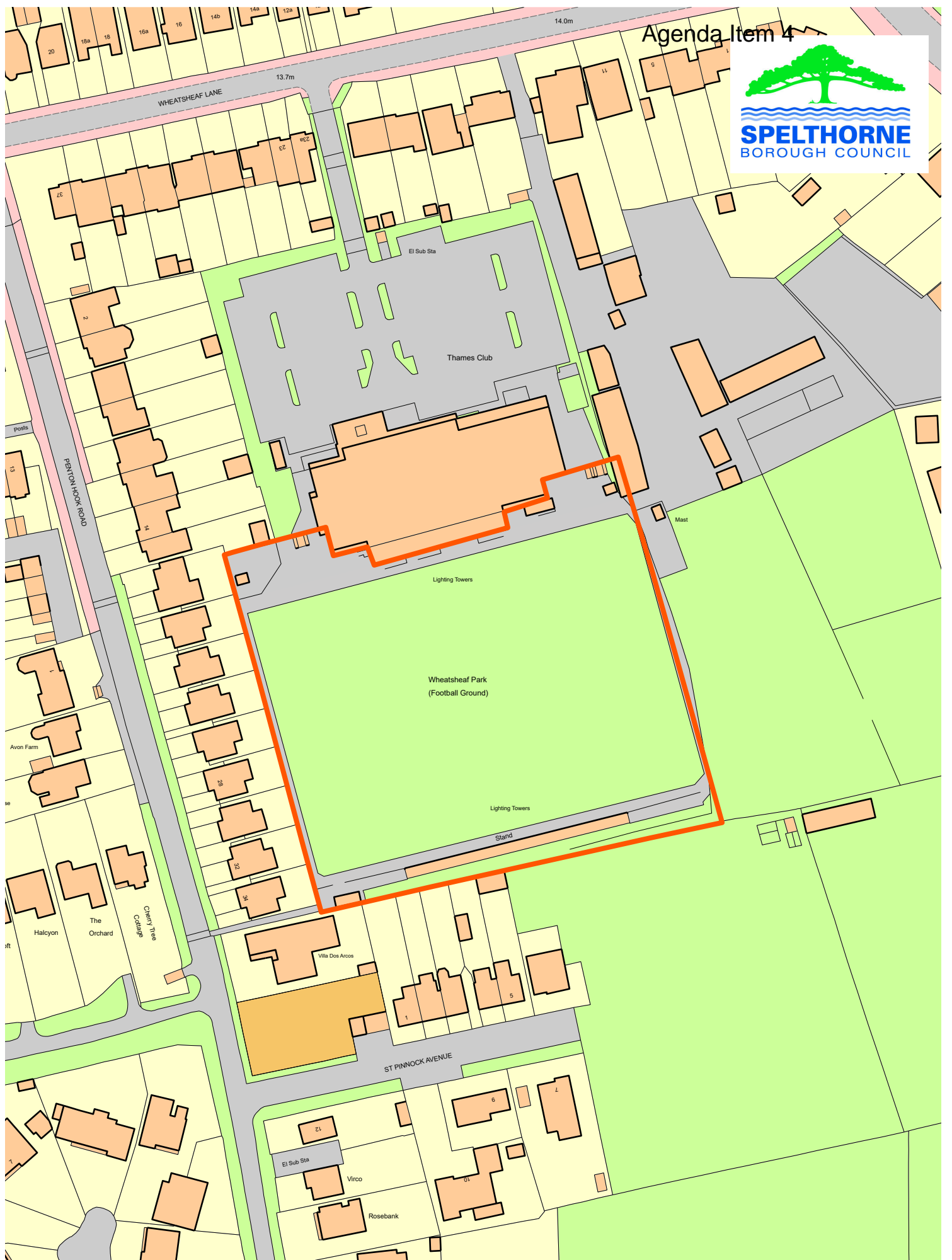
51/23 Major Planning Applications

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.

The meeting ended at 21:27

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Staines Town Football Club, Wheatsheaf Lane, Staines-upon-Thames.

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01/00018/FUL

766



**BOROUGH OF
SPELTHORNE**



Dated 12th September **2001**

Between

THE TRUSTEES OF
STAINES TOWN FOOTBALL CLUB (1)

and -

SPELTHORNE BOROUGH COUNCIL (2)

-and -

WHEATSHEAF PARK (STAINES) LIMITED (3)

-and -

THE THAMES CLUB LIMITED (4)

AGREEMENT under Section 106 of the Town and
Country Planning Act 1990 relating to
land at Staines Town Football Club
Wheatsheaf Lane Staines Middlesex
under Planning Application PA/01/0018

File No. T12.207

Deed Pkt.

Min Ref. 233/01

Ref. CDH/ Staines Town FC s 106

R.T. Lewis, DMS Solicitor
Head of Legal Services
Borough of Spelthorne
Council Offices
Knowle Green
Staines, Middlesex, TW18 1XB

DEED OF AGREEMENT

1. DATE 12th September 2001

2. PARTIES:

- 2.1. The Applicants
- 2.2. The Council
- 2.3. The Freeholder
- 2.4. The Head Lessee

3. DEFINITIONS AND INTERPRETATIONS:

Words

Meaning

- | | |
|---------------------|---|
| 3.1. The Applicants | ALAN BOON of 49 Hammer Road Egham Surrey and STEVEN PARSONS of 3 Birch Green Staines Middlesex the Trustees of Staines Town Football Club |
| 3.2. The Council | SPELTHORNE BOROUGH COUNCIL of Council Offices Knowle Green Staines Middlesex TW18 1XB |
| 3.3. The Freeholder | WHEATSHEAF PARK (STAINES) LIMITED whose registered office is at Unit 2 Stoneylands Road Egham Surrey TW20 9QR (Company Reg. No. in England 04100991) |

- 3.4. The Head Lessee -**THE THAMES CLUB LIMITED** of 47 Trevelyan Crescent Harrow Middlesex HA3 0BL (Company Reg. No. 04021897)
- 3.5. The Act The Town and Country Planning Act 1990 and any statutory amendment or re-enactment for the time being in force
- 3.6. The Application An application dated the 10 January and 2001 and identified in the Council's records by reference number PA/01/0018 to carry out the Development
- 3.7. Commencement of the means the carrying out of a material Development operation as defined by section 56(4) of the Act
- 3.8. The Development Development of the Property as defined by Section 55 of the Act namely:- Erection of new sports health and club facilities and new stand for use by Staines Town Football Club following demolition of existing buildings with associated parking to be accessed from Wheatsheaf Lane, with the existing access road to be widened as shown on drawings numbered 026A, 27A and 28A as received by the Council on 1st May 2001 and drawings numbered 24 and 25 received 10 January 2001 and plans numbered 43 and 44 received 2nd May 2001 for the Freeholder
- 3.9. The Plan The plan annexed to this Deed

3.10. The Property

All that Property known as Staines Town Football Club Wheatsheaf Lane Staines Middlesex shown edged red on the Plan registered at HM Land Registry with Title Absolute Freehold under Title No. SY 384083

4. RECITALS

4.1. The Freeholder is the freehold owner of the Property and is interested in the Property within the meaning of Section 106(1) of the Act to the intent that the covenants and undertakings and agreements on the part of the Freeholder contained herein shall apply to the Property

4.2. The Head Lessee is the leasehold owner of the Property pursuant to a Lease dated 15th December 2000 made between the Freeholder and itself for the term of 25 years from the 15th December 2000 and the Applicant is a sub-lessee of part of the Property pursuant to an Underlease dated the 15th December 2000 made between the Head Lessee and the Applicant for the term of 24 years from the 15th December 2000. Both the Head Lessee and the Applicant are interested in the property within the meaning of Section 106(i) of the Act to the intent that the Covenants and undertakings and agreements on the part of the Head Lessee and the Applicant contained herein shall apply to the Property

4.3. The Council is the Planning Authority for the purpose of the Act for the area in which the Property is located and is the Local Planning Authority entitled to enforce the obligations on the part of the Applicant herein for the purposes of Section 106(9) of the Act

4.4. The Covenants on the part of the Freeholder, the Head Lessee and the Applicant contained herein are planning obligations on the part of all those parties for the purposes of Section 106(9) of the Act

4.5. The parties have agreed that in the interest of proper planning and having regard to the provisions of the Surrey Structure Plan the Spelthorne Borough Local Plan 2001 for the purposes of securing the proper planning of the area to enter into this Deed with the intention that the Covenants contained herein may be enforced by the Council against any person or persons deriving title from the Freeholder, the Head Lessee or the Applicant

4.6. It is agreed and declared that the expressions "the Applicant" "the Council" "the Freeholder" and "the Head lessee" shall include their successors in title and assigns.

4.7. This Deed is made pursuant to the provisions of Section 111 of the Local Government Act 1972 and to Section 106 of the Act

5. COVENANTS

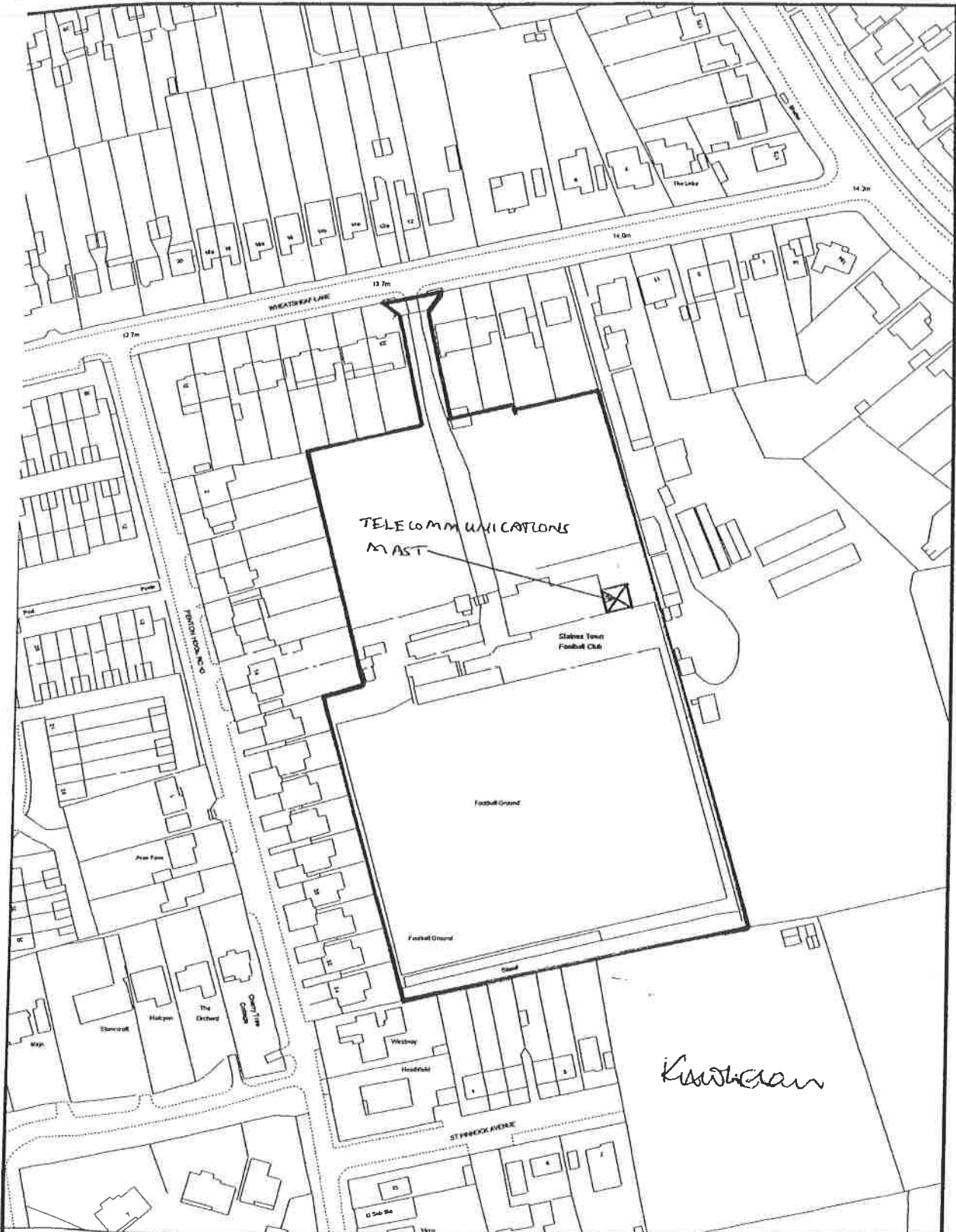
5.1. In consideration of the Council granting planning permission for the Development the Freeholder the Head Lessee and the Applicant jointly and severally covenant with the Council to:-

5.2. Prior to the Commencement of the Development to contribute the sum of seventeen thousand pounds (£17,000.00) towards such traffic measures in the vicinity of the Property as the Council shall decide in its absolute discretion

- 5.3. To secure that the existing telecommunication mast sited on the Property in the position marked on the Plan is removed from the Property together with all equipment related to it on or before the Development is substantially completed
- 5.4. Not to implement permission No.PA/00/016 granted by the Council for the erection of a 21 metre lattice tower on the Property
- 5.5. To consent to the revocation by the Council of permission No. PA/98/0516 permitting the existing telecommunications mast comprising of 20 metre monopole with antenna, equipment cabin and compound on the Property and not to seek compensation in respect of any such revocation
- 5.6. Prior to Commencement of the Development to carry out in accordance with the reasonable requirements and to the reasonable satisfaction of the Council a field evaluation and to produce and agree with the Council before the Commencement of the Development a documented outline programme to cover the carrying out of the archeological investigation required by the Council such scheme to make provision for the limitation of damage to the archeology in accordance with the reasonable requirements of the Council for any artefacts found during the investigation to be offered to the Council for permanent display within Spelthorne
- 5.7. That the Football Pitch on the Property together with the associated facilities including those forming the Development shall only be used for games promoted by or involving teams comprised of members of Staines Town Football Club or involving teams with the permission of Staines Town Football Club and shall not be used for games promoted by any other organisation

6. LEGAL EFFECT

- 6.1. This Agreement shall not constitute notice of the planning permission and the planning permission shall not come into force until formal notice of the permission is issued
- 6.2. Unless and until the Permission is implemented by the carrying out of a material operation (as defined in Section 56(4) of the Act) nothing in this Agreement shall obligate any party to comply with the covenants contained in Clause 5 of this Agreement
- 6.3. No person shall be liable for breach of a covenant contained in this Agreement after he shall have parted with all interest in the land or the part in respect of which such breach occurs but without prejudice to liability for any subsisting breach of contract prior to parting with such interest
- 6.4. The Applicant shall on or before the date hereof pay the Council's reasonable costs incurred in the negotiation, preparation and completion of this Agreement not exceeding one thousand pounds (£1,000.00)
- 6.5. The Freeholder indemnifies the Applicant and the Head Lessee against the provisions of clause 5.1, 5.2, 5.3, and 5.5 hereof
- 6.6. This Agreement is a Local Land Charge and shall be registered as such



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**Staines Town Football Club,
Wheatsheaf Lane, Staines**



Licence Number
LA079529

Date 26/10/00

Scale 1:1500


6.7. The parties hereto agree that the provision of this Agreement shall not be enforceable by any third party other than the parties hereto pursuant to the Contracts (Rights of Third Parties) Act 1999

IN WITNESS whereof this Deed is executed in manner hereinafter appearing the day and year first before written

SIGNED AS A DEED by the said
ALAN BOON
in the presence of:-


Witness Signature

SIGNED AS A DEED by the said
STEVEN PARSONS
in the presence of:-


Witness' Signature

The COMMON SEAL of SPELTHORNE
BOROUGH COUNCIL was hereunto
affixed in the presence of:-


Chief Executive

Head of Legal Services

The **COMMON SEAL** of **WHEATSHEAF
PARK (STAINES) LIMITED** was
hereunto affixed in the
presence of:-

Director

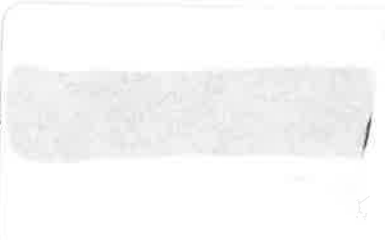
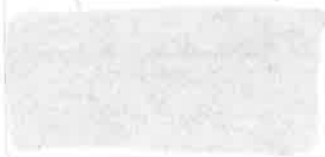
Secretary



The **COMMON SEAL** of **THE THAMES
CLUB LIMITED** was hereunto
affixed in the presence of:-

Director

Director/Secretary



Number in
Seal Register 10612
Authority for
sealing 237/01

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THE THAMES CLUB LIMITED

and

BARCLAYS BANK PLC

and

SPELTHORNE BOROUGH COUNCIL

Deed of Variation

In respect of a Section 106 Agreement dated 12 September 2001
relating to land at Wheatsheaf Lane, Staines, Middlesex

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This Deed of Variation

Dated

2023

Between:

- (1) **THE THAMES CLUB LIMITED** (company registration number 6574957) of 6th Floor, St. Magnus House, 3 Lower Thames Street, London EC3R 6HD (the **Owner**); and
- (2) **BARCLAYS BANK PLC** (company registration number 1026167) whose registered office is at 1 Churchill Place, London E14 5HP of Lending Operations, P.O. Box 299, Birmingham B1 3PF (the **Mortgagee**); and
- (3) **SPELTHORNE BOROUGH COUNCIL** of Council Offices, Knowle Green, Staines-upon-Thames, Surrey TW18 1XB (the **Council**).

Recitals

- (A) This Deed is supplemental to, and varies, the Principal Agreement.
- (B) The Council is the local planning authority for the purposes of the Act for the area in which the Property is situated.
- (C) The Owner is the freehold owner of the Property which is registered with title absolute at HM Land Registry under title number SY384083.
- (D) The Mortgagee has the benefit of a legal charge dated 26 October 2020 in respect of the Property which is registered at HM Land Registry under title number SY384083.
- (E) On 12 September 2001, the Principal Agreement was completed.
- (F) The Principal Agreement includes restrictions about the use of the Football Pitch and associated facilities on the Property.
- (G) In the interests of the proper planning of the area, the Council and the Owner have agreed to amend these restrictions in the manner set out in this Deed.

Operative Provisions

1 General Provisions

- 1.1 Unless the context otherwise requires, and save as set out below, the expressions defined in this Deed shall have the same meaning as ascribed to them in the Principal Agreement:

Deed means this deed of variation;

Principal Agreement the deed of agreement dated 12 September 2001 entered into between: (1) The Trustees of Staines Town Football Club; (2) the Council; (3) Wheatsheaf Park (Staines) Limited; and (4) the Owner pursuant to (amongst other enabling powers) Section 106 of the 1990 Act;

- 1.2 The Principal Agreement shall from the date of this Deed take effect and be read and construed as varied by this Deed.
- 1.3 Save as varied by this Deed, the covenants, rights, obligations and conditions contained in the Principal Agreement shall continue in full force and effect.

1.4 In the event of any inconsistency or ambiguity in respect of the intentions and obligations of the parties to this Deed arising under this Deed and/or the Principal Agreement, then the provisions of this Deed will prevail.

2 Statutory Provisions

2.1 This Deed is made pursuant to Sections 106 and 106A of the 1990 Act (and is a planning obligation for the purposes of those Sections), Section 111 of the Local Government Act 1972, Section 1 of the Localism Act 2000 and all other enabling powers.

2.2 This Deed is enforceable by (and against) the Council in accordance with Sections 106 and 106A of the 1990 Act.

3 Legal Effect

3.1 This Deed shall come into full force and effect upon the date of this Deed.

4 Variations of the Principal Agreement

4.1 The parties to this Deed agree that the Principal Agreement shall be varied as set out in Schedule 2 to this Deed.

5 Agreements and Declarations

5.1 If any provision of this Deed shall be held to be invalid, illegal or unenforceable the validity, legality and enforceability of the remaining provisions of this Deed shall not in any way be deemed to be affected or impaired.

5.2 A person who is not a party to this Deed shall have no right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Deed.

5.3 The Owner agrees to pay the reasonable legal costs that are properly incurred by the Council in negotiating and completing this Deed on or prior to the date of completion of the Deed.

5.4 This Deed is a local land charge for the purposes of the Local Land Charges Act 1975 and shall be registered as such by the Council.

5.5 This Deed shall be governed by and construed in accordance with the laws of England.

Schedule 1 – Plans/Drawings

Drawing number 6438 L 005 (the Pitch)

Schedule 2 - Variation of the Principal Agreement

1 New Definitions

1.1 The following definition shall be inserted as a new Clause 3.11 of the Principal Agreement:

'3.11 **Mortgagee** means Barclays Bank PLC (company registration number 1026167) of 1 Churchill Place, London E14 5HP~~Lending Operations, P.O. Box 299, Birmingham B1 3PF~~'

1.2 The following definition shall be inserted as a new Clause 3.12 of the Principal Agreement:

'3.12 **Permitted Uses** means any of the following:

- (a) use for any sports matches and/or sports training; and/or
- (b) any use falling within use class F2(c) of the Use Classes Order; and/or
- (c) such other community or public use that may be agreed in writing by the Council from time to time'.

1.3 The following definition shall be inserted as a new Clause 3.13 of the Principal Agreement:

'3.13 **Pitch** means that part of the Property as shown edged in red on drawing number 6438 L 005 as appended at Schedule 1 of this Agreement.'

1.4 The following definition shall be inserted as a new Clause 3.14 of the Principal Agreement:

'3.14 **Use Classes Order** means the Town and Country Planning (Use Classes) Order 1987 (as amended from time to time).'

2 Drawings

2.1 Drawing number 6438 L 005 shall be inserted as a new Schedule 1 of the Agreement.

3 Pitch

3.1 Clause 5.7 of the Principal Agreement shall be deleted and replaced with the following:

'Unless otherwise agreed in writing by the Council in accordance with clause 3.12(c) of this Schedule, the Pitch shall only be used for the Permitted Uses.'

4 Mortgagee Protection

4.1 The following clause shall be inserted as a new clause 6.7 of the Principal Agreement:

'The obligations in this Agreement shall not be enforceable against any mortgagee or chargee of the whole or any part of the Site from time to time (including, for the avoidance of any doubt, the Mortgagee) or any person deriving title from such mortgagee or chargee unless and until any such mortgagee or chargee takes possession of the Property (or any part of it to

which such obligation relates) in which case it shall be liable as if it were a successor in title to the owner of the relevant part of the Property PROVIDED THAT neither any mortgagee nor chargee nor person deriving title from such mortgagee or chargee shall be liable for any breach of the obligations contained in this Agreement unless committed at a time when that person is in possession of the Property (or any part of the Property to which such obligation relates).'

Execution page

Deed of Variation

In **witness** of which this Deed has been executed by the parties as a **deed** and **delivered** on the date set out at the beginning of this Deed.

Executed as a Deed by)
The Thames Club Limited)
acting by a director in the presence)
of:

sign here:

Director

print name: _____

In the presence of:

Witness signature:

Witness sign here: _____

Witness name:

print name: _____

Witness address:

Witness occupation:

Executed as a Deed by)
Barclays Bank PLC)
acting by:

sign here: _____

Authorised signatory

print name: _____

Executed as a Deed by affixing the)
common seal of)
Spelthorne Borough Council)
in the presence of:

(affix seal)

sign here: _____

Authorised signatory

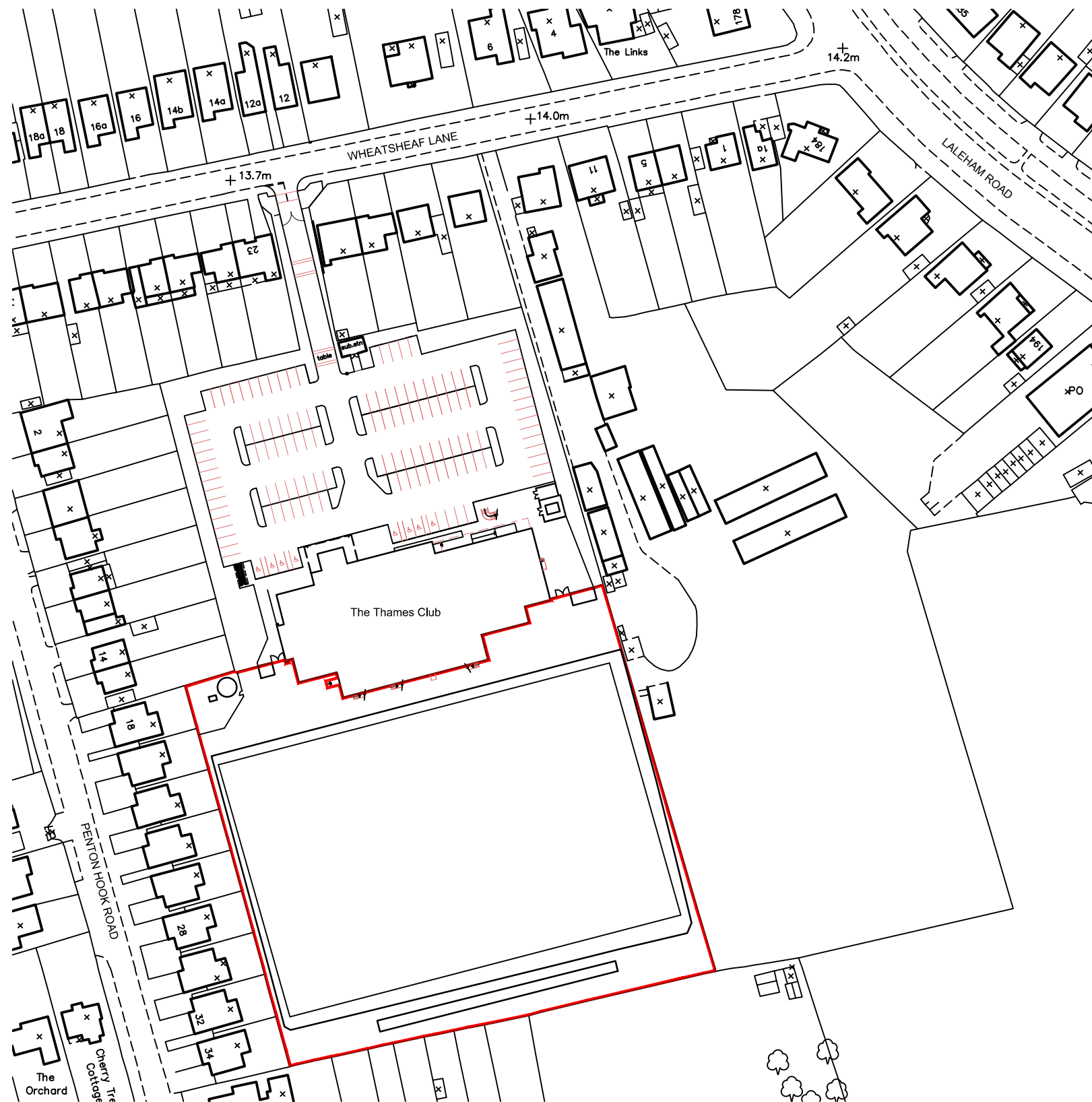
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NOTES

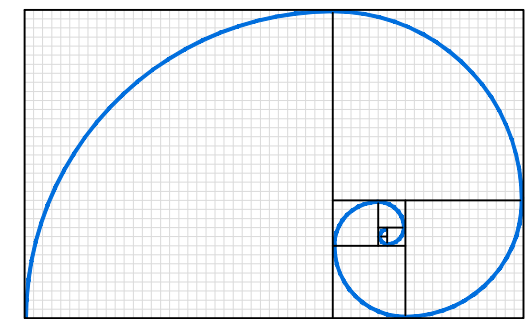
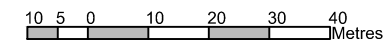
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REVISION

REV	DESCRIPTION	DATE	BY	CKD



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PROJECT

**THE THAMES CLUB
WHEATSHEAF LANE
STAINES**

DRAWING

SITE PLAN

DRAWN	CKD	DATE	SCALE	DMM	DRG No	REVISION
DMM	DMM	June 2023	1:1250 @ A3		6438 L 005	-

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Planning Committee

20 September 2023



Application No.	01/00018/FUL
Site Address	Wheatsheaf Park, Wheatsheaf Lane, Staines-upon-Thames, TW18 2PD
Applicant	Thames Club Limited
Proposal	To enter into a Deed of Variation (DoV) to the Agreement dated 12 September 2001 made under Section 106 of the Town and Country Planning Act 1990, relating to Land at Staines Town Football Club, Wheatsheaf Lane, Staines, Middlesex, under Planning Application PA/01/0018 ('the Section 106 Agreement').
Case Officer	Matthew Churchill
Ward	Riverside & Laleham
Called-in	In accordance with the Planning Committee's 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 DoV should be submitted to the Planning Committee for determination.

Application Dates	Valid: N/A	Expiry :N/A	Target: N/A
Executive Summary	<p>This proposal seeks authority to enter into a DoV to the Section 106 Agreement.</p> <p>Planning permission was granted at Wheatsheaf Park in Staines-upon-Thames on 12 September 2001 for the "<i>Erection of a new sports, health and club facilities and new stand for use by Staines Town Football Club, following demolition of the existing buildings, with associated parking, to be accessed from Wheatsheaf Lane with the existing access road to be widened</i>".</p> <p>At 'Clause 5.7', the Section 106 Agreement states "<i>That the Football Pitch on the Property together with the associated facilities including those forming the Development shall only be used for games promoted by or involving teams comprised of members of Staines Town Football Club or involving teams with permission of Staines Town Football Club and shall not be used for games promoted by any other organisation</i>".</p> <p>The Local Planning Authority (LPA) understands that Staines Town Football Club (STFC) left the property in early 2022. It is further understood that the original unincorporated football club had become a limited company in 2008 and winding up proceedings began in respect of Staines Town Football Club Limited in October 2022 which means</p>		

	<p>that soon it is likely to cease to exist.</p> <p>The LPA has been approached by the Thames Club Limited who are the freehold owners of the site and wish to amend the Section 106 Agreement through a DoV. This would allow the pitch, stands and associated facilities to be used by sports teams other than STFC without first seeking the permission of STFC, as is currently required by 'Clause 5.7'.</p> <p>It is understood that Brentford Football Club has an interest in using the site for its academy and women's teams. If agreed, a DoV would allow any sports teams to use the pitch, stands and associated facilities without the permission of STFC and would not be limited to Brentford FC. The DoV must be determined on this basis.</p> <p>The applicant's Draft DoV seeks to delete and replace 'Clause 5.7' of the Section 106 Agreement to state "<i>Unless otherwise agreed in writing by the Council, that the pitch shall only be used for the Permitted Uses</i>".</p> <p>The applicant further seeks to insert the definition of "<i>Permitted Uses</i>" to include "<i>(a) use for any sports matches and/or sports training; and/or (b) any use falling within use class F2(c) of the Use Classes Order; and/or (c) such other community or public use that may be agreed in writing by the Council from time to time</i>".</p> <p>A copy of the Draft DoV and the original Section 106 Agreement from 2001 has been included in the appendices for this report, although this is a draft and may be subject to minor alterations prior to completion.</p> <p>The Local Planning Authority has sought independent legal advice from specialist Counsel, and it is understood that it would be possible to agree to modify the Section 106 Agreement through a DoV.</p> <p>From a planning perspective, the proposed modification would not prevent STFC from using the pitch, stands and other facilities in future, although this could also be subject to legislation and agreements outside of the planning process. However, the modification would remove the right of STFC to prevent other sports teams from using the pitch, stands and other facilities, by refusing permission for them to do so.</p>
<p>Recommended Decision</p>	<p>Agree to enter into the DoV for the reasons set out in this 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:

- SP1 (Location of Development).
- SP5 (Meeting Community Needs).
- SP6 (Maintaining and Improving the Environment).
- CO1 (Providing Community Facilities).
- LO1 (Flooding).
- CC2 (Sustainable Travel).
- CC3 (Parking Provision).
- EN1 (Design of New Development)
- EN4 (Provision of Open Space and Sport and Recreation Facilities).

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. At the meeting of the Council on 19 July 2023, it was agreed that Catriona Riddell & Associates be appointed to provide 'critical friend' support to inform the options for taking the plan process forward. A final report setting out the conclusions from the critical friend review will be referred to the Council on 14 September 2023.

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.
- E3: Managing Flood Risk.
- E5: Open Space and Recreation.
- EC4 Leisure and Culture.

- 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.

2. Relevant Planning History

- 2.1 The site has the following planning history:

01/00018/FUL	Erection of new sports, health and club facilities and new stand for use by Staines Town Football Club, following demolition of existing buildings, with associated parking, to be accessed from Wheatsheaf Lane with the existing access road to be widened.	Granted 12.09.2001
01/00022/FUL	Erection of 3 no. temporary buildings to provide facilities for Staines Town Football Club until the proposed development approved under PA/01/0018 becomes fully operational.	Granted 03.01.2002
02/00763/FUL	Erection of a chiller unit and fence enclosure and brick refuse enclosure.	Granted 11.11.2001
02/00964/FUL	Erection of turnstiles within the site	Granted 11.12.2002
02/00965/FUL	Erection of 4 No. Floodlights to replace 8 existing floodlights to light the football pitch.	Granted 06.12.2002
02/01030/ADV	Display of non-illuminated advertisement.	Granted 17.01.2003

02/01116/RVC	Amendments to condition 26 (hours of opening) of planning permission PA/01/0018 (new sports, health and club facilities and football stand) to permit earlier opening hours.	Granted 08.01.2003
03/00136/FUL	Erection of a chiller unit and fence enclosure and brick refuse enclosure. (Amendment to planning permission 02/00763).	Granted 03.04.2003
03/00635/RVC	Amendment to condition 1 of 02/01116/RVC and condition 26 (both hours of opening conditions) of PA/01/0018 (new sports, health and club facilities and football stand) to permit later opening hours.	Granted 14.08.2003
06/00240/FUL	Amendments to condition 1 (hours of opening) of planning permission PA 02/1116 to permit late opening hours until 00.00hrs on Fridays and Saturdays.	Refused 04.05.2006
07/00299/RVC	Temporary relaxation of condition 1 (hours of opening) of planning permission 02/1116 for a period of 3 years, to enable up to 8 events each year with a later closing time.	Granted 25.05.2007
07/00769/FUL	Amendments to condition 1 (hours of opening) of planning permission PA/02/1116/RVC to permit earlier opening hours from 06.30 hours Monday to Friday.	Granted 06.11.2007
09/00051/FUL	Infill of existing entrance canopy to form new ground and first floor areas and creation of new entrance on ground floor. Some internal alterations to layout and changes to fenestration.	Granted 09.04.2009
10/00215/FUL	Temporary relaxation of condition 1 (hours of opening) of planning permission 02/01116 for a period of 5 years to enable up to 8 events each year with a later closing time.	Granted 27.07.2010
19/00080/RVC	Variation of condition 1 (hours of opening) of planning permission PA/02/01116/FUL and amending 07/00769/FUL to permit earlier opening hours of 6am Monday to Thursday and a temporary relaxation of this condition to allow the hosting of 8 events each	Granted 26.04.2019

year with a later closing time for a temporary period of five years.

3. Description of Current Proposal

Background

- 3.1 The application site is located in Wheatsheaf Lane in Staines-upon-Thames. It is occupied by The Thames Club (TCL), the football pitch and stands, as well as an associated car park and other facilities.
- 3.2 The site is located in the Green Belt and across the 1 in 20 (flood zone 3b) and 1 in 100-year (flood zone 3a) flood event areas.
- 3.3 On 12 September 2001 planning permission was granted under the reference PA/01/0018, for the:
- “Erection of new sports, health and club facilities and new stand for use by Staines Town Football Club, following demolition of existing buildings, with associated parking, to be accessed from Wheatsheaf Lane with the existing access road to be widened”.*
- 3.4 A Section 106 Agreement relating to planning permission PA/01/0018, was also completed on 12 September 2001. The agreement contains a number of planning obligations, including ‘Clause 5.7’ which states:
- “That the Football Pitch on the Property together with the associated facilities forming the Development shall only be used for games promoted by or involving teams comprised of members of Staines Town Football Club or involving teams with permission of Staines Town Football Club and shall not be used for games promoted by any other organisation”.*
- 3.5 A copy of the original Section 106 Agreement has been included in the appendices of this report.

Procedure

- 3.6 Under the provisions of [Section 106A of the Town and Country Planning Act 1990](#), it is possible to modify or discharge a planning obligation by:
- An agreement between the appropriate authority and the person(s) against who the agreement is enforceable; or
 - A formal application to discharge or modify a planning obligation submitted under Section 106A of the Town and Country Planning Act 1990.
- 3.7 There is no right of appeal against an LPA’s refusal to agree to modify a planning obligation where it is not submitted through a formal application. However, in the event that an LPA refused to agree to a modification, TCL could apply for a Judicial Review of the decision making mechanism if it

thought it had been made unlawfully, which might result in the decision being remitted back to the LPA to make correctly.

- 3.8 However, a more likely course of action would be for TCL to submit a formal application to modify the Section 106 Agreement which is possible once an obligation is more than 5 years old. In the event that such a formal application were refused, there would be a right of appeal to the Secretary of State under Section 106B of the Town and Country Planning Act 1990 to be determined by the Planning Inspectorate on planning merits.
- 3.9 In this instance, the applicant has confirmed to the LPA that the Draft Deed of Variation (DoV) has not been submitted through a formal application under Section 106A.
- 3.10 Instead, were the Draft DoV to be agreed, the obligation would be modified through an agreement between the appropriate authority (Spelthorne Borough Council) and the person(s) whom it would be enforceable against (The Thames Club Limited and Barclays Bank PLC).

Proposal

- 3.11 The Draft DoV seeks to delete and replace 'Clause 5.7' from the original Section 106 Agreement. The proposed modification would allow for the pitch and stands to be used by sports teams other than Staines Town Football Club without those teams first obtaining the permission of Staines Town Football Club.
- 3.12 The applicant's proposed replacement 'Clause 5.7' would state:
- "Unless otherwise agreed in writing by the Council, that the Pitch shall only be used for the Permitted Uses".*
- 3.13 The applicant also seeks to insert new definitions into the Section 106 agreement including relevant to 'Clause 5.7':
- "3.12 Permitted Uses means any of the following:*
- (a) use for any sports matches and/or sports training; and/or*
 - (b) any use falling within use class F2(c) of the Use Classes Order; and/or*
 - (c) such other community or public use that may be agreed in writing by the Council from time to time".*
- 3.14 A copy of the Draft DoV has been included in the appendices for this report.
- 3.15 The applicant has confirmed that Brentford Football Club has an interest in using the pitch and stands for its academy and women's teams matches. However, it should be noted that Brentford Football Club is not party to the Draft DoV; as drafted it would allow any sports teams to use the pitch and stands without first obtaining the permission of Staines Town Football Club.
- 3.16 From a planning perspective proposed modification would not prevent Staines Town Football Club from using the pitch and stands in future, although this

may also be subject to other legislation and agreements outside of the planning regime.

4. Consultations

- 4.1 Under the provisions of Section 106A of the Town and Country Planning Act 1990, where an applicant does not submit a formal application to discharge or modify an obligation, and an agreement is sought between the relevant authority and the person(s) whom the agreement is enforceable against, there is no requirement to notify Statutory Consultees.
- 4.2 The LPA has sought independent counsel opinion, which has been considered and incorporated into this report.

5. Public Consultation

- 5.1 There is no requirement under the provisions of Section 106A where a formal application is not submitted, to give publicity to an agreement to modify or discharge a planning obligation between the relevant authority and the person(s) against whom the agreement is enforceable against. As such, there has been no requirement for the LPA to send neighbour notification letters and no letters have been sent.

6. Planning Issues

- 6.1 In determining whether to agree to the proposed modifications to the Section 106 Agreement set out in the Draft DoV, the following matters should be considered:
- What is the purpose of the current obligation?
 - What purposes does it fulfil?
 - Is it a useful purpose?
 - Would the obligation serve that purpose equally well if it had effect subject to the proposed modification?

7. Planning/Legal Considerations

- 7.1 A Section 106 Agreement is a means to secure planning obligations. The Planning Practice Guidance (PPG) states:

“What are Planning Obligations?”

Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal.

This can be via a planning agreement entered into under [section 106 of the Town and Country Planning Act 1990](#) by a person with an interest in the land and the local planning authority; or via a unilateral undertaking entered into by a person with an interest in the land without the local planning authority.

Planning obligations run with the land, are legally binding and enforceable. A unilateral undertaking cannot bind the local planning authority because they are not party to it.

Planning obligations are also commonly referred to as ‘section 106’, ‘s106’, as well as ‘developer contributions’ when considered alongside highways contributions and the Community Infrastructure Levy”.

- 7.2 As highlighted above, it is possible to discharge or modify a planning obligation under the provisions of Section 106A of the Town and Country Planning Act 1990. This would be through either an agreement between the relevant authority and the person(s) against whom the obligation is enforceable, or through a formal application to modify or discharge the obligation.
- 7.3 The applicant through the Draft DoV, seeks to modify the obligations agreed in the Section 106 Agreement completed on September 2001, in relation to planning permission PA/01/0018.
- 7.4 This would be an agreement between the relevant authority and the person(s) against whom the obligation is enforceable. The applicant has confirmed that this is not a formal application submitted under Section 106A of the Town and Country Planning Act 1990.
- 7.5 Planning permission PA/01/0018 relates to the:
- “Erection of new sports, health and club facilities and new stand for use by Staines Town Football Club, following demolition of existing buildings with associated parking, to be accessed from Wheatsheaf Lane with existing access road to be widened”.*
- 7.6 The Section 106 Agreement contained a number of planning obligations, including ‘Clause 5.7’, which states:
- “That the football pitch on the Property together with the associated facilities including those forming the development shall only be used for games promoted by Staines Town Football Club or involving teams with the permission of Staines Town Football Club and shall not be used for games promoted by any other organisation”.*
- 7.7 The Draft DoV seeks delete and replace ‘Clause 5.7’ so that it would state:
- “Unless otherwise agreed in writing by the Council, that the Pitch shall only be used for the Permitted Uses”.*
- 7.8 It is also proposed that a new definition would be inserted into the agreement, stating that:
- “Permitted Uses means any of the following:*
- (a) *use for any sports matches and/or sports training; and/or*
 - (b) *any use falling within use class F2(c) of the Use Classes Order; and/or*

(c) *such other community or public use that may be agreed in writing by the Council from time to time*".

- 7.9 The pitch and stands were previously used by Staines Town Football Club, which played its home matches at the site. It is understood that winding up proceedings commenced against Staines Town Football Club Ltd in October 2022.
- 7.10 The applicant has stated that Staines Town Football Club has abandoned the property. It is also relevant to note that the Land Registry Title Deeds show that the Thames Club became the freeholder and registered owner of the site in July 2008.
- 7.11 On the basis of the information submitted by the applicant, the Local Planning Authority (Spelthorne Borough Council) and the applicant (the Thames Club Limited) could be party to a modification to the planning obligations set out in the Section 106 Agreement though a DoV.
- 7.12 In addition, it would be possible to modify the current obligations through the Draft DoV.
- 7.13 The Council has also been contacted by life members of Staines Town Football Club, which have informed the LPA that they would object to any alterations or modifications to the Section 106 Agreement.
- 7.14 On the basis of the information submitted to the Council, the trustees of Staines Town Football Club would no longer be party to any Deed of Variation. It is understood that the Football Club became a limited company that is no longer successor in title.
- 7.15 It is noted that the development description for planning permission PA/01/0018 includes "*for use by Staines Town Football Club*". However, the wording of the development description does not limit the use of the site to Staines Town Football Club exclusively.
- 7.16 Furthermore, none of the conditions or reasons attached to the decision notice limit the use of the facilities to Staines Town Football Club. As such, it is considered possible for other sports teams to use the site, notwithstanding the planning obligation set out at 'Clause 5.7' of the Section 106 Agreement.
- 7.17 The original planning permission (PA/01/0018) is extant, and the LPA could not insist that the Thames Club submits a new planning application for other sports teams to use the site.
- 7.18 The Planning Committee must therefore consider whether to agree to the Draft DoV. The agreement would allow sports teams other than Staines Football Club to use the pitch and stands without first obtaining the permission of Staines Town Football Club.
- 7.19 In considering whether to agree to the Draft DoV, the following must be considered:

What is the current obligation:

- 7.20 'Clause 5.7' of the current Section 106 Agreement currently restricts the use of the football pitch and associated facilities to games promoted by and used for teams comprising of members of Staines Town football Club or involving teams with the permission of Staines Town Football Club.

What purpose does it fulfil:

- 7.21 The obligation restricts the use of the football pitch and associated development to that of teams comprising Staines Town Football Club and other teams where those teams have the permission of Staines Town Football Club.

Is it a useful purpose?

- 7.22 'Clause 5.7' does not prevent teams other than Staines Town Football Club from playing at the site. It instead requires any team using the site to have the permission of Staines Town Football Club before doing so.
- 7.23 On the basis of the information submitted by the applicant, Staines Town Football Club has abandoned the site and winding up proceedings have commenced against Staines Town Football Club Ltd.
- 7.24 The prevention of other sports teams using the site without permission of Staines Town Football Club appears to no longer serve a useful purpose as the Football Club has now abandoned the site.

Would the obligation serve that purpose equally well if it had effect subject to the proposed modification?

- 7.25 The current Section 106 Agreement allows teams other than Staines Town Football Club to use the pitch, so long as those teams have the permission of Staines Town Football Club.
- 7.26 The proposed deletion and replacement of 'Clause 5.7' would still allow other teams to use the site, although they would no longer require the permission of Staines Town Football Club before doing so, which has now abandoned the site.
- 7.27 Furthermore, the replacement wording of 'Clause 5.7' proposed in the Draft DoV would not prevent Staines Town Football Club or any reincarnation of Staines Town Football Club, from returning to pitch and stands from a planning perspective at a later point. However, it is possible that other legislation/agreements outside of the planning process could prevent this.
- 7.28 At paragraph 93, the NPPF states that to provide social recreational and cultural facilities, planning decisions should plan positively for the provision of use of community facilities such sports venues. Staines Town Football Club has left the site. Agreement to the draft DoV may bring into use a sports venue in the borough that is currently unused.

8. Recommendation

- 8.1 Officers consider that it is possible to modify the obligations set out in the Original Section 106 agreement, through the provisions of Section 106A of the Town and Country Planning Act 1990.
- 8.2 The applicant's Draft Deed of Variation would allow sports teams other than Staines Town Football to use the pitch and stands, without first seeking the permission of Staines Town Football Club.
- 8.3 It is understood that winding up proceedings have commenced against Staines Town Football Club Ltd., which has also abandoned the site. As such, it is considered that 'Clause 5.7' no longer serves its useful purpose and prevents any other teams from using the pitch and stands.
- 8.4 It is therefore recommended that Members agree in principle to vary the Original Section 106 Agreement to remove the existing restrictions on the use of the pitch and stands as outlined in this report by entering into a DoV with TCL.

Appendices:

Environment and Sustainability Committee



5 September 2023

Title	Planning Development Management Performance Report
Purpose of the report	To note
Report Author	Esmé Spinks, Planning Development Manager
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	Community Environment Service Delivery Affordable Housing
Recommendations	Committee is asked to: 1. Note the report
Reason for Recommendation	N/A

1. Summary of the report

1.1 This report seeks to review the performance of the Planning Development (PDM) Management service over the past year. The report follows on from those produced on an annual basis to the Environment and Sustainability Committee.

2. Key issues

2.1 Successive governments have assessed Local Planning Authorities (LPA) performance on the speed with which they determine planning applications. The “designation regime” (introduced in 2013 and amended in 2016) is based on the speed and quality of decisions for major and non-major development over a rolling 2-year period. Over the years, Spelthorne has consistently met and surpassed these targets.

2.2 The quality and speed of major development is a target which is, and will continue to be, monitored particularly closely due to the relatively few major

applications received. There is a continued risk, in terms of the quality of major applications threshold, of exceeding the 10% threshold. It is imperative the Council has sound reasons to refuse an application, and that these are capable of being defended successfully at appeal. Failure to do so could expose the Council to the real risk of “designation”. The speed and quality of non-major applications are targets which are less problematic to meet due to the significantly higher numbers received overall, but nonetheless are still closely monitored.

- 2.3 Government policy announcements in recent years has aimed to boost the supply of housing, enable homes to be built faster and encourage higher housing densities within urban locations. These have been encapsulated into the revised National Planning Policy Framework, issued in July 2021 where a presumption in favour of sustainable development lies at its heart. The presumption in favour of housing schemes applies in Spelthorne because this authority does not have a 5 year housing land supply housing (it currently stands at 3.53 years) which has triggered a presumption in favour of sustainable development. In addition, the Housing Delivery Test, which compares the number of new homes delivered over the previous three years with the authority's housing requirement, is currently 69%. As this is less than the required 75%, the NPPFs presumption in favour of sustainable development is also triggered for Spelthorne. our most recent Housing Delivery Test result was 69%.
- 2.4 The PDM Officers are working within a culture of continuous performance. Further investment in IT has taken place assist with performance management and the Council's agile working policy and this is a necessary continuing process. The Planning DM officers successfully met this challenge and have also exceeded all government performance targets.
- 2.5 Following the May elections, planning training has taken place on decision making, appeals and costs, Green Belt and Planning Enforcement and further training is planned in 2023 and the first part of 2024. Training will continue as new planning legislation is introduced and refreshers are needed.
- 2.6 It is proposed to continue providing planning application performance statistics in future E&S Committee papers.

3. Options analysis and proposal

- 3.1 The first section of the report deals with the Designation Regime. Local Planning Authorities are provided with statutory time limits to determine planning applications within a set period of time. These time limits are a way to evaluate a local planning authority's performance and can lead to a Council losing its power to determine planning applications within its jurisdiction if too many applications are determined outside these statutory time limits. The time limits are known as determination periods and are set at 13 weeks for Major planning applications (mainly 10+ dwellings and new floorspace of 1,000 sqm+(16 weeks where subject to Environmental Impact Assessment) and 8 weeks for other planning applications defined as “Minor” and “Other” (non-major proposals).
- 3.2 As part of the Growth Agenda, the Growth and Infrastructure Act 2013 saw an introduction to the “designation regime” which has since been refined and

expanded. It measures performance based on the speed and quality of decisions for major and non-major development over a rolling 2-year period as follows:

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

The performance of LPAs can be “designated” on the basis of its speed and/or quality performance on major development, on non-major development, or both.

3.3 The Secretary of State will decide once a year whether any “designation” should be made or lifted. If an LPA is at risk of designation for one or more categories, the DCLG will write to the LPAs requesting any data corrections or exceptional circumstances that would make a “designation” unreasonable. Where an authority is “designated”, applicants may apply directly to the Planning Inspectorate for the category of applications (major, non-major or both) for which the authority has been “designated”. The exception is where an authority is designated for non-major development, householder applications and retrospective applications. Applicants will not be able to submit these applications to the Planning Inspectorate as these are best dealt with locally. Soon after a designation is made the LPA is expected to prepare an “action plan” addressing areas of weakness that contributed to its under-performance. Appendix 2 contains a flow chart setting out the designation process.

3.4 Table 1 of the main report (reproduced below) provides an overview of the thresholds and assessment period for 2021 and 2022 and details of Spelthorne’s performance.

Table 1

Measure and type of Application	2019-2021 Threshold and assessment period	Spelthorne’s Performance 2021	2020-2022 Threshold and assessment period	Spelthorne’s Performance 2022
Speed of Major Development	60% (min) (October 2019 to September 2021)	98% N.B. The higher the % the better	60% (min) (October 2020 to September 2022)	98% N.B. The higher the % the better
Quality of Major Development	10% (max) (April 2019 to March 2021)*	2.33% N.B. The lower the % the better	10% (max) (April 2020 to March 2022)*	4.65% N.B. The lower the % the better

Speed of Non-Major Development	70% (min) (October 2019 to September 2021)	96% N.B. The higher the % the better	70% (min) (October 2020 to September 2022)	96% N.B. The higher the % the better
Quality of Non-Major Development	10% (April 2019 to March 2021)*	1.25% N.B. The lower the % the better	10% (April 2020 to March 2022)*	1.13% N.B. The lower the better

* an additional 9 months is given to 31 December to allow for the receipt of appeal decisions

Spelthorne has met and exceeded all four targets for the threshold periods.

- 3.5 The 'Quality of Major Development' threshold is monitored particularly closely. This is because of the relative few number of majors which we receive compared with other applications. It would only take four or five majors to be allowed on appeal over a two year period (based on 40-50 majors determined in the last few years) to bring the performance over the designation threshold of 10% and the consequences outlined in para 3.3 above. Where an authority is "designated", applicants may apply directly to the Planning Inspectorate for the category of applications (major, non-major or both) for which the authority has been "designated". Where an authority is "designated", applicants may apply directly to the Planning Inspectorate for the category of applications, for which the authority has been "designated (in this case 'major')". Continuous monitoring against this criterion is essential.
- 3.6 The next section of the report deals with performance in terms of numbers of applications. In terms of the 8 week and 13 week speed performance outlined above, Spelthorne performance for decisions made in 2019 – 2022 is set out in table 3 of the main report. Over the past four years, the number of planning applications determined has increased in the 'majors' and 'other' (with the exception of 2021) categories and in the 'Minor' category from 2019. Overall, there has been an increase in the total received in 2022 compared with the previous years (with the exception of 2021) whilst performance has far exceeded the government targets.
- 3.7 During the same three years ending December 2022, PDM also dealt with a large number of other type of applications not included in the statutory returns, i.e., Certificate of Lawfulness applications, Surrey County Council applications and Tree applications, (Table 4 of the main report). The data shows that there has been a significant increase in the total number determined since 2019. Over the four years; there was a 14.7% increase from 2019 to 2022 and 22.7% increase from 2020 to 2022 and only a slight reduction (6.6%) from 2021 to 2022.
- 3.8 Overall, in 2022 a total of 1406 planning decisions were made by the LPA compared with 1515 in 2021, 1205 in 2020 and 1,352 in 2019.

3.9 The LPA also deals with several other matters involving appeals, planning enforcement and enquiries. A summary of the last four years is contained in table 5 of the main report.

3.10 The planning appeals and enforcement appeals for the past two years are contained in appendices 3 and 4 of the main report. There were 116 appeal decisions received:

- 5 Enforcement appeals
- 111 Planning appeals

Of these appeals:

- 83 Planning appeals were dismissed
- 5 Planning Enforcement appeals were dismissed and the enforcement notice upheld.
- 0 Enforcement notice was quashed on appeal
- 26 Planning appeals were allowed, and
- 1 Planning appeals was lapsed
- 1 Planning appeal was withdrawn

3.11 The report also assesses planning applications which were recommended for approval by the Planning Officer but overturned and refused by the Planning Committee. Between January 2021 to December 2022, nine planning applications were recommended for approval by the Planning Officer but overturned and refused by the Planning Committee. This compares with 11 in the previous report last year. The details are contained in table 6.

3.12 The final table, no.7 summarise planning enforcement activity. Overall, there has been an increase in planning enforcement complaints by 24% from 2018 to 2021 and a drop in 2022 although the six months to June 2023 show a rise again. The enforcement team is currently dealing with a number of complex enforcement cases and is currently operating with just two full time members of staff due to a vacancy in the team. reflects the complexity of current enforcement issues. A detailed report on planning enforcement policy was reported to the Neighbourhood Services Committee in March 2022.

3.13 The report concludes with a summary of government papers including consequences of the Housing Delivery Test result of 69% and lack of a 5 year housing land supply leading to the 'titled balance' being applied for most residential development planning applications in Spelthorne. Reference is also made to the Levelling Up and Regeneration Bill, expected to become law by the end of the year and Biodiversity Net Gain (BNG) which will come into effect in November for major applications and April for non-major development.

3.14 The Government has recently announced a raft of proposed planning changes relating to amended permitted development rights, an increase and amendments to the planning fees (from April 2024) and amended performance targets to follow. The aims have been to 'simplify' the planning

process (to provide additional housing) but the process has become increasingly complex. The increase in planning fees is to provide increased resilience to the PDM service.

4. Financial implications

- 4.1 Potentially negative financial implications could arise if the planning performance results in the Local Planning Authority (LPA) being ‘Designated’ for Major developments. This is because not only would the LPA lose control in decision making of important strategic planning proposals, the LPA would also not receive the pre-application advice fee and statutory planning application fee of the larger schemes which can be significant. For example, the planning application fees of some large proposals include Shepperton Studios Reserved Matters £189,839 and £45,491 and Debenhams £50,381. In 2022/23, Planning DM received over £600,000 in income from planning application fees and pre-application advice given by officers.
- 4.2 An additional potential implication could arise if new dwellings are not approved (if policy compliant). This would lead to a reduction in the New Homes Bonus (NHB) which is secured for every new home completed in the borough. The NHB for 2023/24 is £101,000.
- 4.3 The proposed statutory planning fee increase in April 2024 (between 25% and 35%) plus an annual increase from April 2025 will assist in bringing resilience to the Planning Development Management service. The government will also be bringing in a new planning performance framework, although the consultation on the new framework will not be until after the increase in planning fees has been invested in supporting the capacity and capability of the planning service.

5. Other considerations

- 5.1 There are no further considerations to be taken into account.

6. Equality and Diversity

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

7. Sustainability/Climate Change Implications

- 7.1 There are no sustainability/climate change issues.

8. Timetable for implementation

- 8.1 The Planning DM performance is monitored on a constant basis. It is intended to continue to provide an annual performance report to the Committee.

9. Contact

- 9.1 For further details please contact Esmé Spinks at e.spinks@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix 1 – Main Report

Appendix 2 – Designation process

Appendix 3 - Planning Appeals Received & Decided January 2021 – December 2022

Appendix 4 - Planning Enforcement Appeals Decided January 2021 – December 2022

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Appendix 1

Title	Development Management Performance
Purpose of the report	The purpose of this report is to advise the Members of the Planning Development Management (PDM) performance over the past year.
Report Author	Esmé Spinks, Planning Development Manager
Recommendations	It is recommended that the Environment and Sustainability Committee notes the report.
Executive Summary	<p>Successive governments have assessed Local Planning Authorities (LPA) performance on the speed and quality with which they determine planning applications. The Government has introduced tough measures for LPAs which fail to perform. Over the years, Spelthorne's performance has surpassed the Government's performance targets. However, there is a risk that the Council's performance in respect of the quality of major developments may come under greater scrutiny and could result in Government sanctions.</p> <p>Government policy announcements have aimed to boost the supply of housing, enable homes to be built faster and encourage higher housing densities within urban locations. These have been encapsulated in the National Planning Policy Framework, July 2021 where a presumption in favour of sustainable development lies at its heart.</p> <p>At present the LPA does not have the required five year supply of housing (it currently stands at 3.53 years) which has triggered a presumption in favour of sustainable development. In addition, the Housing Delivery Test, which compares the number of new homes delivered over the previous three years with the authority's housing requirement, is currently 69%. As this is less than the required 75%, the NPPF's presumption in favour of sustainable development is also triggered for Spelthorne.</p> <p>An up to date development plan gives greater certainty to all those involved in the development process and the local community. Decisions based on an up to date plan and supplementary guidance which are consistent with the NPPF are more easily defended at appeal. It is important to ensure that reasons for refusal can be defended on appeal without the risk of an award of costs against the Council. Robust decision making helps to ensure that the risk of the Council being "designated" based on appeals is minimised.</p>

	<p>Any request for an application to be called into the Planning Committee should only be made if there is a ‘material planning concern’ as set out in the Council’s Planning Code, 2021.</p> <p>DM Officers are working within a culture of continuous performance throughout the DM process. Further investment in IT software and hardware has been implemented to assist with performance management and the Council’s agile working policy and this is a necessary continuing process.</p> <p>In March 2020, following the Covid 19 lockdown, the Planning DM service was transferred remotely. The Planning DM officers successfully met this huge challenge, have continued to do so and have also exceeded all government performance targets.</p> <p>Following the May elections, planning training has taken place on decision making, appeals and costs, Green Belt and Planning Enforcement and further training is planned.</p> <p>Presentations have been undertaken by developers prior to the submission of their planning applications and will continue to do so. These measures will assist with the quality of decision making. Officers have also attended some on-line training courses as part of their continuous professional development.</p> <p>The Government has recently announced a raft of proposed planning changes relating to amended permitted development rights, an increase and amendments to the planning fees (from April 2024) and amended performance targets to follow.</p> <p>Given all the circumstances over which the LPA has no direct control and an increase in workload, the PDM service has continue to perform to a high standard.</p>
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1. Purpose

- 1.1 To advise Members on Planning Development Management (PDM) performance over the past year.

2. Background

- 2.1 Successive governments have sought to streamline the planning process by setting targets nationally for the speed that Local Planning Authorities (LPAs) determine planning applications. In the late 1990s and 2000s, financial incentives were paid to LPAs who met targets. More recently, the government introduced a “designation regime” by measuring performance based on the speed and quality of decisions for major development over a

rolling 2-year period. This was subsequently expanded to also include non-major developments. The emphasis is on identifying persistent poor performers, designating them as under performers and then intervening. The Government recently increased the performance targets and introduced a housing delivery test in 2018 which required Spelthorne to produce an action plan. The housing delivery action plan identifies actions to address under delivery against the housing requirement in the Borough. The plan looks at the reasons for under delivery and the steps to be taken to drive up housing delivery. In Spelthorne's case, this is set against of increasing workloads.

3. Designation Regime

3.1 Local Planning Authorities are provided with statutory time limits within which planning applications should be determined. These time limits are a way to evaluate a LPA's performance and can lead to a Council losing its power to determine planning applications within its jurisdiction if too many applications are determined outside these statutory time limits. The time limits are known as determination periods and are set at 13 weeks for Major Planning applications (16 weeks where subject to Environmental Impact Assessment) and 8 weeks for other planning applications defined as "Minor" and "Other".

3.2 Major development is defined as:

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

Minor – Up to 9 residential units, up to 999 sq. m of new floorspace, and changes of use, and

Others – mainly householder schemes.

3.3 The Government introduced a 'Designation' regime in 2013 which has since been expanded. This measures the performance of LPAs over a rolling two year continuous period. The performance of LPAs is assessed separately against:

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

- 3.4 The Secretary of State will decide once a year whether any “designation” should be made or lifted. If a LPA is at risk of designation for one or more categories, the Department for Levelling Up, Housing and Communities (DLUHC) will write to the LPA requesting any data corrections or exceptional circumstances that would make a “designation” unreasonable. Where an authority is “designated”, applicants have an option to ask the Planning Inspectorate as opposed to the LPA to determine any applications within the designated category(ies) (major, non-major or both) for which the authority has been “designated”. The exception is where an authority is designated for non-major development, householder applications and retrospective applications. Applicants will not be able to submit these applications to the Planning Inspectorate as these are best dealt with locally. Soon after a designation is made, the LPA is expected to prepare an “action plan” addressing areas of weakness that contributed to its under-performance. Appendix 1 contains a flow chart setting out the designation process. The consequences for an LPA to be designated for ‘major’ applications is that developers will be able to by-pass the LPA on large schemes and apply directly to the Planning Inspectorate. There will also be a significant loss for the LPA in income from planning application fees and pre-application advice.
- 3.5 The following table provides an overview of the thresholds and assessment periods for 2020 - 2022 and details of Spelthorne’s performance. The speed of determination is referred to in para.3.1 and the threshold is expressed as a minimum. The quality measures the total number of decisions overturned at appeal as a % of the total decisions made. The threshold of 10% is expressed as a maximum. The lower the figure, the better the performance.

Table 1

Measure and type of Application	2019-2021 Threshold and assessment period	Spelthorne’s Performance 2021	2020-2022 Threshold and assessment period	Spelthorne’s Performance 2022
Speed of Major Development	60% (min) (October 2019 to September 2021)	98% N.B. The higher the % the better	60% (min) (October 2020 to September 2022)	98% N.B. The higher the % the better
Quality of Major Development	10% (max) (April 2019 to March 2021)*	2.33% N.B. The lower the % the better	10% (max) (April 2020 to March 2022)*	4.65% N.B. The lower the % the better
Speed of Non-Major Development	70% (min) (October 2019 to September 2021)	96% N.B. The higher the % the better	70% (min) (October 2020 to September 2022)	96% N.B. The higher the % the better

Quality of Non-Major Development	10% (April 2019 to March 2021)*	1.25% N.B. The lower the % the better	10% (April 2020 to March 2022)*	1.13% N.B. The lower the better
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* an additional 9 months is given to 31 December to allow for the receipt of appeal decisions

Spelthorne has met and exceeded all four targets for the threshold periods.

3.6 The 'Quality of Major Development' threshold is monitored particularly closely. This is because of the relative few major applications which Spelthorne receives compared with other applications. The details of these for the last three years are set out in tables 2 a, b and c below:

Table 2 a - 2021

Total no of majors determined	Nos of appeals allowed	Details of appeals allowed	Quality of Majors
43	1	18/01426/RVC - Replace wall on housing development with fence. Halliford Studios Limited Manygate Lane Shepperton	2.33%

Table 2 b - 2022

Total no of majors determined	Nos of appeals allowed	Details of appeals allowed	Quality of Majors
43	2	20/01199/FUL 206 dwellings The Old Telephone Exchange/Masonic Lodge, Elmsleigh Road, Staines 20/00123/OUT 31 dwellings Bugle Nurseries, Upper Halliford Road	4.65%

It is clear from the above information that the performance on the quality of majors is sound.

3.7 However, although not yet finalised, it is important to look forward and consider the likely quality of majors result in 2023 (which will be known in full by January 2024 concerning applications determined between April 2021 to March 2023 with an additional 9 months given to allow for the receipt of appeal decisions to the end of December 2023. The results so far are:

Table 2 c - 2023

Total no of majors determined	Nos of appeals allowed	Details of appeals dismissed	Details of appeal allowed	Appeals outstanding	Quality of Majors
58	1	20/01506/FUL – Ex Serviceman’s Club, Sunbury 20/01112/FUL Phase 1C, Charter Square, High Street, Staines 21/01772/FUL Debenhams, High St., Staines	20/01100/FUL The Old Telephone Exchange, Staines	22/00210/FUL – 47 one bed care home 280-284 Staines Road East – 22/00483/OUT 31 dwellings Land at Manor Farm, Charlton Road, Shepperton	Between 1.72% – 5.17% depending on the outcome of the two outstanding appeals.

If the two outstanding appeals are both allowed, the performance figure will be 5.17% for 2023. This is within the current thresholds. However, it is relevant to note that the assessments run for two years and therefore if the appeals are allowed, they would also be included in the 2024 figures. Therefore, there is remains a risk of performance, in terms of the ‘quality of major applications’, exceeding the ‘Designation’ threshold of 10% in 2024 and the consequences outlined in para 3.4 above.

Annual Performance

3.8 In terms of the 8 week and 13 week speed performance outlined in para. 3.2 above, Spelthorne performance for decisions made in 2019 – 2022 is set out in table 3 below:

Table 3

	Majors			Minors			Others			Total Nos.
	Total	On Target (13 weeks)	% on Target	Total	On Target (8 weeks)	% on Target	Total	On Target (8 weeks)	% on Target	
2019	25	25	100%	199	175	88%	562	530	94%	786
2020	14	14	100%	148	126	85%	514	478	93%	676
2021	28	27	96%	189	174	92%	603	592	98%	820
2022	29	29	100%	137	128	93%	591	578	98%	757

Over the past four years, the number of planning applications determined has increased in the 'majors' and 'other' (with the exception of 2021) categories and in the 'Minor' category from 2019. Overall, there has been an increase in the total received in 2022 compared with the previous years (with the exception of 2021) whilst performance has far exceeded the government targets.

- 3.9 During the four years; 2019 - 2022, the following decisions (table 4 below) were made on other types of applications which are not included in statutory performance targets but, nonetheless, represent a significant workload for the PDM service.

Table 4

Application Type	Total No. Determined			
	2019	2020	2021	2022
Certificate of Lawful Development (Proposed)	157	153	237	172
Certificate of Lawful Development (Existing)	14	6	11	7
Prior Notifications	98	93	152	112
Discharge of Conditions	115	80	91	153
Amended Applications	34	37	42	33
Consultations from adjoining Boroughs	22	29	14	28
SCC Applications	12	19	13	9
SCC Discharge of Conditions	5	2	4	7
TPO Applications	79	66	78	68
TCA Applications (Trees in Conservation Areas)	27	37	37	42
Telecom applications	3	7	16	18
New TPOs	2	4	6*	8**

Application Type	Total No. Determined			
	2019	2020	2021	2022
TOTAL	566	529	695	649

* TPO making moved from Strategic Planning to Planning Development Management for a temporary time period

** In the 6 months to June 2023, 7 TPOs have been made

The data shows that there has been a significant increase in the total number determined since 2019. Over the four years; there was a 14.7% increase from 2019 to 2022 and 22.7% increase from 2020 to 2022 and only a slight reduction (6.6%) from 2021 to 2022.

3.10 A combination of the data in tables 3 and 4 provides the total number of planning decisions for the last three years. The figures are:

2019 – 1352
 2020 – 1205
 2021 – 1515
 2022 - 1406

Therefore in 2022 a total of 1406 planning decisions were made by the LPA compared with 1515 in 2021, 1205 in 2020 and 1,352 in 2019.

3.11 The LPA also deals with several other matters involving appeals, planning enforcement and enquiries. A summary of the last four years plus the first half of 2023 is contained in table 5 below.

Table 5

	2019	2020	2021	2022	2023 (Jan to June)*
Planning Appeals	35	32	36	66	18
Enforcement Appeals	8	6	1	1	2
Planning Enquiries (meetings/written response)	351	288	365	310	155
No. of representations on planning applications received	1809	2404	1791	2366	1247
Planning Enforcement Cases	365	345	396	246	160

* Six months data

3.12 The assessment of the quality of decision making by LPA's is measured by the proportion of decisions on applications that are subsequently overturned at appeal. The assessment for 2022 is based on planning applications decided between April 2020 to March 2022. A period of 9 months is given following the end of the assessment period (31 March) to allow time for an appeal to be lodged and decided.

3.13 The appeals relating to Spelthorne for the two year period to December 2022 are attached as Appendix 3. Also attached as Appendix 4, are the appeal decisions relating to enforcement cases. It should be noted that the latter are not currently used by Government to measure the Council's performance. In summary:

There were 116 appeal decisions received:

5 Enforcement appeals

111 Planning appeals

Of these appeals:

- 83 Planning appeals were dismissed
- 5 Planning Enforcement appeals were dismissed and the enforcement notice upheld.
- 0 Enforcement notice was quashed on appeal
- 26 Planning appeals were allowed, and
- 1 Planning appeals was lapsed
- 1 Planning appeal was withdrawn

3.14 The appeal performance overall for these latest stats in 2022 show that 75.8% of appeals were dismissed which compares with 80%, 75% and 69% for the three previous years. It should be noted, however, that the latest set of statistics were measured in a slightly different way to previous years. Nonetheless, it represents a consistent pattern of sound decision making.

Planning Committee Overturns

3.15 Between January 2021 to December 2022, 9 planning applications were recommended for approval by Planning Officers but overturned and refused by the Planning Committee. This compares with 9 and 11 in the previous two years report last year. Of these 11:

- Three were allowed on appeal,
- Two appeals were dismissed
- Three applications were not appealed
- One proposal cannot be appealed as it was a Council application.

These are summarised in the following table:

Table 6

Planning Application no.	Site	Proposal	Officer Rec	Committee Decision	Appeal Decision and Date
20/00736/F UL	96 Cavendish Road, Sunbury on Thames, TW16 7PL	Erection of a two storey detached building comprising 2 x 1 bedroom flats	Approve	Refused 03/03/21	Appeal allowed
21/00134/F UL	115 Feltham Hill Road & Land at the rear of 113-127 Feltham Hill Road, Ashford.	Proposed redevelopment of site for the erection of 5 no residential units, following demolition of existing buildings.	Approve	Refused 26/05/21	Appeal allowed
21/00010/F UL	Renshaw Industrial Estate, Mill Mead, Staines-upon-Thames,	Demolition of existing industrial buildings and redevelopment to provide 2 new buildings (5-13 storeys) comprising 397 build-to-rent residential apartments (Use Class C3) including affordable housing, ancillary residential areas (flexible gym, activity space, concierge and residents lounge), landscaping, children's play area and car and cycle parking.	Approve	Refused 27/07/21	Appeal withdrawn following approval of amended scheme.
20/01112/F UL	Phase 1C Charter Square, High Street, Staines-upon-Thames	Redevelopment of the site to provide 64 new residential units (Use Class C3) with flexible commercial, business and service floorspace (Use Class E) and drinking establishment floorspace (Sui Generis) at ground floor, rooftop amenity space; landscaping and enhancements to the central public square, associated highway works, and other ancillary and enabling works.	Approve	Refused 27/07/21	Appeal dismissed

Planning Application no.	Site	Proposal	Officer Rec	Committee Decision	Appeal Decision and Date
19/01211/F UL	Benwell House, Green Street, Sunbury on Thames	Erection of 5 storey residential block to provide 39 units, with a mix of 12 x 1-bed, 24 x 2-bed and 3 x 3-bed units together with associated parking, landscape and access.	Approve	Refused 13/10/21	N/A Council application
20/001199/ FUL	Old Telephone Exchange, Masonic Lodge and adjoining land, Elmsleigh Road, Staines-upon-Thames.	Demolition of the former Masonic Hall and redevelopment of site to provide 206 dwellings together with car and cycle parking, hard and soft landscaping and other associated works.	Approve	Refused 23/06/21	Allowed on appeal 17/01/21
19/01567/F UL	Florida Court Station Approach Staines-upon-Thames	Erection of an additional floor to create 7 x 1 bedroom units and 2 x 2 bedroom units and the creation of 2 additional car parking spaces.	Approve	Refused 10/11/21	No appeal
21/00614/O UT	36 - 38 Minsterley Avenue Shepperton	Outline planning permission with appearance and landscaping reserved for the erection of 5 detached dwellings, comprising 4 x 4 bedroom dwellings and 1 x 5 bedroom dwelling, with associated parking and amenity space following the demolition of 36 Minsterley Avenue.	Approve	Refused 10/11/21	Appeal dismissed
22/01707/F UL	31 Worple Road, Staines-upon-Thames T	Erection of a single storey rear infill extension and change of use of existing dwelling (C3) to 7 bedroom House of Multiple Occupancy (HMO) (Sui Generis)	Approve	Refused 19/10/22	No appeal

Planning Application no.	Site	Proposal	Officer Rec	Committee Decision	Appeal Decision and Date
		with shared kitchen and dining room, associated parking and amenity space.			

3.16 The Planning Enforcement function falls under the Planning DM service. The table below (no. 7) sets out statistics of workload for the last five years.

Table 7

Enforcement Case Types & Notices	2019 (Jan to Dec)	2020 (Jan to Dec)	2021 (Jan to Dec)	2022 (Jan to Dec)	2023 (Jan to June)*
BCN - Breach of Condition Notices	2	0	1	0	0
PLNCON - Breach of Planning Conditions	53	38	41	47	32
COURTB & BUSRES - Change of Use from Residential to Business	18	15	24	5	19
COU - Change of Use (Other)	41	34	35	28	19
CONSRV - Conservation Area	1	0	1	1	1
ENF - Enforcement Notices	7	3	1	4	1
HMO - Houses in Multiple Occupancy	30	18	24	6	5
LBCOM - Listed Buildings	5	2	2	0	1
MISC - Miscellaneous	27	29	40	13	12
HIGHH – High Hedges	n/a	n/a	1	0	0
PCN - Planning Contravention Notice	9	4	5	5	0
S215 – Untidy Land	5	3	7	4	1
STOP - Stop Notices	1	0	0	1	0
TCAEN - Unauthorised Work to Trees in a Conservation Area	1	2	0	0	0
TEMP - Temporary Stop Notices	3	2	0	1	0
TPO - Tree Preservation Orders	8	7	16	8	0
UNADV - Unauthorised Adverts	15	6	10	6	8
UNDEV - Unauthorised Development	153	172	188	111	57
UNOUT - Unauthorised Residential Use of Outbuilding	n/a	n/a	n/a	3	4
Uncategorised	13	6	0	3	0

Enforcement Case Types & Notices	2019 (Jan to Dec)	2020 (Jan to Dec)	2021 (Jan to Dec)	2022 (Jan to Dec)	2023 (Jan to June)*
Totals	379	335	396	246	160*

* Six months data

3.17 Overall there has been an increase in planning enforcement complaints by 24% from 2018 to 2021 and a drop in 2022. However the six months to June 2023 show a rise again and this is shown in greater detail in table 8 further below. The enforcement team is currently dealing with a number of complex enforcement cases and is currently operating with just two full time members of staff due to a vacancy in the team. A detailed report on planning enforcement policy was reported to the Neighbourhood Services Committee on 3 March 2022.

Government Papers

- 4.1 In December 2022, the government issued the Levelling Up and Regeneration Bill: reforms to national planning policy. The Bill is now at the report stage at the House of Lords before the third reading, after which it will undergo the stages of the Consideration of amendments and Royal Assent. It is expected to become law sometime in 2023. The Bill is huge and has undergone many changes since was first published. There will be a number of implications for PDM including changes to reflect the role of National Development Management Policies in decision-making, the introduction of Environmental Outcome Reports for assessing relevant development proposals, the importance of digital methods of community engagement, and to place greater emphasis on planning enforcement, with increased weight against intentional unauthorised development. Also referred to is the request for 'beauty' in developments, protecting the environment and tackling climate change. The Council is producing a Supplementary Planning Document on climate change which will have additional implications for planning applications.
- 4.2 The Environment Act 2021 introduced Biodiversity Net Gain for many planning applications. This will apply from November 2023 most major proposals and to small sites from April 2024. However, the technical details of how this will operate for LPAs is still awaited. Members will be updated on this in a separate training session once the details have been published.
- 4.3 Nevertheless, the Government's focus on the importance of housing delivery and growth remains. On a local scale, the Council's Housing Delivery Test Action Plan was updated in 2021. Spelthorne was required to produce the plan due to a consistent under delivery of housing when assessed against identified needs. The Action Plan was the Council's response to the challenge set out in the NPPF to significantly boost the supply of homes.

The Council's Housing Delivery Test (HDT) result for 2021 was issued and Spelthorne's result was 69% which is an increase on previous years. The Action Plan was updated to reflect this. This means that 69% of its identified housing needs were delivered in the last three years and puts the Local Planning Authority (LPA) into the "Presumption" in favour of development category. It should be noted, however, that the LPA is already in this category as there is not a 5-year housing land supply, the current figure is 3.53 years. The consequences of the HDT and lack of a 5 year housing land supply is that the 'tilted balance' (which changes the 'balancing exercise' in favour of approve in many parts of the borough) is applied to the majority of residential development planning applications in Spelthorne.

- 4.4 The Government has recently announced a raft of proposed planning changes relating to amended permitted development rights, an increase and amendments to the planning fees (from April 2024) and amended performance targets to follow. The aims have been to 'simplify' the planning process (to provide additional housing) but the process has become increasingly complex. The increase in planning fees is to provide increased resilience to the PDM service.

5 Implications, Risks and Actions for Spelthorne LPA

- 5.1 Following the Covid 19 lockdown, the Planning DM service was transferred remotely. This included processing all planning applications and appeals, enforcement action and undertaking pre-application advice remotely. In addition, there was a flurry of legislation changes which officers had to learn and implement, particularly relating to permitted development rights and the use classes order and temporary arrangements necessitated by the Covid 19 pandemic. The Planning DM officers have continued to successfully meet this huge challenge which has been exacerbated by an increased workload as highlighted above and have also exceeded all government performance targets.
- 5.2 The DM Service uses Idox Uniform for its computer software to manage the planning application process. It has invested in a software management package known as Idox Enterprise to act as a processing and management tool for officers. A large amount of technical work has been undertaken to improve the application process and management system and this is a continuous process. This work has enabled officers to work remotely in a paperless way of working. Enterprise was crucial in providing an efficient virtual way of working. More Enterprise improvements are underway as a continuing process to further enhance the process and improve efficiency.
- 5.3 Officers have attended several on-line training courses as part of their continuous professional development. This is an on-going requirement. In addition training has taken place for Members and more is planned for 2023 and into 2024.

- 5.4 The LPA has also met the quality targets for both major and non-major developments. However, the quality of major development is a target which officers are monitoring very closely because of the relatively few numbers of major applications the Council receives. There is a risk of performance, in terms of major applications, coming close to or possibly exceeding the 10% threshold because of the relatively low number of major applications received. In the two-year period April 2020 to March 2022, the Council determined 43 major planning applications, two of which were appealed against and both were allowed on appeal. This equates to a quality performance of 4.76%. For the next year, April 2021 to March 2023, two appeals are currently with the Planning Inspectorate. Whilst this would not take the performance close to the designation threshold of 10%, it is essential to note that the appeal decisions, if allowed, would also be included in the following year due to the two year assessment period used. Continuous monitoring against this criterion is essential.
- 5.5 Where an authority is “designated”, applicants may apply directly to the Planning Inspectorate for the category of applications (major, non-major or both) for which the authority has been “designated”. Where an authority is “designated”, applicants may apply directly to the Planning Inspectorate for the category of applications, for which the authority has been “designated (in this case ‘major’)”. If this was to occur, not only could the LPA lose control in decision making of major planning proposals, the LPA would also not receive the pre-application advice fee and statutory planning application fee of the larger schemes which can be significant sums. In 2022/23, Planning DM received over £600,000 in income from planning application fees and pre-application advice given by officers. An additional potential implication could arise if new dwellings are not approved (if policy compliant). This would lead to a reduction in the New Homes Bonus (NHB) which is secured for every new home completed in the borough. The NHB for 2023/24 is £101,000. Continuous monitoring against this criterion to avoid a risk of designation and therefore LPA control is essential.
- 5.6 When refusing a planning application, it is imperative that the Council has sound reasons that are capable of being defended successfully at appeal. Failure to do so could expose the Council to an award of costs at appeal and the real risk of “designation”. The rigorous defence of appeals will continue to require appropriate resources.
- 5.7 An up to date development plan gives greater certainty to all those involved in the development process and the local community. Work is taking place on the replacement of the 2009 Local Plan and the Examination into the new plan has commenced. Planning decisions based on an up to date plan and supplementary guidance which is consistent with the NPPF, are more easily defended at appeal. This in turn ensures that the risk of designation based on appeal decisions is minimised.
- 5.8 DM Officers will continue to closely monitor committee overturns. The number of these has been relatively small and although the figure increased 2021, it slipped back slightly the following year. All Members have been

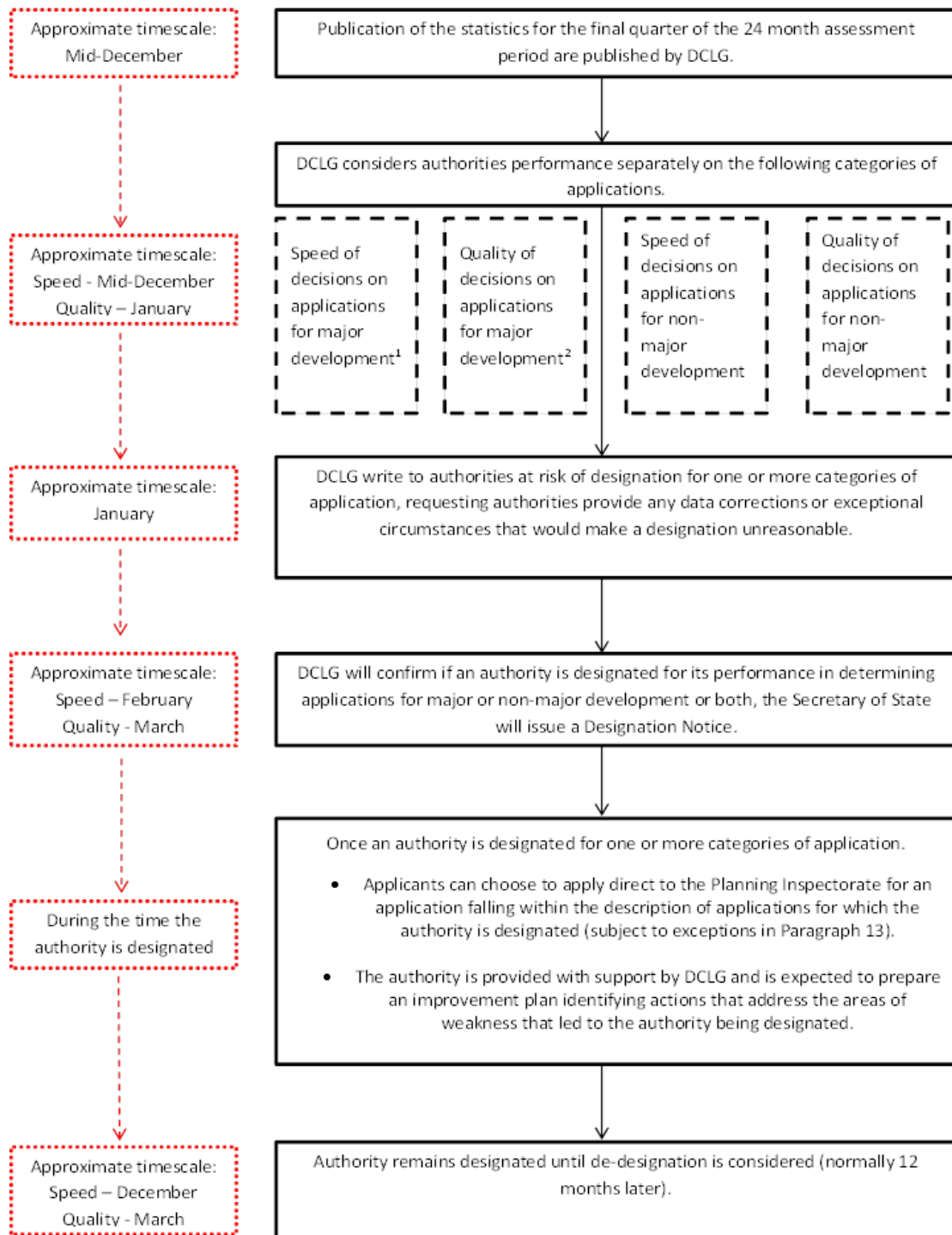
advised of the requirements of the Planning Code which was revised in 2021 and in particular, the “call in” procedure. The guiding principle of a “call-in” is that there is a “material planning concern” in the application being considered by the Committee. The Planning Code was updated in 2021.

5.9 It is proposed to continue providing PDM performance reports in the future.

6 Recommendation

6.1 It is recommended that the Committee notes the contents of this report.

Designation Process



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Appeal Allowed	26	
Appeal Dismissed	83	
Part Allowed/Part Dismissed	0	
Appeal Withdrawn	1	
Appeal lapsed	1	
Total Number of Appeals	111	

Planning Appeal Decisions Made 01 January 2020 to 31 December 2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
18/01627/FUL Plot 5 Las Palmas Estate Sandhills Meadow	Written Representation	APP/Z3635/W/19/3236959 Change of use of land to the keeping of horses, installation of post and rail boundary fencing and access gate	Appeal Dismissed	27.01.2020
19/01290/HOU 101 Groveley Road Sunbury On Thames TW16 7JZ	Written Representation	APP/Z3635/D/19/3241650 Creation of a vehicle crossover.	Appeal Allowed	03.02.2020
19/01043/HOU 76 Chaucer Road Ashford TW15 2QX	Fast Track Appeal	APP/Z3635/D/19/3241929 Erection of a two storey side extension	Appeal Allowed	03.02.2020
19/01026/HOU 5 Guildford Street Staines-upon-Thames TW18 2EQ	Fast Track Appeal	APP/Z3635/D/19/3238943 Proposed roof alterations that would include raising the ridge height and the installation of an eastern flank facing dormer with additional rooflights on the western flank elevation to create additional habitable space.	Appeal Dismissed	03.02.2020
19/00364/HOU The Outlook Towpath Shepperton	Written Representation	APP/Z3635/D/19/3233744 Erection of an open single garage for domestic use.	Appeal Dismissed	13.02.2020

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
19/01079/HOU 22 Montford Road Sunbury On Thames TW16 6EJ	Fast Track Appeal	APP/Z3635/D/19/3239573 Erection of a two storey front extension	Appeal Dismissed	14.02.2020
19/00757/FUL Section Of The Creek Between Fordbridge Road And Riverbank The Creek Sunbury On Thames	Written Representation	APP/Z3635/W/19/3239669 Erection of walls and piers at the entrance to The Creek, walls and piers adjacent to Riverbank and May Cottage, and planter adjacent to entrance to Riverbank (part retrospective)	Appeal Dismissed	26.02.2020
19/00889/FUL 22 Church Road Ashford TW15 2UY	Written Representation	APP/Z3635/W/19/3240130 Erection of two storey rear extension to provide additional office accommodation at ground floor level, a second floor extension and conversion of first floor to form 2 no. 2 bedroom flats.	Appeal Dismissed	10.03.2020
19/01084/HOU 1 Jennifer Court Adelaide Road Ashford	Written Representation	APP/Z3635/W/W/19/3243480 Installation of boundary fence and timber pergola (retrospective)	Appeal Dismissed	26.03.2020
19/00379/OUT Land On South Side Of Shaftesbury Crescent Ashford Road Laleham	Written Representation	AAP/Z3635/W/19/3237930 Outline Planning Permission with appearance reserved for the erection of a two storey detached dwelling house with associated parking and amenity space.	Appeal Dismissed	31.03.2020
19/00714/RVC 32 - 34 Feltham Road Ashford TW15 1DH	Written Representation	APP/Z3635/W/19/3235760 Variation of condition 2 of planning permission 18/00503/FUL (the plans condition) to allow a larger canopy and car washing area.	Appeal Dismissed	02.04.2020

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
19/00829/FUL 11 Gleneagles Close Stanwell Staines- upon-Thames	Written Representation	APP/Z3635/W/19/3243544 Erection of an end of terraced dwelling in place of existing garage	Appeal Dismissed	06.04.2020
19/00696/FUL Brecknock Stanwell New Road Staines- upon-Thames	Written Representation	APP/Z3635/W/19/3237477 The erection of a part two storey, part single storey side and rear extension including a roof extension incorporating side and rear dormers, and conversion into flats, comprising 3 no.2 bedroom flats, and 1 no. studio flat with associated parking and amenity space.	Appeal Dismissed	17.04.2020
19/00518/FUL Former Nursery Site Rear 37-51 Hithermoor Road Stanwell Moor	Hearing	APP/Z3635/W/19/3233509 Change of use of site from former nursery site to fencing manufacture and supply business. Demolition of existing glasshouses, polytunnels and concrete building and erection of a new workshop building and a 3 metre high acoustic fence. Retention of existing hardstanding and provision of new hardstanding to accommodate car parking and building storage area. Retention of existing fencing and gates.	Appeal Dismissed	15.05.2020
19/01218/FUL 99 Feltham Road Ashford TW15 1BS	Written Representation	APP/Z3635/W/20/3244852 Alterations to roof including rear balcony to provide one new flat within existing roofspace.	Appeal Allowed	20.05.2020
19/01564/OUT Land Adjacent To 7 Maxwell Road Ashford	Written Representation	APP/Z3635/W/20/3244874 Erection of a single dwelling with associated parking and amenity space, on land adjacent to 7 Maxwell Road	Appeal Dismissed	28.05.2020
19/00716/FUL Clock Bungalow 191 Ashford Road Laleham	Written Representation	APP/Z3635/W/19/3237690 Change of use of land to extended residential curtilage for Clock Bungalow, 191 Ashford Road.	Appeal Allowed	04.06.2020

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
17/01715/FUL 8 Edward Way Ashford TW15 3AY	Written Representation	APP/Z3635/W/18/3197736 Erection of 2 storey side extension (approve ref 16/01716/HOU) to create 1 bedroomed self contained unit, removal of existing single storey rear extension to existing house and associated external and internal alterations	Appeal Dismissed	20.08.2020
20/00446/HOU 18 Glebe Road Staines-upon-Thames TW18 1BX	Fast Track Appeal	APP/Z3635/D/20/3255429 The erection of a detached outbuilding.	Appeal Allowed	14.10.2020
19/01727/FUL Land To The Rear Of 55 Squires Bridge Road Shepperton TW17 0JZ	Written Representation	APP/Z3635/W/20/3250469 Proposed erection of pair of 2 storey 3 bedroom semi-detached houses	Appeal Dismissed	19.10.2020
20/00063/HOU 96 Woodthorpe Road Ashford TW15 3JY	Fast Track Appeal	APP/Z3635/D/20/3251754 Construction of a vehicle crossover	Appeal Allowed	19.10.2020
19/00679/PIP Land To The Rear Of 32, 34 And 36 Commercial Road Staines-upon-Thames	Written Representation	APP/Z3635/W/19/3242759 Permission in principle for a maximum of 4 dwellings	Appeal Dismissed	21.10.2020
19/01077/FUL Former Garages/Lock-Up Stores Station	Written Representation	APP/Z3635/W/19/3243283 Erection of 2 no. 2 bed flats over three floors with landscaping following the demolition of the existing 3 no. lock up garage	Appeal Dismissed	26.10.2020

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
Approach Sunbury On Thames				
19/01529/FUL 10 Station Approach Ashford TW15 2QW	Written Representation	APP/Z3635/W/20/3253447 Construction of a third floor to create 1 no. flat within a mansard roof and other associated alterations (including alterations to fenestration and addition of parapet wall at second floor).	Appeal Dismissed	27.10.2020
20/00527/HOU 26 Preston Road Shepperton TW17 0BG	Fast Track Appeal	APP/Z3635/D/20/3256622 Conversion of existing garage and outbuilding into an annex with associated alterations.	Appeal Allowed	30.10.2020
20/00436/HOU 21 Gaston Bridge Road Shepperton TW17 8HH	Fast Track Appeal	APP/Z3635/D/20/3257460 Erection of a part single storey, part two storey side and rear extension and single storey front extension	Appeal Dismissed	02.11.2020
20/00330/HOU 19 Shortwood Avenue Staines-upon-Thames TW18 4JN	Written Representation	APP/Z3635/D/20/3256884 Roof alterations to include a hip to gable extension, the installation of a rear dormer window and two roof lights to the front roof slope (As shown on plans: 19SA/04122017/REV-C-1/2 and 19SA/04122017/REV-C-2/2 received 27.03.2020)	Appeal Allowed	03.11.2020
19/01024/HOU 1 Everest Road Stanwell Staines-upon-Thames	Fast Track Appeal	APP/Z3635/D/19/3243479 Erection of a part single storey, part two storey, front side and rear extension, including the installation of an additional dormer and roof light in the roof space	Appeal Dismissed	09.11.2020
18/01729/FUL Land Rear Of 35-51 High Street Stanwell	Written Representation	APP/Z3635/W/20/325505 Erection of 2no 2 bedroom semi-detached houses together with associated parking following demolition of existing building.	Appeal Allowed	09.11.2020

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
Staines-upon-Thames				
19/01364/HOU 28 Hadrian Way Stanwell Staines-upon-Thames	Fast Track Appeal	APP/Z3635/D/20/3245935 Erection of an outbuilding (retrospective) as shown on plan no. site location plan, existing block plan, proposed block plan, existing layout and proposed layout received on 10.10.2019	Appeal Dismissed	20.11.2020
20/00158/HOU 122 Ashridge Way Sunbury On Thames TW16 7RR	Fast Track Appeal	APP/Z3635/D/20/3253735 Erection of a front porch, a single storey and part two storey rear extension with a Juliet balcony. Loft alterations that would include a hip to gable alteration, the installation of a rear facing dormer with a Juliet balcony, and 2no. roof lights within the front roof slope.	Appeal Dismissed	24.11.2020
20/00544/HOU 18 Junction Road Ashford TW15 1NQ	Fast Track Appeal	APP/Z3635/D/20/3258989 Erection of side extension with a gable end element that would have a similar height as the bungalow, the erection of a single storey rear extension and loft conversion including the installation of a 2 no rear facing dormers and 5 no rooflights to the front slope to provide additional habitable accommodation (following demolition of existing conservatory and partial demolition of a garage at the rear). Proposed new access via Junction Road.	Appeal Dismissed	01.12.2020
20/00640/HOU 102 Windmill Road Sunbury On Thames TW16 7HB	Fast Track Appeal	APP/Z3635/W/20/3258584 The creation of a vehicular crossover.	Appeal Dismissed	02.12.2020
20/00690/HOU 7 Conway Drive Ashford TW15 1RQ	Fast Track Appeal	APP/Z3635/D/20/3259468 Erection of a two storey side and single storey front extension (following demolition of existing garage).	Appeal Dismissed	02.12.2020
20/00457/HOU 10 Park Road Ashford TW15 1EY	Written Representation	APP/Z3635/W/20/3259643 Retention of an outbuilding (retrospective)	Appeal Allowed	18.01.2021

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
20/00588/HOU 7 Vereker Drive Sunbury On Thames TW16 6HQ	Fast Track Appeal	APP/Z3635/D/20/3257786 Erection of part two storey part single storey rear extension. partial conversion of garage to habitable space with new roof over and single storey side infill element.	Appeal Allowed	18.01.2021
19/01595/FUL 10 Park Road Ashford TW15 1EY	Written Representation	APP/Z3635/W/20/3250410 Conversion of existing annexe to a separate dwelling with ancillary amenity space, waste storage and cycle store	Appeal Allowed	20.01.2021
19/01444/CLD 10 Park Road Ashford TW15 1EY	Written Representation	APP/Z3635/X/20/3250404 Certificate of lawfulness for an existing outbuilding	Appeal Dismissed	20.01.2021
20/00591/RVC Thames Boat House Limited Sandhills Meadow Shepperton	Written Representation	APP/Z3635/W/20/3257970 Variation of condition 9 (relating to the permitted use) of PA ref 04/01184/FUL for the erection of the boat house, to allow up to 20% of the showroom space to be used for the fitting out, storage and sale of camper vans as shown on site location plan received on 29.05.2020.	Appeal Dismissed	09.02.2021
19/01273/FUL 59 Laleham Road Shepperton TW17 8EQ	Written Representation	APP/Z3635/W/20/3250772 Subdivision of plot and erection of a self-contained two bedroom dwelling house with associated access and amenity space (following demolition of an existing outbuilding).	Appeal Dismissed	19.02.2021
20/00218/FUL The Mill Heathrow Horton Road Stanwell Moor	Fast Track Appeal	APP/Z3635/W/20/3261719 Retention of Car Park	Appeal Dismissed	08.03.2021
20/01454/HOU	Fast Track Appeal	APP/Z3635/D/21/3268072 Erection of a side extension that joins the bungalow's roof, the erection of a single storey rear extension and loft conversion including the installation of a rear facing dormer and 2 no rooflights on the proposed	Appeal Dismissed	01.06.2021

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
18 Junction Road Ashford TW15 1NQ		side extension (1 no at the front and 1 no to the side roof slopes) to provide additional habitable accommodation (following demolition of existing conservatory and partial demolition of a garage at the rear). Proposed new access via Junction Road.		
20/00872/FUL Brookside Acacia Road Staines-upon- Thames	Written Representation	APP/Z3635/W/20/3265624 The demolition of a detached chalet bungalow together with a garage, shed and greenhouse to make way for 4 no. two bed flats with associated parking and amenity space.	Appeal Dismissed	04.06.2021
20/00350/RVC 25 Church Street Staines-upon- Thames TW18 4EN	Written Representation	APP/Z3635/W/20/3260608 Variation of condition 4 (hours of opening) of p/a 19/00042/FUL (Change of use of ground floor office (Class B1) to takeaway (Class A5) and installation of extractor fan and flue) to allow longer opening hours (as shown on plan no'd HABIB/PLAN/001 and Location plan rec'd 18.03.2020)	Appeal Dismissed	15.06.2021
19/01651/FUL Land To Rear Of 39- 51 High Street Stanwell	Written Representation	APP/Z3635/W/20/3263544 Erection of a pair of two no. semi detached dwellings with associated amenity space and parking.	Appeal Dismissed	17.06.2021
20/00753/FUL 97 Village Way Ashford TW15 2JY	Written Representation	APP/Z3635/W/20/3263055 Erection of part two storey part single storey side and rear extensions and roof extension including increase in ridge height and installation of rear and side facing dormers. Land lowering to allow recessed single storey extension. New boundary fence along northern boundary and cycle store. Conversion of property into 4 no flats.	Appeal Dismissed	18.06.2021
20/01054/HOU The Coach House 180 Chesterfield Road Ashford	Fast Track Appeal	APP/Z3635/D/21/3269975 Erection of a first floor side extension.	Appeal Dismissed	28.06.2021
20/00565/FUL	Written Representation	APP/Z3635/W/20/3265106 Alterations and extensions to Blocks B and C of Ruxbury Court, including alterations and extensions to the roof, to enable the creation of 3 x 1 bedroom units and 1 x 2 bedroom unit with associated parking and amenity space.	Appeal Dismissed	02.07.2021

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
Ruxbury Court Cumberland Road Ashford				
20/01576/HOU 181 Elizabeth Avenue Laleham Staines-upon-Thames	Fast Track Appeal	APP/Z3635/D/21/3272490 Retention of boundary fence and the erection of an additional fence and gates.	Appeal Dismissed	07.07.2021
20/01099/HOU 21 Thames Meadow Shepperton TW17 8LT	Fast Track Appeal	APP/Z3635/D/21/3267579 Erection of side extensions and first floor extension with new roof.	Appeal Dismissed	13.07.2021
19/01022/OUT Bugle Nurseries Upper Halliford Road Shepperton	Hearing	APP/Z3635/W/20/3252420 Outline application with all matters reserved other than 'access' for the demolition of existing buildings and structures and the redevelopment of the site for a residential-led development comprising up to 43 residential homes, a 62-bed care home and the provision of open space, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes. As shown on drawing nos.' F0001 Rev. P1; F0010 Rev. P1; F0100 Rev. P1; F0200 Rev. P1; F1500 Rev. P1; D0100 Rev. P1; D0110 Rev. P1; D0120 Rev. P1; D0400 Rev. P1; D1001 Rev. P1; D1003 Rev. P1; D1200 Rev. P1; D1201 Rev. P1; D1300 Rev. P1; D1400 Rev. P1; D1401 Rev. P1 received 24th July 2019.	Appeal Dismissed	15.07.2021
20/00123/OUT Bugle Nurseries Upper Halliford Road Shepperton	Hearing	APP/Z3635/W/21/3268661 Outline planning application with all matters reserved other than 'Access' for the retention of existing dwelling and demolition of all other existing buildings and structures and the redevelopment of the site for up to 31 dwellings along with the provision of public open space and other associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes. As shown on drawing nos.' F0001 Rev. P1; F0100 Rev. P1; F0300 Rev. P1; F0500 Rev. P1; F1001 Rev. P1; D0100 Rev. P1; D0103 Rev. P1; D0120 Rev. P1; D0300 Rev. P1; D0500 Rev. P1; D1002 Rev. P1; D1100 Rev. P1; C0100 Rev. P1 received 03 February 2020.	Appeal Allowed	15.07.2021
20/01251/FUL	Written Representation	APP/Z3635/W/21/3268257 The erection of a part single storey, part two storey side and rear extension and the subdivision of the plot to create a 1 x bedroom 2 storey terraced dwelling with associated amenity space.	Appeal Dismissed	19.07.2021

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
31 Denman Drive Ashford TW15 2AN				
21/00188/FUL The Swan Inn 16 - 18 High Street Stanwell	Written Representation	APP/Z3635/W/21/3273070 Retrospective application for the siting of an InPost Locker	Appeal Dismissed	01.09.2021
20/01092/FUL Land Adj To 119 Penton Road Staines- upon-Thames TW18 2LL	Written Representation	APP/Z3635/W/20/3265504 The erection of 2 x 3 bedroom detached dwellings with associated parking and amenity space	Appeal Dismissed	08.09.2021
21/00067/HOU 18 Kenyngton Drive Sunbury On Thames TW16 7RX	Fast Track Appeal	APP/Z3635/D/21/3271473 Erection of a single storey side and rear extension.	Appeal Dismissed	15.09.2021
20/00887/FUL 67 Staines Road East Sunbury On Thames TW16 5AA	Written Representation	APP/Z3635/W/21/3269589 The erection of a two storey side extension comprising a 1 bedroom dwelling with associated parking and amenity space, following the subdivision of the plot and the change of use of the rear parking area	Appeal Dismissed	15.09.2021
21/00178/HOU 172 Stanwell Road Ashford TW15 3QS	Fast Track Appeal	APP/Z3635/D/21/3275850 Roof extension comprising ridge height increase and addition of 2no side dormers to provide accommodation in the roof space.	Appeal Dismissed	01.10.2021
20/01271/FUL 13 Thetford Road Ashford TW15 3BW	Written Representation	APP/Z3635/W/21/3277275 Erection of 3 no.terraced dwellings following demolition of existing bungalow and garage as shown on amended drawings numbered PL-01 - 09 received on 06 November 2020.	Appeal Dismissed	24.11.2021

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
20/01322/FUL Rowland Hill Almshouses Feltham Hill Road Ashford	Hearing	APP/Z3635/W/21/3278367 The creation of a new car park and vehicle crossover and alterations to the layout of the existing car park.	Appeal Dismissed	24.11.2021
20/01247/TPO 1 The Spinney Sunbury On Thames TW16 5EJ	Fast Track Appeal	APP/TPO/Z3635/8347 TPO015SUN - T11 - Oak - Fell	Appeal Dismissed	06.12.2021
21/00341/HOU 69 Thames Side Staines-upon- Thames TW18 2HF	Fast Track Appeal	APP/Z3635/D/21/3276855 Erection of a 3m extension at ground level and changes to the existing western riverside gable elevation. The construction of a study at the rear, the replacement of the existing garage roof, and the construction of a glazed covered walkway linking the study with the kitchen doorway.	Appeal Allowed	15.12.2021
20/01199/FUL The Old Telephone Exchange, Masonic Hall And Adjoining Land Elmsleigh Road Staines-upon- Thames	Public Inquiry	APP/Z3635/W/21/3280090 Demolition of the former Masonic Hall and redevelopment of site to provide 206 dwellings together with car and cycle parking, hard and soft landscaping and other associated works.	Appeal Allowed	17.01.2022
21/00754/HOU 55 Chertsey Road Ashford TW15 1SR	Fast Track Appeal	APP/Z3635/D/21/3281886 Erection of a part single storey, part two storey flank extension	Appeal Dismissed	24.01.2022
21/00903/HOU 74 Park Road Ashford TW15 1EU	Fast Track Appeal	APP/Z3635/D/21/3284730 Erection of a part two storey part single storey side extension and single storey rear extension. Proposed hip to gable roof extension with raised ridge height and the installation of a rear facing dormer with Juliet balconies and 3 no rooflights to the front.	Appeal Dismissed	24.01.2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
20/01217/FUL Land To Rear 54 Bruce Avenue Shepperton TW17 9DW	Written Representation	APP/Z3635/W/21/3282159 Erection of 2 bungalows following demolition of garages as shown on drawings numbered SLP-01, BLP-01, 02, ELV-01, 02, FLP-01, 02 and SEC-01 received on 20/10/2020.	Appeal Allowed	26.01.2022
21/00680/HOU 5 Guildford Street Staines-upon- Thames TW18 2EQ	Fast Track Appeal	APP/Z3635/D/21/3278987 Proposed roof alterations that would include raising the ridge height and the installation of an eastern flank facing dormer with additional rooflights on the western flank elevation to create additional habitable space.	Appeal Dismissed	23.02.2022
21/01142/HOU 29 Saxonbury Avenue Sunbury-on- Thames TW16 5EY	Fast Track Appeal	APP/Z3635/D/21/3287894 Erection of part two storey, part single storey side and front extension, two storey rear extension following demolition of garage and car port.	Appeal Dismissed	03.03.2022
21/01688/HOU 2 Lois Drive Shepperton TW17 8BQ	Fast Track Appeal	APP/Z3635/D/22/3290857 Erection of a rear extension, extension to the existing garage, loft conversion with balcony, roof alterations to include crown roof, roof lights and roof pitch increase to 45 degrees.	Appeal Dismissed	07.03.2022
21/01365/HOU 28B High Street Stanwell Staines- upon-Thames	Fast Track Appeal	APP/Z3635/D/21/3288823 Construction of a dropped kerb following demolition of front boundary wall and installation of an electric car charging point to front of house	Appeal Allowed	22.03.2022
21/01418/HOU 10 Fontmell Close Ashford TW15 2NN	Fast Track Appeal	APP/Z3635/D/21/3287723 Erection of double storey side extension, single storey rear extension and addition of velux windows in roof to create habitable roofspace.	Appeal Allowed	23.03.2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
21/01657/HOU 59 Kingsmead Avenue Sunbury-on-Thames TW16 5HL	Fast Track Appeal	APP/Z3635/D/22/3291635 Erection of a part single part two storey front extension	Appeal Dismissed	23.03.2022
20/01452/FUL Development Site At 5 Station Road Ashford	Written Representation	APP/Z3635/W/21/3279747 Erection of additional third and fourth storeys to create a two bedroom flat.	Appeal Allowed	05.04.2022
20/00736/FUL 96 Cavendish Road Sunbury On Thames TW16 7PL	Written Representation	APP/Z3635/W/21/3282205 The erection of a two storey detached building comprising 2 x 1 bedroom flats (Amended Plans)	Appeal Allowed	06.04.2022
21/00652/T56 Land At Woodlands Parade Ashford	Written Representation	APP/Z3635/W/21/3279081 Prior approval application for the proposed development comprises the installation of 1no. 18m Phase 8 Monopole C/W wrapround Cabinet at base and ancillary works thereto.	Appeal Allowed	27.04.2022
20/00643/FUL Riverbank The Creek Sunbury On Thames	Written Representation	APP/Z3635/W/21/3268858 Retrospective application for the retention of a replacement 4 bedroom detached dwelling to allow the undertaken alterations to footprint, roof design and fenestration of the dwelling, and also alterations to the flood voids, additional walls and steps which vary from the approved planning permission ref. 17/01464/FUL. Retention of a boathouse and other alterations.	Appeal Dismissed	03.05.2022
21/00054/FUL The Boatyard Clarks Wharf Thames Street	Written Representation	APP/Z3635/W/21/3283432 Retention of Part change of use of an existing building to provide a flood protected raised external work platform and secure internal workshop on the same level to include an office, store and washroom facilities for Wharf Craft an established boatyard operating on this site as shown on drawings numbered PWS 20/01- 8 received on 07/01/2021	Appeal Dismissed	25.05.2022
21/00588/FUL	Written Representation	APP/Z3635/W/21/3287914	Appeal Dismissed	26.05.2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
8 Celia Crescent Ashford TW15 3NW		Retrospective application for the retention of a single storey self-contained unit at the rear of existing property.		
21/00678/FUL 74 Stanley Road Ashford TW15 2LQ	Written Representation	APP/Z3635/W/21/3288997 Erection of new detached dwelling following demolition of existing outbuildings	Appeal Dismissed	26.05.2022
21/00874/FUL 241 Woodthorpe Road Ashford TW15 3NJ	Written Representation	APP/Z3635/W/21/3284714 The erection of a single storey rear extension and single storey side extension to allow the conversion of existing house to form 2 no flats, together with associated bin and cycle storage (allocated amenity space only for the ground floor flat).	Appeal Dismissed	26.05.2022
21/00626/FUL Land Rear Of 40 Hetherington Road Shepperton	Written Representation	APP/Z3635/W/21/3288718 Retrospective application for the siting of a water filling station	Appeal Dismissed	31.05.2022
21/00887/FUL Land At Station Road Shepperton TW17 8AU	Written Representation	APP/Z3635/W/21/3287111 Erection of 2 no. Semi-Detached Dwellings (in place of approved detached dwelling) as shown on drawings numbered CCL01-MAA-MB-ZZ-DR-A-00001 P02, 00002 P02, 01001 P5, 02001 P05, 04001 P05, 05001 P03 and 08001 P01 received on 26 May 2021.	Appeal Dismissed	14.07.2022
21/00984/FUL 59 Staines Road West Sunbury-on-Thames TW16 7AG	Written Representation	APP/Z3635/W/21/3288384 Proposed development of rear car park to provide a new Nursery School.	Appeal Dismissed	08.08.2022
21/00134/FUL 115 Feltham Hill Road & Land At The Rear Of 113-127	Written Representation	APP/Z3635/W/21/3284411 Proposed redevelopment of site for the erection of 5 no residential units, following demolition of existing buildings as shown on drawings numbered 2020/P0091 LP B, 105 A, 110 B and 111 B received on 26 January 2021 and amended plan numbered C100 B, 100 F and 112 C received on 16 March 2021	Appeal Allowed	22.08.2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
Feltham Hill Road Ashford				
21/01065/FUL 12 Thames Meadow Shepperton TW17 8LT	Written Representation	APP/Z3635/W/21/3284482 Replacement dwelling following demolition of the existing house and annex	Appeal Dismissed	30.08.2022
21/01570/PST 12 Thames Meadow Shepperton TW17 8LT	Fast Track Appeal	APP/Z3635/D/22/3290184 Prior Approval Notification for an additional storey above an existing detached bungalow measuring a maximum height of 6.15 metres (As shown on plans: 12TM/1/01; 02; 12TM/PD1/ 06 and location plan received 06.10.2021)	Appeal Dismissed	30.08.2022
21/01933/HOU 28 Ensign Way Stanwell Staines- upon-Thames	Fast Track Appeal	APP/Z3635/D/22/3299564 The erection of a single storey side extension and a detached outbuilding to the front (following demolition of existing detached garage with existing storage structure). Reposition and amended high boundary treatment fronting the highway on the northern side comprising 1.85 metres high timber fence with concrete posts (partially retrospective).	Appeal Dismissed	21.09.2022
22/00310/HOU 3 Reedsfield Road Ashford TW15 2HE	Fast Track Appeal	APP/Z3635/D/22/3301977 Erection of a single storey rear extension, two storey side extension and conversion of existing garage into a habitable room (revised scheme to planning application: 21/01614/HOU)	Appeal Allowed	22.09.2022
21/01959/HOU 51 Penton Avenue Staines-upon- Thames TW18 2NA	Fast Track Appeal	APP/Z3635/D/22/3295296 Proposed loft conversion that would include hip to gable extensions, the installation of a rear facing dormer with Juliet Balcony and 3 no rooflights within the front roof slope.	Appeal Allowed	30.09.2022
21/01962/HOU 20 Florence Gardens Staines-upon- Thames TW18 1HG	Fast Track Appeal	APP/Z3635/D/22/3297987 Construction of a double storey side extension, single storey side and rear extension and loft conversion comprising of side dormer and Velux skylights.	Appeal Dismissed	30.09.2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
21/01872/HOU 10 Avon Road Sunbury-on-Thames TW16 7TB	Fast Track Appeal	APP/Z3635/D/22/3295167 Erection of a first floor side/rear extension and part single storey rear extension.	Appeal Dismissed	04.10.2022
21/01205/PCO Elizabeth House 56 - 60 London Road Staines-upon- Thames	Written Representation	APP/Z3635/W/21/3288533 Prior approval notification for 2 additional storeys above the existing office building, comprising 12 residential units as shown on drawings numbered 1100, 1200B, 1201B, 1202A 1203,1221A, 1222A, 1223A, 1224A, 1225, 1300A and 1320A received on 22 July 2021 and amended plan number 1220B received on 7 September 2021.	Appeal Dismissed	04.10.2022
21/01828/HOU 96B Windmill Road Sunbury-on-Thames TW16 7HB	Fast Track Appeal	APP/Z3635/D/22/3297258 Creation of hip to gable roof extension, conversion of loft to habitable room and erection of rear facing dormer window	Appeal Dismissed	04.10.2022
21/01785/HOU 10 Rosewood Drive Shepperton TW17 OHT	Fast Track Appeal	APP/Z3635/D/22/3294416 Erection of a part single part two storey front extension, a two storey side extension, a single storey rear extension and changes to materials on front elevation	Appeal Dismissed	07.10.2022
21/01117/FUL 74 Stanley Road Ashford TW15 2LQ	Written Representation	APP/Z3635/W/22/3297303 Creation of new attached dwelling with associated parking and amenity space.	Appeal Dismissed	07.10.2022
21/01290/FUL 97 Feltham Road Ashford TW15 1BS	Written Representation	APP/Z3635/W/22/3291285 Roof alterations to create a new one bedroom flat including two side dormer windows, a rear rooflight and a front gable extension.	Appeal Dismissed	07.10.2022
21/00614/OUT	Written Representation	APP/Z3635/W/21/3288513	Appeal Dismissed	25.10.2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
36 - 38 Minsterley Avenue Shepperton TW17 8QT		Outline planning permission with appearance and landscaping reserved for the erection of 5 detached dwellings, comprising 4 x 4 bedroom dwellings and 1 x 5 bedroom dwelling, with associated parking and amenity space following the demolition of 36 Minsterley Avenue.		
20/00237/FUL Osmanstead Condor Road Laleham		APP/Z3635/W/21/3285042 Erection of six detached dwellings, 2 fronting Thames Side and 4 fronting Condor Road, with associated access, parking areas and amenity following demolition of existing house and outbuildings.	Appeal Dismissed	03.11.2022
21/00223/CPD 28 Ash Road Shepperton TW17 0DN	Written Representation	APP/Z3635/X/21/3275492 Certificate of Lawfulness development for proposed erection of a single storey detached outbuilding at the rear.	Appeal Dismissed	07.11.2022
22/00436/HOU 74 Park Road Ashford TW15 1EU	Fast Track Appeal	APP/Z3635/D/22/3301762 Proposed two storey side extension, single storey rear extension, loft conversion and rear dormer.	Appeal Allowed	07.11.2022
20/01438/OUT 5 Marlborough Road Ashford TW15 3PZ	Written Representation	APP/Z3635/W/21/3282635 Outline Planning Permission with appearance and landscaping reserved for the erection of a 3 storey block comprising 4 flats with associated parking and amenity space, following demolition of the existing dwelling.	Appeal Dismissed	09.11.2022
20/01579/FUL 5 Marlborough Road Ashford TW15 3PZ	Written Representation	APP/Z3635/W/21/3282639 The erection of a 3 storey building comprising 4 self-contained flats (comprising 2 x 1 bedroom _ 2 x 2 bedroom units with associated parking and amenity space, following the demolition of the existing dwelling.	Appeal Dismissed	09.11.2022
21/01487/FUL 19 Sidney Road Staines-upon-Thames TW18 4LP	Written Representation	APP/Z3635/W/22/3290169 Erection of a new 2 bedroom-3 persons single dwelling house at the rear of 19 Sidney Road (Proposed No.21 New Street) with associated parking, cycle store, waste storage and amenity space.	Appeal Dismissed	10.11.2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
20/01506/FUL Sunbury Cross Ex Services Association Club Crossways Sunbury On Thames	Written Representation	APP/Z3635/W/21/3285212 The demolition of existing Sunbury Ex-Servicemen's Association Club and re-development of the site including the erection of three residential buildings of 4-storey, 6-storey and 9-storey comprising 69 flats with associated car-parking, cycle storage, landscaping and other associated works.	Appeal Dismissed	18.11.2022
21/00610/FUL Land At Vineries Nurseries Site Spout Lane Stanwell Moor	Written Representation	APP/Z3635/W/21/3287743 Retention of existing hardstanding (retrospective)	Appeal Dismissed	18.11.2022
21/01392/RVC 5 Marlborough Road Ashford TW15 3PZ	Written Representation	APP/Z3635/W/21/3287804 Variation of Condition 2 (Approved Plans) imposed upon planning permission 21/00804/FUL to allow for changes to the elevations, including the proposed roof, and floor layout.	Appeal Allowed	25.11.2022
22/00069/HOU 72 Thames Street Sunbury-on-Thames TW16 6AF	Written Representation	APP/Z3635/W/22/3298205 Erection of an extension to rear along with the creation of a new floor and rooms within the roof.	Appeal Dismissed	25.11.2022
21/01706/FUL Glenmore Green Street Sunbury-on-Thames	Written Representation	APP/Z3635/W/22/3291625 Conversion of House of multiple occupation (HMO) to 9 residential flats involving extension and alteration to front and rear with associated parking, refuse storage and amenity space as shown on drawings numbered 19_1183/002 C, 008 A, and 015 C received on 24 Nov 2021 and 009 C, 010 B, 014 D, 105 B, 110 B and Proposed Site Plan and Proposed First Floor Plan received on 01 Nov 2021.	Appeal Dismissed	29.11.2022
22/00492/RVC Glenmore Green Street Sunbury-on-Thames	Written Representation	APP/Z3635/W/22/3301717 Variation of plan number condition of PA ref 20/00052/FUL for the extension and alterations of the building to form 8 flats, to allow for the floorspace at second floor level to be used as extra bedrooms and bathrooms for the approved first floor flats, thereby creating 3 duplex flats. As shown on drawings numbered 19.1183/009 proposed site plan, 009A proposed GF plan, 111 A proposed FF plan and 112A proposed 2nd F plan received on 04/04/2022	Appeal Dismissed	29.11.2022

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
<p>22/00369/HOU</p> <p>16 Sandhills Meadow Shepperton TW17 9HY</p>	Fast Track Appeal	<p>APP/Z3635/D/22/3304749</p> <p>Loft conversion including raising of the ridge height and a balcony. Side porch extension</p>	Appeal Withdrawn	29.11.2022
<p>21/01848/HOU</p> <p>163 Staines Road Laleham Staines- upon-Thames</p>		Construction of a vehicle access with a crossover	Appeal Lapsed	29.11.2022

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Planning Enforcement Appeal Decisions Made 01 January 2021 to 31 December 2022

Appeal Allowed	0	
Appeal Dismissed	1	
Part Allowed/Part Dismissed	0	
Total Appeals	1	

Case Ref & Address	Procedure	Appeal Ref & Nature	Decision	Decision Date
18/00116/ENF Plot 10 Las Palmas Estate Las Palmas Estate Road	Written Representation	APP/Z3635/C/21/3270987 Appeal against serving of an enforcement notice for the unauthorised operational development of gates, fencing and posts.	Appeal Dismissed	08.11.2022

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Major Applications

This report is for information only.

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

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

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
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
23/00112/FUL	Two Rivers Bar And Restaurant 43 Church Street Staines-upon-Thames TW18 4EN	Erection of a 4-storey building comprising 11 residential units, with a commercial unit on ground floor (Use Class E), associated parking and landscaping	Map Slough Ltd / c/o Zyntax Chartered Architects	Susanna Angell
23/00121/OUT	Land East Of Vicarage Road Sunbury-on-Thames TW16 7LB	A Hybrid planning application for an Integrated Retirement Community to consist of: a) Full planning application incorporating 38 extra care and 28 close care units (Use Class C2) with an on-site village centre to include a medical facility. Means of access off Vicarage Road, associated infrastructure, landscape buffer and open space. b) Outline planning application for a care home (up to 60 beds) and up to 98 extra care units (Use Class C2), landscaping and open space, parking, infrastructure, and internal access roads (all matters reserved).	Savills	Paul Tomson / Matthew Churchill

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
23/00680/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
23/00724/FUL	Benwell House Green Street Sunbury-On-Thames Surrey TW16 6QS	Development of the vacant area at Benwell House for residential purposes with associated car parking, landscaping, access, services and facilities.	Lichfields on behalf of Spelthorne Borough Council	Russ Mounty
23/00856/FUL	Sports Ground Short Lane Stanwell Staines-upon-Thames TW19 7BH	Provision of an artificial grass pitch (AGP), floodlighting and ancillary works including fencing.	Ashford Town FC	Matthew Churchill
23/00865/FUL	5-7 & 9 Station Approach & 21 Woodthorpe Road Ashford TW15 2RP	Demolition of existing office buildings, and construction of 40 new residential units together with Class E (Commercial, Business and Service), associated amenity and parking.	Mr Clive Morris	Kelly Walker / Matthew Clapham
23/01096/FUL	St Ignatius Roman Catholic Primary School Green Street Sunbury-on-Thames TW16 6QG	Erection of a single storey infill front extension to existing Reception Entrance.	Ascension Catholic Academy Trust	Vanya Popova

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

Esmé Spinks
Planning Development Manager
05/09/2023



Planning Committee

20 September 2023

Planning Appeals Report – V1.0 ISSUED

Appeals Started between 12 July – 06 September 2023

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
22/00483/OUT Land At Manor Farm Charlton Road Shepperton	14.07.2023	Written Representation	APP/Z3635/W/23/3319062 Outline permission for residential development of up to 30 residential units (with all matters reserved for future consideration except for means of access) as shown on drawings numbered Site location plan no. 211103 L002 Rev A, Constraints plan no. 211103 SK1.1 Concept plan no. 211103 SK1.3 received on 01/04/2022, Elevational drawings existing 2268, PL 030, 031 and 032 all rev 00

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
			Land use plan no. 21103 L004 received on 17/05/2022, and Sketch elevational plan no. 21103SK2.0 received on 06/06/2022
22/01264/HOU 24 Jordans Close Stanwell Staines-upon-Thames	13.07.2023	Fast Track Appeal	APP/Z3635/D/23/3324703 Proposed erection of single storey outbuilding for use as annexe
22/01615/OUT Bugle Nurseries Upper Halliford Road Shepperton	01.08.2023	Public Inquiry	APP/Z3635/W/23/3325635 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.
23/00443/HOU 4 Burgoyne Road Sunbury- on-Thames TW16 7PW	23.08.2023	Fast Track Appeal	APP/Z3635/D/23/3326719 Construction of a part two, part single storey side extension with raised eaves to provide accommodation in the roof space including a front dormer window and front porch with associated parking and amenity space following demolition of existing garage and single storey lean to (As shown on plans: L.201; B.201; P.201; 202; 203; 204; 205; 206; 207; 208; 209 received 04.04.2023)
23/00110/FUL Glenhaven Yard Stanwell Moor Staines-upon-Thames	01.09.2023	Written Representation	APP/Z3635/W/23/3327773 Redevelopment of Glenhaven Yard - removal of existing outbuildings to allow erection of a single storey structure to be used as a minibus depot for a holiday firm as per Certificate of Lawfulness (18/00941/CLD) with

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
			associated parking area, delivery/service collection point, realigning the kerb line, reduction of existing hardstanding and improvement to grassed area / paddock.
22/01638/OUT Rear Of 37 - 51 Hithermoor Road Stanwell Moor Staines-upon-Thames	31.08.2023	Written Representation	APP/Z3635/W/23/3327945 Demolition of existing glasshouses, polytunnels and existing structures and the erection of a new single storey office building and panel making sheds. Provision of new hardstanding to accommodate external storage racks, staff and visitor parking, and access route. Provision of hard and soft landscaping to include the creation of a nature park (Outline)
22/01637/OUT Heathrow Fencing Gleneagles Farm Gleneagles Close	31.08.2023	Written Representation	APP/Z3635/W/23/3327951 Outline consent (with all matters reserved for future consideration except access) for the demolition of all existing buildings [including telephone mast] to enable the redevelopment of the site to erect up to 21 dwellings (Use Class C3), ranging from 2 to 3 storeys, including open space, garden areas, a play area, up to 28 car parking spaces including disabled parking, cycle parking, with vehicular access from Gleneagles Close. As shown on drawings numbered 20524_GC_PL_011, 012, 013, 020, 021,105 and 106 received on 25.11.2022

Appeal Decisions Made between 12 July – 06 September 2023

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
21/00469/FUL 128 Staines Road East Sunbury On Thames TW16 5BB	20.04.2023	Written Representation	APP/Z3635/W/22/3300724 Construction of a two-storey detached, one bedroom dwelling with associated parking and landscaping.	Appeal Dismissed	30.08.2023	<p>The Inspector identified that the main issues were the impact upon the character and appearance of the area and highway safety.</p> <p>The Inspector considered that the proposal would significantly increase the amount of hard surfacing on the road, having a discordant impact upon the street scene. The position of the parking spaces and the need for a turntable were considered to result in cramped appearance. It was therefore concluded that the proposal would be contrary to policy EN1.</p> <p>In regard to highway safety the Inspector noted that the visibility splay to the south passed through land outside of the applicants ownership. A fence at the boundary would interfere with visibility, and one of the proposed parking spaces would also be located in the splay area. The Inspector considered that this would create an unacceptable risk of</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>accidents and would therefore cause a highway safety risk.</p> <p>The Inspector also considered that the proposed turntable could malfunction resulting in vehicles being unable to leave the site in a forward gear. The proposal was therefore considered to be contrary to policy CC2.</p> <p>The Inspector considered that the modest contribution of one additional dwelling to the Council's 5-year housing land supply did not outweigh the harm of the proposal and the appeal was dismissed.</p>
<p>22/00418/FUL</p> <p>Stanwell Farm Bedfont Road Stanwell</p>	16.12.2022	Written Representation	<p>APP/Z3635/W/22/3307473</p> <p>Change of use to a builders merchants yard (Sui Generis) with associated ancillary office and sales area.</p>	Appeal Dismissed	16.08.2023	<p>The Inspector considered that the change of use to a builder's merchants yard constituted inappropriate development in the Green Belt and would cause a harmful loss of openness in the Green Belt. He also considered that the development would harm the character and appearance of the area. Whilst the Inspector noted that there were some considerations in favour of the development, which he gave moderate weight, these did not outweigh the substantial harm to the Green Belt and</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						character of the area and consequently 'very special circumstances' did not exist to justify the development.
22/00899/FUL Stanwell Farm Bedfont Road Stanwell	16.12.2022	Written Representation	APP/Z3635/W/22/3307480 Erection of a storage unit in connection with Builders Yard (retrospective)	Appeal Dismissed	16.08.2023	The Inspector considered that the storage unit was attached to the existing building and represented a disproportionate addition over and above the size of the original building. It therefore constituted inappropriate development in the Green Belt. It would also have an effect on openness in the Green Belt. Like the change of use to a builder's merchants, he considered that that the harm to the Green Belt clearly outweigh any considerations in favour of the development and consequently, 'very special circumstances' did not exist.
22/00666/FUL 192 Feltham Hill Road Ashford TW15 1LJ	27.03.2023	Written Representation	APP/Z3635/W/22/3311716 Retrospective application for the erection of wooden canopy to the front of the coffee shop to allow for sheltered seating and installation of new extraction fan unit	Appeal Dismissed	10.08.2023	The Inspector considered that the main issue was the effect of the proposed extraction fan unit on the character and appearance of the area. The Inspector considered that the height of the proposed extraction fan unit significantly projects above the height of the fence to the side of the building, and on the boundary with the adjacent flats. The extraction fan unit would project to approximately the height of the ridge of the roof. As the roof is pitched, and slopes away from the extraction fan unit,

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>the system would be visually prominent and an incongruous feature on the side of the building. The scheme would be harmful to the street scene both immediately outside the site and outside the neighbouring flats.</p> <p>The Inspector concluded that the proposed extraction system, due to its height and massing, projecting above and out from the roof of the building, would not respect, or make a positive contribution to, the street scene and would be visually incongruous and prominent. An award for costs was also dismissed as the Inspector found that unreasonable behaviour by the Council resulting in unnecessary expense had not been demonstrated, thus the award of costs was not justified.</p>
21/01772/FUL 37 - 45 High Street Staines-upon-Thames TW18 4QU	10.01.2023	Public Inquiry	APP/Z3635/W/22/3312440 Demolition of the former Debenhams Store and redevelopment of site to provide 226 Build-to Rent dwellings (Use Class C3) and commercial units (Use Class E) together with car and cycle parking, hard and soft landscaping, amenity space	Appeal Dismissed	13.07.2023	<p>A Planning Inquiry was held at Spelthorne Borough Council on 3–5, 10-12 and 16 May 2023 and a site visit made on 5 May 2023.</p> <p>The Affordable housing reason was addressed and fell away before the appeal commenced.</p> <p>The Inspector noted the 3 main issues to be</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
			and other associated infrastructure and works			<ul style="list-style-type: none"> • The effect of the development on the setting of Staines Conservation Area and whether the development would preserve the setting of listed buildings in the vicinity of the appeal site. • The effect of the development on non-designated heritage assets; and, • The effect of the development on the character and appearance of the surrounding area. <p>The Inspector's report notes that the appeal site falls in the setting of the Staines Conservation Area, the setting of various listed buildings and non-designated heritage assets.</p> <p>The Inspector also took into account the impact of the scheme at Elmsleigh Road/Masonic Hall which is under construction.</p> <p>She notes that the ability to appreciate the significance of the conservation area and that of the relevant listed buildings within it, would be diminished by the development.</p> <p>Stating that</p> <p><i>'...it is proposed to erect two towers. When viewed travelling along Clarence</i></p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p><i>Street, within the conservation area, with a historic foreground of, for example, the Georgian buildings along the northern side of the street and the Blue Anchor, the front tower would dominate the view, drawing the eye and distracting from the much smaller scale of the historic foreground'</i></p> <p>The proposal would result in harm to the significance, and ability to appreciate the significance of, the conservation area and the relevant listed buildings in this appeal, through harm to setting. Concluding that the development would not preserve the setting of Staines Conservation Area or the setting of the relevant listed buildings in this case but would harm them. It would therefore conflict with policies EN5 and EN6 of the Core Strategy and Policies DPD.</p> <p>She considered that the benefits in this case attract significant weight, but considerable importance and weight must be given to the desirability of preserving the setting of listed buildings. Great weight must also be given to the conservation of designated heritage assets (Framework para 199). Given the multiple heritage assets she found to be adversely affected in this case, she</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>concludes that this harm is not outweighed by the public benefits.</p> <p>In addition, the development would conflict with Policy EN5 which, in respect of non-designated heritage assets, seeks to ensure that their character and setting is preserved in development proposal.</p> <p>In regard to character and appearance she noted that the proposal would conflict with Policy EN1 which requires new development to respect and make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale and height of adjoining buildings and land but found no material harm to the setting of the River Thames. Stating that:</p> <p><i>'The proposed tower on High Street would be introducing a vastly taller building in very close proximity to an area where the overriding character is human and domestic in scale. It would feel dominating and oppressive due to its height, when viewed in close proximity on High Street, bearing down on the pedestrians and buildings below.'</i></p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>The Inspector noted other tall buildings referred to in the Inquiry and that these were generally set away from the High Street and in areas where there are larger buildings of various styles and forms adjacent, therefore, their impacts are not comparable to the specific impacts in this scheme.</p> <p>Concluding in the overall planning balance, that the harm to designated heritage assets is not outweighed by the public benefits in this case, disengaging the 'tilted balance' as it provides a clear reason for refusing the development. In addition, she found harm to non-designated heritage assets and harm to the character and appearance of the area. Cumulatively, these harms are significant and result in conflict with the development plan as a whole. The material considerations in this case do not outweigh the totality of this harm.</p>
22/01264/HOU 24 Jordans Close Stanwell Staines-upon- Thames	13.07.2023	Fast Track Appeal	APP/Z3635/D/23/3324703 Proposed erection of single storey outbuilding for use as annexe	Appeal Allowed	22.08.2023	The Inspector was satisfied that the proposed outbuilding would constitute and function as an annex as it would replace an existing outbuilding; it is shown to be within the same ownership as the host property; it would be sited within part of the garden of the host

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						property and would potentially share the services and utilities of the host. He also considered the annex would share the retained garden areas with the host property and would have a good 'visual link' to it. In addition, he stated the new outbuilding would be small-scale and subservient to the host property. He did not consider the proposal to be physically separate from the existing residential use of the appeal site or separate from the ownership of the host property.
22/01159/HOU 23 Chalmers Road Ashford TW15 1DT			Erection of a detached building as self-contained accommodation at the back of the garden. As shown on unnumbered drawings: Site Location plan received 14.11.2022; Site Layout and Floor Plans received 25.10.2022 and elevations received 17.08.2022.	Appeal Lapsed	13.07.2023	The Planning Inspectorate noted that appeals and all of the essential supporting documentation must be submitted to them within 12 weeks of the date of the local planning authority's notice of the decision. As they received the appeal after the time limit, they were unable to take any action on it.

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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