



*Please reply to:*

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Date: 23 February 2024

## Notice of meeting

### Planning Committee

**Date:** Wednesday, 6 March 2024

**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.L. Geraci (Vice-Chair)

C. Bateson

S.N. Beatty

M. Beecher

M. Buck

T. Burrell

R. Chandler

D.C. Clarke

S.A. Dunn

M.J. Lee

A. Mathur

L. E. Nichols

K.E. Rutherford

H.R.D. Williams

P.N. Woodward

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

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

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

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# Agenda

Page nos.

1. **Apologies and Substitutions**

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

2. **Minutes**

5 - 10

To confirm the minutes of the meeting held 12 December 2023 as a correct record.

3. **Disclosures of Interest**

To receive any disclosures of interest from councillors under the Councillors' Code of Conduct, or contact with applicants/objectors under the Planning Code.

**Planning Applications and other Development Control matters**

To consider and determine the planning applications and other development control matters detailed in the reports listed below.

4. **Planning application - 24/0046/FUL, Ashford Town Football Club, Sports Club, Short Lane, Stanwell, Staines-upon-Thames, TW19 7BH**

11 - 40

**Ward**

Ashford North & Stanwell South

**Proposal**

Provision of an artificial grass pitch (AGP), floodlighting and ancillary works.

**Recommendation**

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

5. **Planning application - 23/01234/FUL, Venture House, 42 London Road, Staines-upon-Thames, TW18 4HF**

41 - 74

**Ward**

Staines

**Proposal**

Proposed development comprising the construction of a single storey extension at roof level consisting of 5 no. self-contained residential units (Use Class C3); including provision of car parking, cycling and associated works.

**Recommendation**

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

6. **Planning application - TPO291/2023, 110 French Street, Sunbury-on-Thames, TW16 5LE** **75 - 82**

**Ward**

Sunbury East

**Proposal**

To seek confirmation of Tree Preservation Order 291/2023 that was served with immediate effect to protect one Yew tree on the site.

**Recommendation**

Confirm without modification

7. **Planning Appeals Report** **83 - 102**

To note details of the Planning appeals submitted and decisions received between 30 November 2023 - 20 February 2024.

8. **Major Planning Applications** **103 - 106**

To note the details of future major planning applications.

9. **Glossary of Terms and Abbreviations** **107 - 112**

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**Minutes of the Planning Committee  
12 December 2023**

**Present:**

Councillor M. Gibson (Chair)

Councillors:

C. Bateson

R. Chandler

L. E. Nichols

S.N. Beatty

D.C. Clarke

K.E. Rutherford

M. Beecher

S.A. Dunn

H.R.D. Williams

M. Buck

M.J. Lee

J.A. Burrell

A. Mathur

**Apologies:** Apologies were received from Councillor D.L. Geraci and Councillor K. Howkins

**In Attendance:**

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

**69/23 Minutes**

The minutes of the meeting held on 15 November 2023 were approved as a correct record.

**70/23 Disclosures of Interest**

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

There were none.

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

Councillors Beatty, Beecher, Buck, Burrell, Chandler, Clarke, Lee and Woodward reported that they had received correspondence in relation to application 23/01224/FUL but had not responded, maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor Dunn reported that she had received correspondence in relation to application 23/01224/FUL and had made a visit to the site. She also read out a statement as advised by the legal representative which summarised her position in which she remained impartial and open minded.

Councillor Nichols reported that he had received correspondence in relation to application 23/01224/FUL but had not responded, and also made a visit to the site. In both instances he had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor Rutherford reported that she had received correspondence in relation to application 23/01224/FUL but had not responded, and also reported that she had knowledge of the site in relation to application 23/01221/FUL, but in all instances maintained an impartial role, had not expressed any views and had kept an open mind.

**71/23 Planning application - 23/01224/FUL Beech Dale, Highfield Road, Sunbury-on-Thames, TW16 6DL**

**Description:**

Demolition of existing bungalow and garage and erection of a replacement two storey house with rooms in the roof space that includes the installation of 3 no. rear dormers. The provision of a first-floor southern facing balcony.

**Additional Information:**

Vanya Popova, Planning Officer reported on the following update:

Paragraph 7.9 to note No. 7 Tadmor Close is a bungalow with no first floor accommodation whereas No. 6 does have first floor accommodation. No change to assessment.in regard to the properties to the rear of the application site.

**Public Speaking:**

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

-The building did not consider its overbearing impact on neighbouring properties

-the development was exaggerated in bulk and mass and was higher and wider than all other buildings

- The impact on natural light in both neighbouring gardens and homes was of grave concern
- The measurements on Beech Dale's plans were misleading
- The three-storey build posed a direct threat to well-being and the legal right to enjoy property
- No other house on the road or wider area had a balcony to blatantly survey neighbours with direct vision into bedroom windows
- Neighbours would be directly overlooked by the 15 proposed front windows and 10 rear windows
- The owners had removed trees and hedges, taking away natural habitat for wildlife by fully concreting the front garden
- There were flood risk concerns as this development would impact drainage
- The introduction of a newbuild on the greenbelt boundary was overbearing, hugely disruptive and would set a precedent for others to follow

In accordance with the Council's procedure for speaking at meetings, Kevin Yates although scheduled to speak **for** the proposed development, did not arrive in person. His prepared statement was read out by the Committee Manager, raising the following key points:

- The new build was in accordance with planning policy
- The development was intended to be a fully sustainable and eco-friendly family home
- Efforts would be made to limit disruption to neighbours during the build
- A lot of time had been spent discussing this application with the Planning Team prior to submission

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

- The current application did not address issues highlighted in the previously submitted application
- This development was totally out of character on a rural road
- This proposal was not in keeping with the other properties in the surrounding area

- The design of the property did not fit in with the design codes for future development in the borough
- The development paid no regard to the environment as it overlooked greenbelt land which did not fit into surrounding landscape
- The impact on neighbouring properties including their loss of daylight should not be ignored
- There was a duty to respect human rights specifically in relation to neighbouring properties and the enjoyment of their homes

**Debate:**

During the debate the following key issues were raised:

- The proposed building was bulky and resembled a mansion
- The plans would not make any positive contributions to the surrounding area
- This proposal was out of place compared to the surrounding locality
- There were 12 letters of objection
- The size of this house was too big for the plot of land it occupied
- There were too many windows across the frontage of the house
- The proposal was well designed and suitable for a family
- Concern was raised regarding the application of the 45 degree vertical and horizontal guide within the plans
- This application was not in breach of planning policy and guidance

The Committee voted on the application as follows:

**For: 7**

**Against: 7**

**Abstain: 1**

Thereafter, by 7 votes in favour, 7 votes against and one abstention, on the Chair's casting vote the motion to approve the application was agreed.

**Decision:**

The application was **approved**.



**72/23 Planning application - 23/01221/FUL Windmill Court (Former Dimensions Data House), Brooklands Close, Sunbury-on-Thames, TW16 7DX**

**Description:**

Development of the site to provide a new self-storage facility (Use Class B8) and new light Industrial workspace / incubator units (Use Class E(g)(iii)) with associated car and cycle parking, landscaping and other works ancillary to the development.

**Additional Information:**

Kelly Walker, Principal Planning Officer reported on the following update:

Amend plan number condition 9, due to amended plan no. 23009GA-D-014A submitted, showing single storey Direct Access units at the rear.

**Public Speaking:**

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

- The facility would directly benefit the local community
- The site was located within an employment zone where employment generating uses were supported
- Self-storage facilities provided flexible low-cost space that businesses can grow and work from
- The proposed development incorporated Fab Lab floorspace which comprised of affordable and flexible industrial style workplaces
- The proposed building was designed to make a positive contribution to the street scene and character of the area
- The proposal utilised natural materials including brick which was in keeping with existing surrounding development
- There were no objections to the scheme from any statutory bodies

**Debate:**

During the debate the following key issues were raised:

- The facility was accessible to customers for 24 hours which could cause disturbance to residential properties in the surrounding area

-Concern was raised regarding parking provision on site and for off street parking options

The Committee voted on the application as follows:

For: 15

Against: 0

Abstain: 0

**Decision:**

The application was **approved**.

**73/23 Planning Appeals Report**

The Chairman informed the Committee that if any Member had any detailed queries regarding the report on Appeals lodged and decisions received since the last meeting, they should contact the Planning Development Manager.

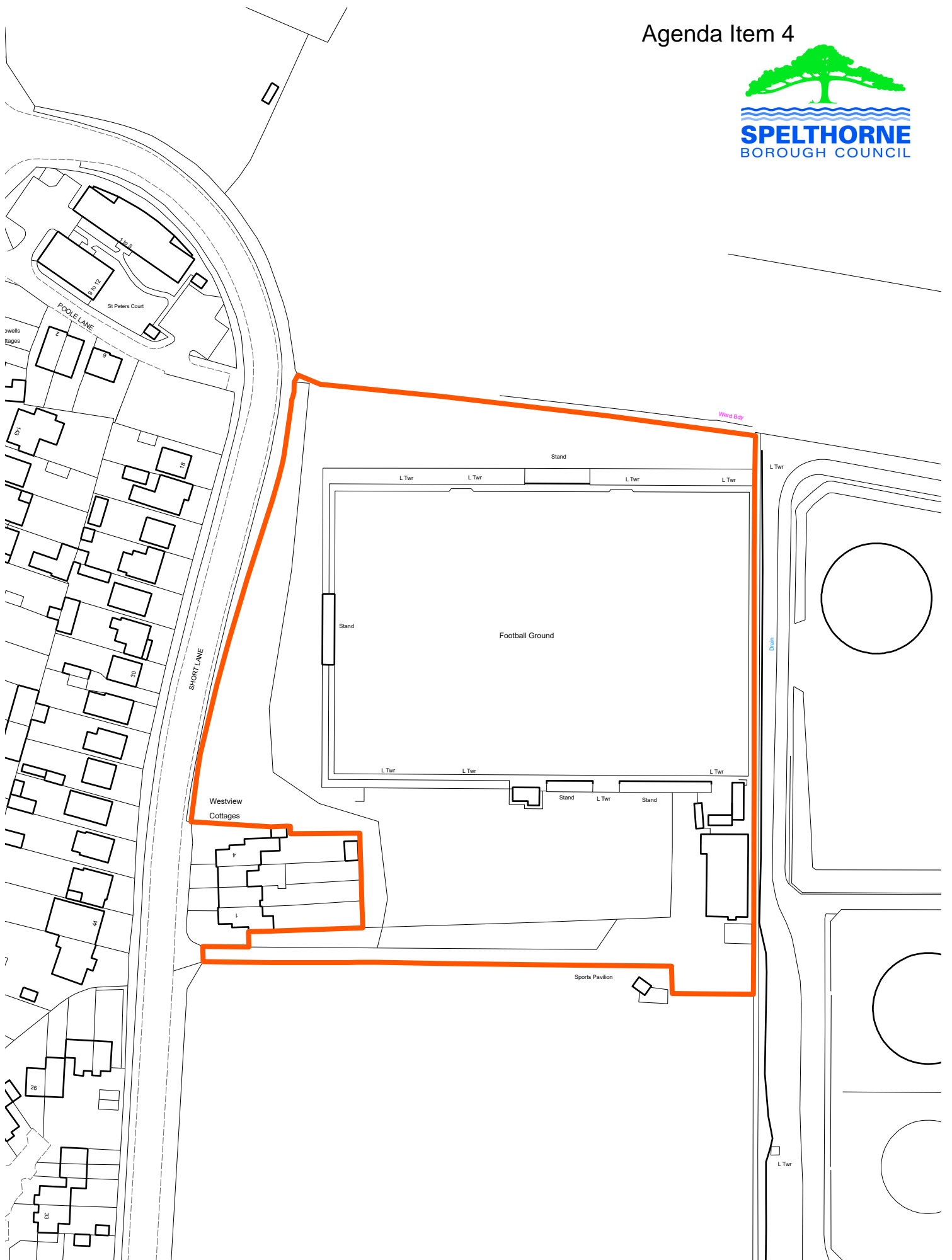
**Resolved** that the report of the Planning Development Manager be received and noted.

**74/23 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.

**Meeting ended at: 21:00pm**



Ashford Town Football Club, Sports Ground, Short Lane, Stanwell.  
Scale: 1:1,250

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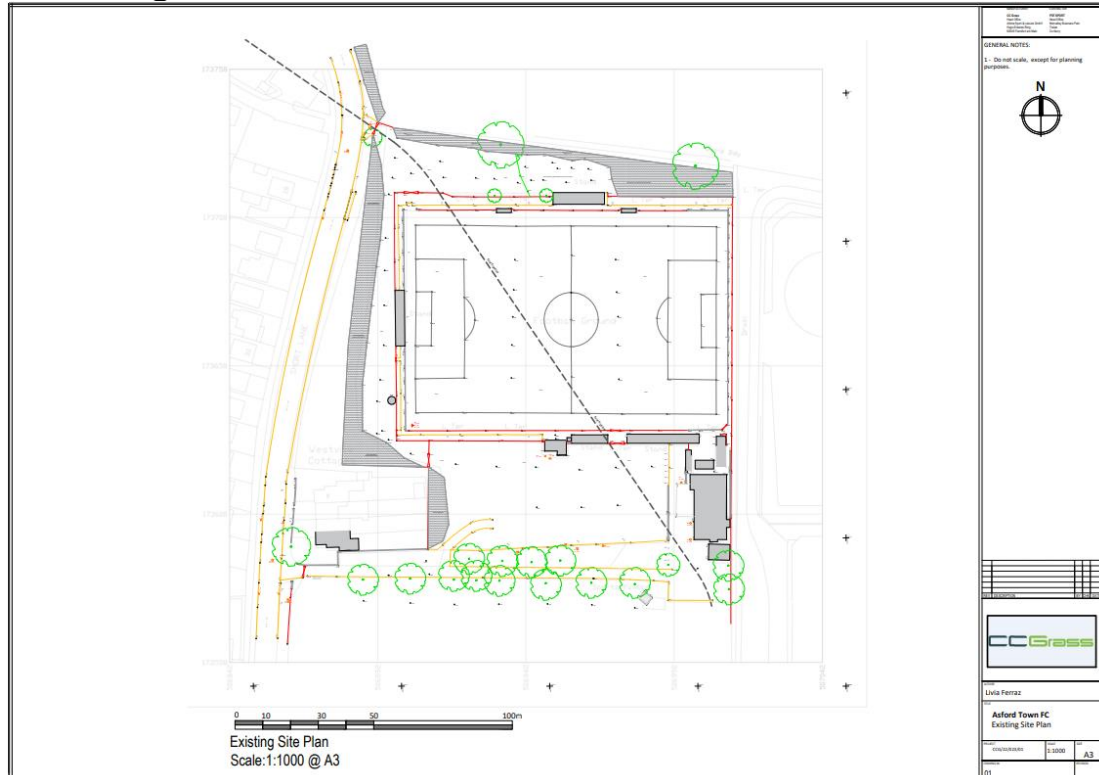


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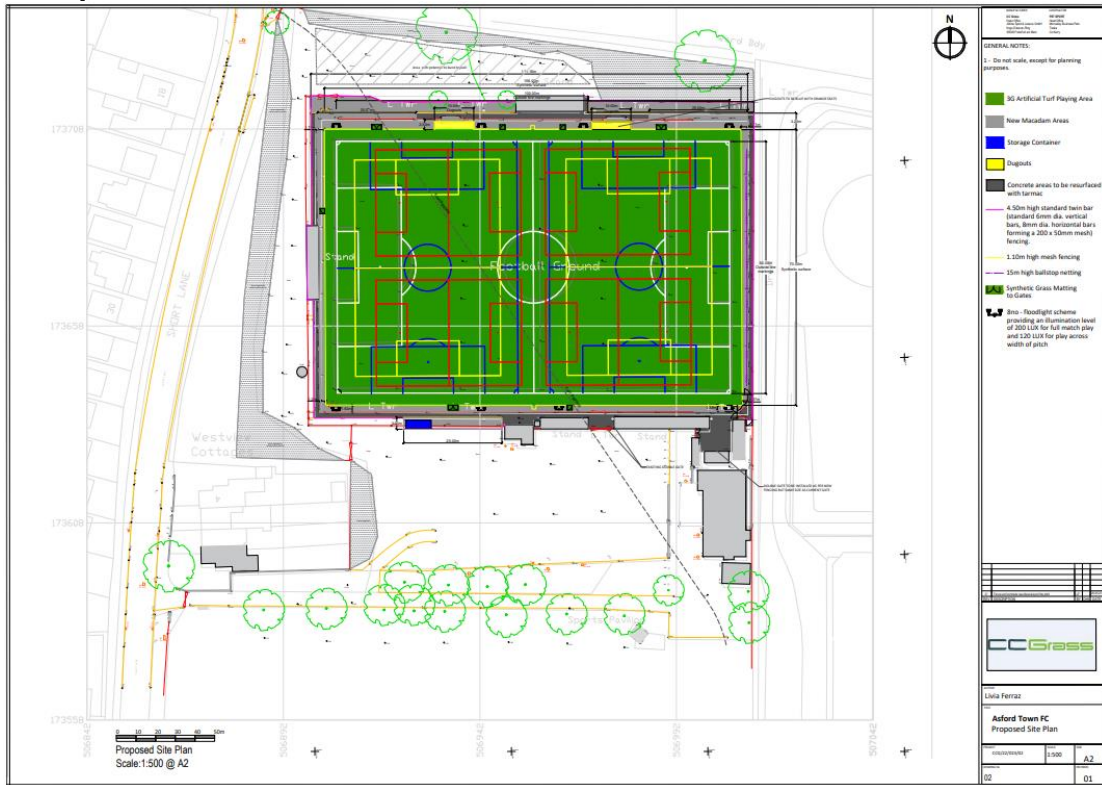
# Location Plan



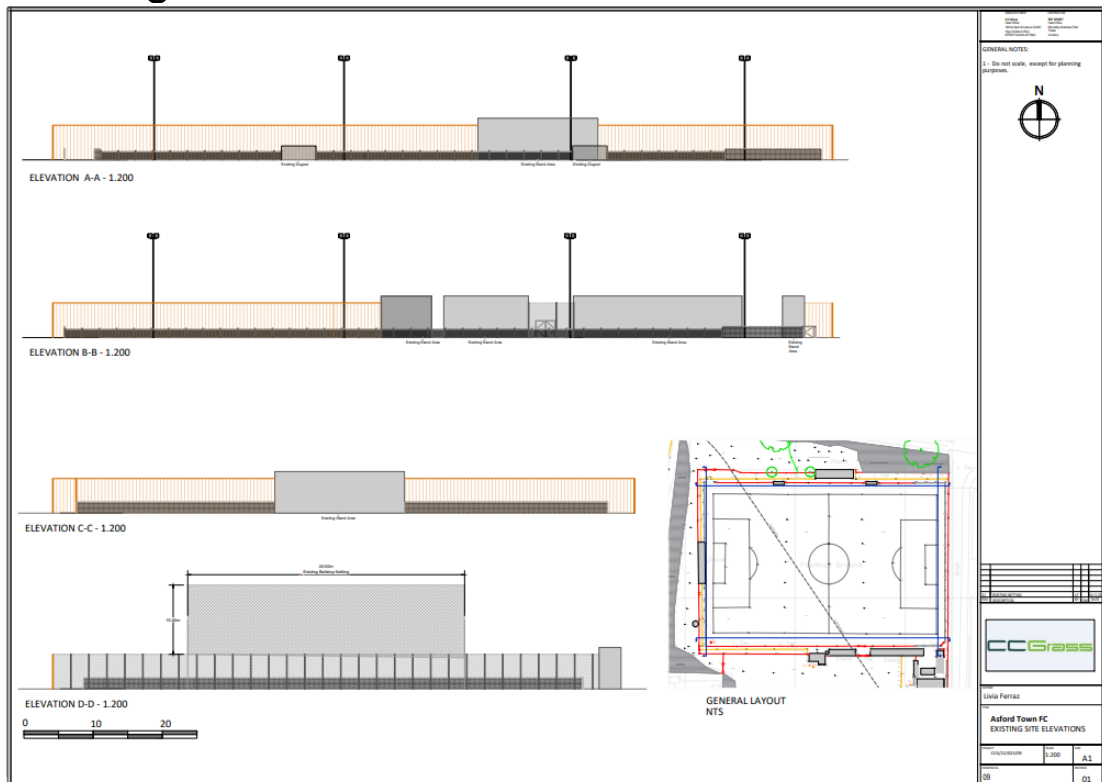
# Existing Site Plan



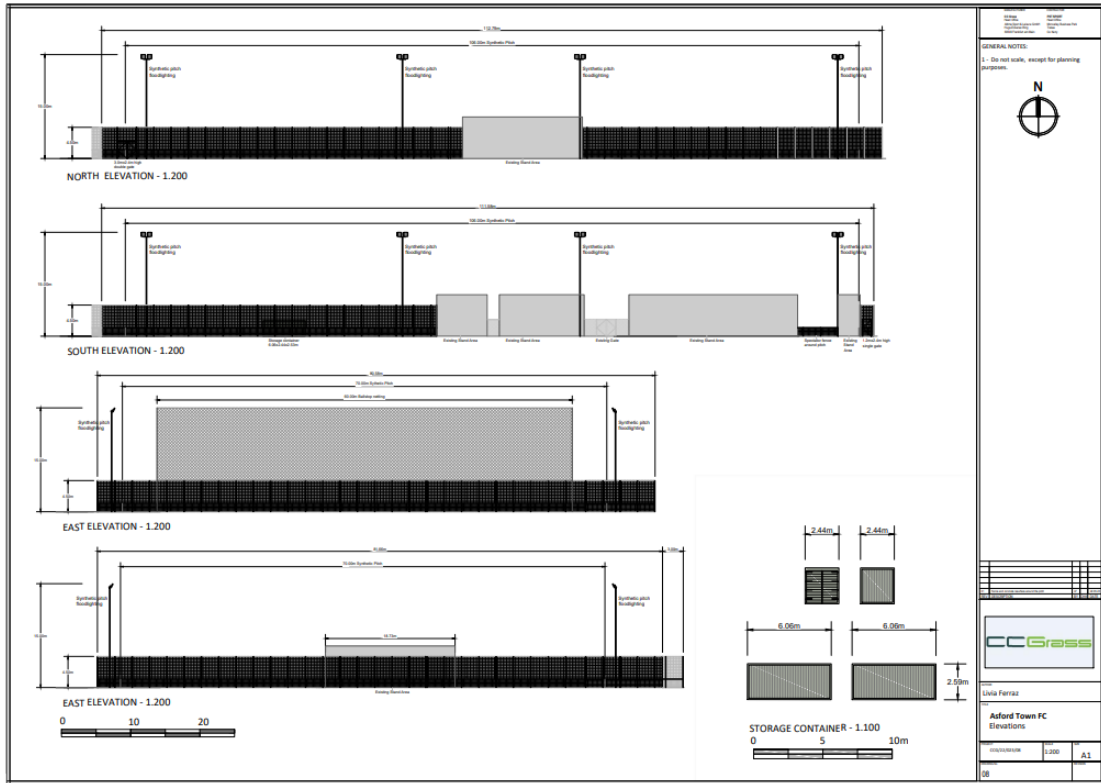
# Proposed Site Plan



# Existing Elevations



# Proposed Elevations



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# Planning Committee

06 March 2024



<b>Application No.</b>	24/00046/FUL
<b>Site Address</b>	Ashford Town Football Club, Sports Ground, Short Lane, Stanwell, Staines-upon-Thames, TW19 7BH
<b>Applicant</b>	Ashford Town Football Club
<b>Proposal</b>	Provision of an artificial grass pitch (AGP), floodlighting and ancillary works
<b>Case Officer</b>	Matthew Churchill
<b>Ward</b>	Ashford North & Stanwell South
<b>Called-in</b>	<p>The application has been called in by Councillor Beatty. This is for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposal for an artificial pitch is part of Spelthorne’s Playing Pitch Strategy 2019.</li> <li>• The scheme will improve the local community and increase opportunities for individuals from deprived backgrounds.</li> <li>• The works will increase participation in women and girls’ football, disability football, small size teams, youth clubs and over 50s.</li> <li>• Paragraph 97 of the NPPF and Sport England guidance supports the replacement of current facilities with equivalent or better provision.</li> <li>• The proposals are consistent with the NPPF and Saved Policy GB1.</li> <li>• Policy EN14, and policy SP7 of the draft local plan state permission will be refused for any proposals likely to increase risks associated with hazardous development. The increased risk, should it exist, is minimal and cannot be considered significant.</li> <li>• Ashford Town Football Club is a community asset. The application merely upgrades the current facilities, and under the current usage the club can host gatherings with no limits.</li> <li>• Safety concerns of the HSE could be mitigated by a condition restricting the maximum number of people at the site.</li> <li>• The operators of the neighbouring site have put a significant amount of work into reducing the probability of an event taking place.</li> <li>• A similar application, with the potential for an increase of people was approved by the Secretary of State (ref.07/04598).</li> </ul>

<b>Application Dates</b>	Valid:12.01.2024	Expiry:12.04.2024	Target: Within 13 weeks
<b>Executive Summary</b>	<p>This application seeks the provision of an artificial grass football pitch together with floodlighting and ancillary works including new fences around the pitch, surfacing and a storage container, at Ashford Town Football Club.</p> <p>The applicant's planning statement indicates that currently, the grass pitch is only used for a limited time during the week due to its quality and condition. The replacement pitch will allow the football club to improve its offering, as well as provide the community with a facility that can be used all year round. The applicant further states that in winter months the grass pitch is unable to be used, and the football club hires another artificial grass facility for its 35 teams. The applicant further advises that there is a need for a 3G/artificial grass pitch in order to allow increased use of the site for games and training.</p> <p>The site adjoins the Esso West London Oil Terminal. As a result, the Council has consulted the Health and Safety Executive (HSE), which has confirmed that the pitch is located within the development proximity zone and the inner consultation zone of the neighbouring oil terminal facility. The HSE has noted that the artificial grass pitch would allow the club to improve its offering and provide the local community with a facility that can be used all-year round including during times of bad weather. The HSE consider that the proposed development represents and intensification of the use of the site within the development proximity zone of a large-scale petrol storage site. As such the HSE's advice is that there are sufficient reasons on safety grounds for advising against the granting of planning permission.</p> <p>The site is located within the Green Belt. The NPPF states that Local Planning Authorities should regard the construction of new buildings as inappropriate development in the Green Belt. At paragraph 154, the NPPF lists a number of exceptions to inappropriate development, including part b) the provision of appropriate facilities for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including the land within it.</p> <p>The works constitute an exception to inappropriate development under paragraph 154 part b) insofar as they would represent appropriate facilities for outdoor sport and recreation. However, as a result of the cumulative impacts with the ball-stop netting, that would measure 15 metres in height and 60 metres in width, the proposed bund/mound at the north of the site, and the proposed siting of a shipping container, it is considered that the proposals would, to an extent, impact openness in both spatial and visual terms. The works as a whole would, therefore, constitute inappropriate development in the Green Belt. In the event that there was no other harm associated with the development, it is considered that the benefits of improving this community facility would</p>		

	<p>have outweighed the harm to the Green Belt by reason of inappropriate development and the harm to openness and would therefore have constituted 'very special circumstances'.</p> <p>However, the NPPF states at para. 153 that 'very special circumstances' will only exist if the harm to the Green Belt and <u>any other harm</u> {officer emphasis} is clearly outweighed by other considerations'. In this instance, given the objection by the Health and Safety Executive (HSE), officers do not consider that the benefits of the proposals outweigh the harm of introducing additional visitors into the development proximity zone of the adjoining hazardous installation and the consequential public safety concerns, which would be contrary to the objectives of policy EN14 and the section 8 of the NPPF on '<i>promoting healthy and safe communities</i>'.</p> <p>The Spelthorne Borough Council <i>Playing Pitch Strategy</i> (November 2019) identifies that the geographic spread of '3G' pitches in the borough is even. There is one full-sized and one small-sided facility in the east and one small-sided pitch in the west of the borough. The key provision gap is in the centre of the borough. Potential sites to meet the shortfall identified in the playing pitch strategy include Ashford Town FC, Thomas Knyvett College and the new Spelthorne Leisure Centre demonstrating that there is a need for a '3G' pitch.</p> <p>The proposals are also considered to have an acceptable impact upon the character of the area, the amenity of neighbouring and adjoining occupiers, parking provision and the highways, minerals, the high-pressure pipelines within the site, biodiversity and nearby trees.</p> <p>Nevertheless, the benefits are not considered to outweigh the harm of the scheme as a result of the introduction of additional visitors into the development proximity zone of the neighbouring oil terminal facility and the increased risk to public safety, which would be contrary to the objectives of policy EN14 and the NPPF.</p>
<p><b>Recommended Decision</b></p>	<p>Refuse the application for the reasons set out at Paragraph 8 of the Report.</p>

## MAIN REPORT

### 1. Development Plan

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

- EN1 (Design of New Development)
- EN4 (Provision of Open Space and Sport and Recreation Facilities)
- EN7 (Tree Protection)
- EN8 (Protecting and improving the Landscape and Biodiversity)
- EN11 (Development and Noise)
- EN13 (Light Pollution)
- EN14 (Hazardous Development)
- CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)
- LO1 (Flooding)
- SP5 (Meeting Community Needs)

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

- GB1 (Green Belt)

1.3 The policies contained within the National Planning Policy Framework (NPPF) (December 2023) are also relevant.

1.4 The local plan was submitted to the Planning Inspectorate under Regulation 19 on 25 November 2022. An Examination into the Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.* 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. On 14 September 2023, the Council considered a report following the deferral in June. The Council resolved to extend the pause in the Examination timetable until the proposed changes to the NPPF have been published (expected in the Autumn) before determining the next steps and take immediate legal advice to confirm the validity of the minister's directive. The revised NPPF was published on 19 December 2023 and the Council will be considering its next steps at a meeting of the E&S Committee on 29/02/2024 and whether Members wish to propose modifications as a result. This approach will need to be formally agreed by Committee before the Inspector is invited to resume the examination hearings.

1.5 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.
- SP4: Green Belt
- E2: Biodiversity
- E5: Open Space and Recreation
- EC4: Leisure and Culture

1.6 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).

1.7 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.

1.8 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 and Saved Policies in the Local Plan 2001 carry substantial weight in the determination of this planning application.

## 2. Relevant Planning History

2.1 The site has the following planning history:

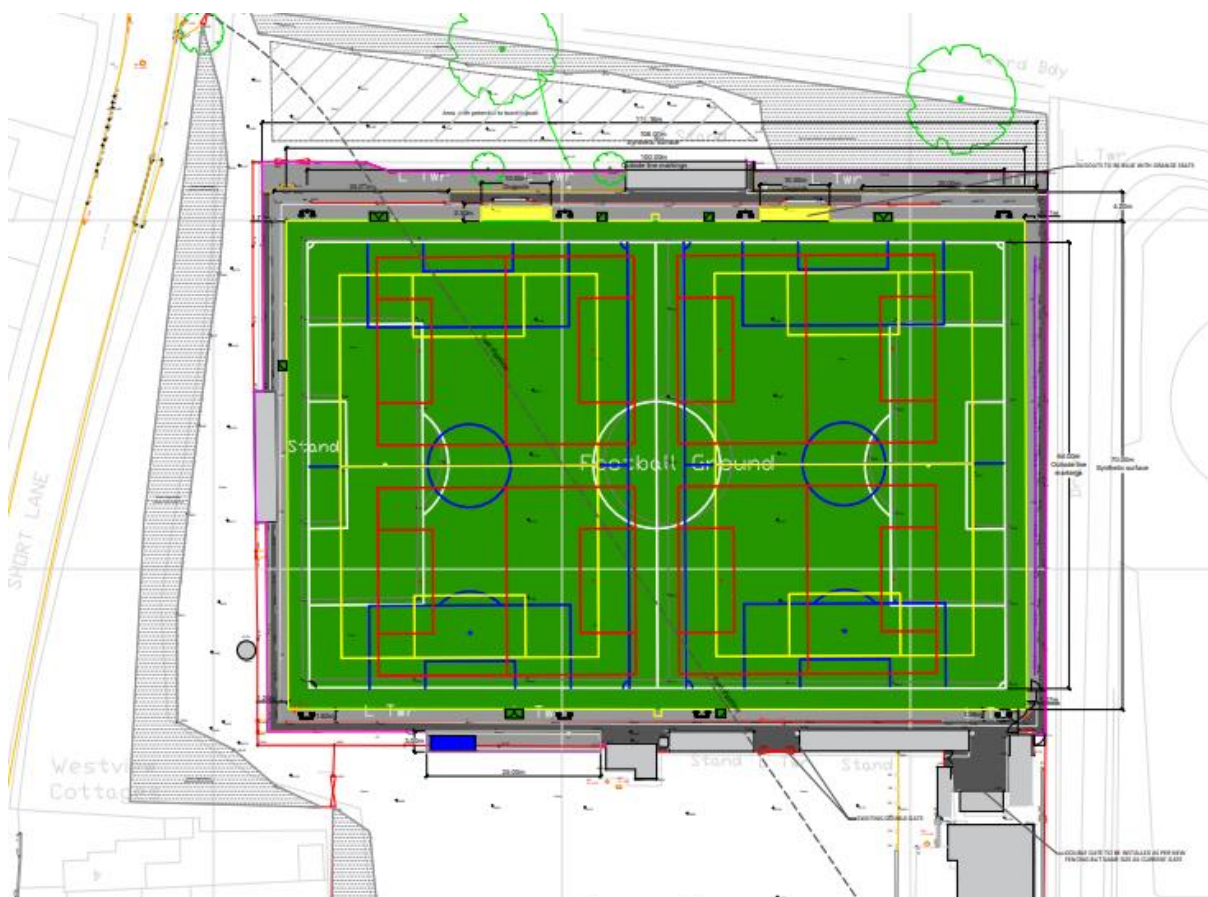
23/00856/FUL	Provision of an artificial grass pitch (AGP), floodlighting and ancillary works including fencing	Withdrawn 04.01.2024
01/00539/FUL	Erection of an extension to existing grandstand and replacement of existing covered standing area with enlarged covered stands.	Granted 07.12.2001
00/00462/FUL	Retention and continued use of wooden cricket pavilion for a temporary period of 5 years	Granted 21.09.2000
97/00691/FUL	Erection of a 100 seat capacity spectator stand.	Granted 04.03.1998

93/00625/FUL	Erection of 8 12 metre (39ft 5ins) high floodlight columns.	Granted 05.01.1994
91/00599/FUL	Erection of four 16m floodlight columns.	Refused 24.10.1991

### 3. Description of Current Proposal

- 3.1 The application site is accessed from Short Lane and is occupied by Ashford Town Football Club. The property contains a football stadium with associated spectator areas and stands at the north of the site, as well as a number of further grass football pitches to the south (although these fall outside of the red line application site boundary for the current application). The site also contains ancillary facilities including a club house.
- 3.2 The applicant also states that there is a grassed car park for 200 off-street car parking spaces. However, the most recent planning permission at the site showed spaces for 44 cars in the approved plans with an overflow area on the training pitch for 66 additional cars (01/00539/FUL). As such, it does not appear that the site benefits from planning permission for 200 spaces.
- 3.3 It should also be noted that the site is a Spelthorne Borough Council Asset owned by the Council. However, the Council has not submitted the application and is not the applicant.
- 3.4 The eastern site boundary adjoins the London Borough of Hounslow. The Esso West London Oil Terminal is also situated immediately to the east of the site. As a result of the proximity to the oil terminal, the site is located within a hazardous substances area. The Health and Safety Executive (HSE) has confirmed that the site lies within the 'inner consultation zone' and the 'development proximity zone' for the oil terminal.
- 3.5 The site is also situated within a high-pressure pipeline consultation zone, for both the British Pipeline Association (BPA) and Fisher German/Esso. Additionally, the site is located within the Green Belt, and a small area of the property located in close proximity to Short Lane, is located within a 20-metre buffer zone around a main river. The site is also situated within a minerals consultation area and a mains water supply consultation area.
- 3.6 The application seeks to replace the existing grass football pitch within the stadium area with an artificial grass pitch. The applicant's planning statement advises that the facility can accommodate 1 x full size 11-a-side match and can also be laid out to accommodate 2 x 9-a-side matches, 2 x 7-a-side matches, and 4 x 5-a-side games. A plan has been submitted that demonstrates the various layouts.
- 3.7 The applicant's planning statement advises that the aspirations are to use the pitch from Monday to Sunday between the hours of 9am-10pm. The pitch would also be used all year round.

- 3.8 In addition to the replacement of the pitch, the application also proposes the replacement of the existing flood lights. The fencing around the outside of the stadium area would also be replaced with taller fencing, as would ball-stop netting situated at the eastern site boundary adjoining the neighbouring oil terminal. The plans further show that a storage container would be situated to the south of the pitch, dugouts would be situated to the north of the pitch, and macadam and concrete areas would also surround the pitch. Additionally, a bund/mound of approximately 0.5 metres in height and some 12.5 metres in width would be situated to the north of the site.
- 3.9 The proposed site layout is shown in the image below:



#### 4. Consultations

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

Consultee	Comment
<b>British Pipeline Association (BPA)</b>	No objections.
<b>Health and Safety Executive (HSE)</b>	Advises against the granting of planning permission.
<b>Surrey Wildlife Trust</b>	Requests further lighting details.
<b>Thames Water</b>	No comments received
<b>Environment Agency</b>	No comments.
<b>Sustainable Urban Drainage Systems (SUDS)</b>	Requests conditions.
<b>Natural England</b>	No comments received.

<b>Sport England</b>	No objections.
<b>Environmental Health (contamination)</b>	Requests conditions.
<b>Environmental Health (Noise &amp; Lighting)</b>	Requests a condition relating to floodlighting.
<b>County Archaeology Officer</b>	Requests conditions.
<b>Esso (Pipelines)</b>	No objections.
<b>London Borough Of Hounslow</b>	No objections.
<b>County Highway Authority</b>	Requests conditions.
<b>Heathrow Safeguarding</b>	Requests informatives relating to cranes.
<b>Tree Officer</b>	Requests a condition.

## 5. Public Consultation

5.1 The Council has received 5 letters of representation, which object the proposals on the following grounds:

- The site is not well-served by buses.
- Concerns over cars parking on the grass surface within the site, which is not a car park and could become waterlogged at times of bad weather.
- There would be no disability parking available.
- There is only one entrance to the site for vehicles, cyclists and pedestrians, which has the potential to be dangerous.
- There are visibility issues at the entrance/exit to the site.
- It is difficult to park on Short Lane during events at the Football Club.
- Objections on car parking grounds.
- Noise from events at the site currently create unacceptable noise and disturbance late at night.
- Currently visitors to the site park in Short Lane, which will increase with more individuals using the site.
- Concerns above visibility at the access to the site, which could cause an accident.
- The infrastructure within the site should be improved.
- Coaches cannot currently enter the site.

5.2 The Council has also received 24 letters of representation, which support the proposals on the following grounds:

- The proposals are a good opportunity for the local community.
- There will be good opportunities for young people.
- The scheme will benefit all age groups.
- The proposal will help grassroots football.
- The scheme will benefit men's and women's football as well as children and those with disabilities.
- The club is currently the highest placed in the borough.
- The proposals will enhance a deprived area.
- The works will benefit many groups of the community.
- The scheme will improve mental and physical health.
- The facilities could be used all year round.
- The proposals will enable individuals to take the 'right path' in life.



## 6. Planning Issues

- Hazardous Substances Area.
- The Green Belt.
- Community Facilities.
- The Character of the Area.
- Residential Amenity.
- Parking & Highways.
- Flooding.
- Archaeology.
- Minerals.

## 7. Planning Considerations

### Hazardous Substance Area

- 7.1 Policy EN14 of the Core Strategy and Policy Document (CS&P DPD) states that the Council will refuse permission for any proposal likely to significantly increase the risks associated with any particular hazardous installation or impose conditions where necessary to avoid increased risk.
- 7.2 At paragraph 101, the NPPF states that planning decisions should promote public safety including taking appropriate and proportionate steps to reduce vulnerability and increase resilience to ensure public safety and security. At paragraph 45, the NPPF further states that Local Planning Authorities should “consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for the development around them”.
- 7.3 The application site adjoins the Esso Petroleum West London Oil Terminal. *The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) at Schedule 4 (e)* requires the Local Planning Authority (LPA) to consult the Health and Safety Executive (HSE) where amongst other things, the proposal would “likely result in a material increase in the number of persons working within or visiting the notified area”.
- 7.4 The LPA has consulted the Health and Safety Executive (HSE), which has confirmed that the pitch is situated within the ‘inner consultation zone’ and the ‘development proximity zone’ of the neighbouring Oil Terminal.
- 7.5 The HSE website states that “*The Development Proximity Zone (DPZ) is a new land use planning zone, being the zone closest to the boundary of the Hazardous Installation – i.e., it lies within the Inner Zone. Within the DPZ, only developments which are not normally occupied will attract Does not Advise Against (DAA) advice from HSE*”.
- 7.6 It is acknowledged that the proposals do not seek to increase the size of the stands or spectator areas around the existing grass pitch. Instead, the proposals would replace the existing grass pitch with an artificial grass pitch,

which in the opinion in of the LPA & HSE is likely to increase the overall number of visits to the site across any given week as a result of increase durability of the playing surface.

- 7.7 The applicant's planning statement advises the pitch could be laid out in different configurations, including 2 x 9-a-sidematches, 2 x 7 vs 7-a-side, or 4 x 5-a-side matches. This could result in a greater number of users of the pitch at any one time, in comparison to a more traditional 11 vs 11 football match, although it is recognised that there are currently no planning restrictions in place that would prevent the existing grass pitch from being laid out in this manner.
- 7.8 However, by its very nature, an artificial pitch is likely to attract a greater number of users to the site, as the increased durability, particularly in times of bad weather, means that it would have a much greater use over a prolonged period, than a traditional grass pitch that would be subject greater wear and tear. Indeed, at paragraph 3.5 of their Planning Statement, the applicant states that the aspirations are to use the pitch between Monday to Sunday during the hours of 9am – 10pm.
- 7.9 Whilst there is not a planning condition restricting the use of the existing grass pitch, officers note that there is currently a planning condition, which restricts the use of the flood lighting to between the hours of 4pm and 5.30pm on Saturdays and between the hours of 7pm and 9.30pm on Tuesdays, unless 7-days notice is given to the Local Planning Authority for use on an alternate evening (Condition 4 imposed upon planning permission SP/93/0625). It is noted that the description for that permission stated that the floodlights measured 12 metres in height, and the current existing plans show that the floodlights measure 15 metres. However, there appears to be no further planning permission for floodlights at the site following the granting of planning permission SP/93/0625.
- 7.10 In any event, if the LPA was to re-impose the flood lighting hours condition, by its very nature, the artificial pitch would likely be used to a greater extent than would otherwise be the case with a grass pitch, as it would not be subject to the same durability issues, particularly at times of bad weather. Moreover, at paragraph 6.9 of their statement, the applicant states that currently the pitch is only used for a limited amount of time during the week due to its quality and condition. The replacement with an AGP pitch will allow the club to improve its offering, as well as to provide the local community with a facility that can be used all year round in times of bad weather, including providing a host of local clubs a place to train and play matches, when required. At paragraph 6.10, the applicant further states that the pitch will be of much higher quality in terms of its ability to be played on again and again without being damaged, meaning it can be played all year round. The applicant further states that *“with respect to quantitative improvements, the proposals will clearly allow a significant increase in the number of games that can be played throughout the year, up to 10pm daily”*.
- 7.11 On the basis of the information contained within the applicant's Planning Statement, whilst the overall capacity of the site at any one time would remain largely unchanged, by its very nature, the proposals would increase the

number of visitors into 'inner consultation zone' and the 'development proximity zone' of the Esso West London Oil Terminal in any one week as result of the artificial pitches increased durability.

- 7.12 The HSE employs a land use planning methodology, which categorises developments into one 0-4 sensitivity levels with 4 being the highest sensitivity level. The HSE considers that the proposal falls within sensitively level 3, as the scheme would be an outdoor development for use by the general public where more than 100 people may gather at any one time. The HSE decision matrix shows that the HSE will advise against sensitivity level 3 development in the inner consultation zone and the development proximity zone.
- 7.13 In its consultation response, the HSE notes that the provision of an artificial grass pitch would likely result in a material increase in the number of persons within the development, stating that it is HSE policy to advise against sensitivity level 3 developments in the development proximity zone of a large-scale petrol storage site. The HSE has further indicated that it would also advise against a facility for outdoor use by the public in the inner consultation zone and development proximity zone, even if it were a sensitivity 2 level development, where between 10 and 100 people would gather at any one time.
- 7.14 The HSE therefore considers that there are sufficient reasons on safety grounds, for advising against the granting of planning permission for planning application 24/00046/FUL. This is because the proposals would result in an intensification of the number of individuals using the site as the artificial pitch would allow much greater use than the current grass pitch.
- 7.15 The Planning Practice Guidance (PPG) states that the lessons from explosions such as at the Flixborough chemical works in Humberside in 1974, Seveso in Italy in 1976 and Buncefield in 2005, underline the importance of controlling sites where hazardous substances could be present and where development is proposed near them. The PPG further states that when considering development proposals around hazardous installations, the Local Planning Authority is expected to seek technical advice on the risks presented by major accident hazards affecting people in the surrounding area and the environment. This advice should be sought from the Control of Major Accidents Competent Authority (in this instance the HSE).
- 7.16 The PPG further advises that Local Planning Authorities are well placed to judge the extent of development around major hazard establishments and major accident hazard pipelines so, when considering public safety, they should take account of the total number of people that are present in the consultation zones around these sites, and the implications of any increase as a result of a planning decision or policy. The PPG also states that the competent authority's role (in this case the HSE) is an advisory one, and it has no power to direct the refusal of planning permission or hazardous substance consent. Where the competent authority advises that there are health and safety or environmental grounds for refusing or imposing conditions on an application, it will, on request explain to the local planning authority the reasons for its advice.

- 7.17 The PPG further states “*The decision on whether to grant permission rests with the local planning authority. In view of its acknowledged expertise presented by the use of hazardous substances, any advice from the Health and Safety Executive that planning permission should be refused for development, for, at or near to a hazardous installation or pipeline should not be overridden without the most careful consideration*”.
- 7.18 The proposed artificial pitch by its very nature, would increase use in comparison to the existing grass pitch. It is nevertheless acknowledged that there are significant public benefits to the proposals, including supporting the promotion of healthy and safe communities, as encouraged by part 8 of the NPPF on ‘*Promoting Healthy and Safe Communities*’, which weighs in the development favour. The scheme would also support improvements to an existing community facility as encouraged by policy CO1 of the local plan.
- 7.19 However, by its very nature as a result of increased use and durability, the proposal would result in a greater use of the pitch in any given week than the current grass pitch and a greater number of users would attend a site that is situated adjacent to a hazardous substances installation, namely the West London Oil Terminal. The proposal would increase the number of visitors into the ‘inner consultation zone’ and ‘development proximity zone’ therefore significantly increasing the risks associated with a nearby hazardous installation, which would have an adverse impact upon public safety. Officers therefore consider that the proposals are contrary to objectives of policy EN14 and the NPPF in this regard.
- 7.20 The applicant has drawn the LPA’s attention to planning application 07/04598 at the Oval Cricket Ground where planning permission was granted, notwithstanding an objection from the HSE. Nevertheless, the current proposals would increase the number of visitors in any given week to a site situated adjacent to a hazardous installation, and whilst this decision, which was some time ago, is acknowledged, each planning application must be determined on its own particular merits, and officers do not consider that this in itself would overcome the harm associated with the scheme when assessed against policy EN14 and the NPPF.
- 7.21 The applicant also considers that the HSE’s objection fails to consider the existing unrestricted use of the site, also noting that it is not proposed to increase the potential number of spectators. Notwithstanding the floodlighting condition imposed upon planning permission SP/93/0625, there is no planning condition or obligation restricting the use of the existing pitch. However, by its very nature, an artificial pitch will benefit from much greater use on any given week and on any given day, as a result of its increased durability, particularly during times of bad weather and as demonstrated by the applicant’s aspiration to utilise the site between 9am-10pm between Monday to Sunday. Whilst the LPA cannot reasonably currently control the number of visitors to the site at any given moment, as a result of this proposal, there is likely to be an intensification of the use of the site, meaning there would be more visitors to the development proximity zone of a hazardous installation during any given week. Indeed this is demonstrated by the applicant’s stated aspiration to utilise the pitch between 9am – 10pm between Monday-Sunday.

- 7.22 The applicant has also suggested a condition restricting the overall number of visitors to the site at any one time to 250 people. At paragraph 56, the NPPF states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development permitted, enforceable, precise and reasonable in all other respects. Officers consider that it would be difficult to ensure that no more than 250 individuals would be present on the site at any one time and whether this could be reasonably enforced. Moreover, this would not prevent an increase in the number of visitors to the site across any given week, where the increased durability of the pitch would result in greater numbers of individuals visiting the site and therefore the development proximity zone of the adjoining hazardous installation. The HSE has also confirmed that such a condition would not alter its advice against the proposals.
- 7.23 Therefore, whilst it is acknowledged that there are significant community benefits resulting from the proposals, officers do not consider, given HSE's advice against the proposals, that this would overcome public safety concerns by reason of a conditions restricting the number of individuals at the site at any given time.
- 7.24 However, were members minded to approve the application, the Local Planning Authority is required to give the HSE **21 days** advance notice, to consider whether to request that the Secretary of State calls in the application for their own determination.

### Green Belt

- 7.25 The application site is located in the Green Belt. Saved Policy GB1 of the Local Plan 2001 states that development will not be permitted that would conflict with the purposes of the Green Belt and maintaining its openness.
- 7.26 Although there is a degree of consistency with the NPPF, Saved Policy GB1 also states that development will not be permitted except for five appropriate uses. The works proposed in the current application do not comprise any of the appropriate uses set out in Saved Policy GB1.
- 7.27 This differs from the more recent and more up to date NPPF which allows inappropriate development when the identified harm to the Green Belt is clearly outweighed by other considerations that constitute 'very special circumstances'. Because of the inconsistency between Saved Policy GB1 and the NPPF, the impact of the development on the Green Belt should be considered primarily against the policies of the NPPF.
- 7.28 At section 13 on '*Protecting Green Belt land*' the NPPF states that the Government attaches great importance to Green Belts. It further states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Additionally, the NPPF states that the Green Belt serves the five purposes of:

a) *To check the unrestricted sprawl of large built-up areas;*

- b) *To prevent neighbouring towns merging into one another;*
- c) *To assist in safeguarding the countryside from encroachment;*
- d) *To preserve the setting and special character of historic towns; and*
- e) *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

- 7.29 The NPPF also advises that Local Planning Authorities should regard the construction of new buildings as being inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in 'very special circumstances'. These will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
- 7.30 At paragraph 154, the NPPF lists a number of exceptions to inappropriate development, including relevant to the current application, part b) relating to the provision of appropriate facilities for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including the land within it.
- 7.31 The Planning Practice Guidance (PPG) on the Green Belt, advises that openness is capable of having both spatial and visual aspects, in other words the visual impact of the proposal may be relevant as may its volume.
- 7.32 The proposal is considered to constitute an appropriate facility for outdoor recreation. The replacement of the existing grass pitch with an artificial pitch, whilst likely to result in greater number of users across any given week as a result of increased durability of the playing surface, is not considered to have an adverse impact upon openness in comparison to the existing pitch.
- 7.33 There are 8 floodlights currently surrounding the pitch, which when measured from the existing plans are some 15 metres in height. It is proposed that 8 new floodlights would replace the existing. As the flood lights would be a similar height to the existing, this element of the proposals is also considered to preserve openness.
- 7.34 The plans also show that notwithstanding the stand and spectator areas, a 4.5-metre-high fence would enclose the pitch. It was observed during the site visit that a mixture of close-board and chain link fencing currently encloses to pitch. Whilst the proposed fence would be higher than the existing, given that the pitch is currently enclosed, on balance, the increased height is not considered to have a significant adverse impact upon openness.
- 7.35 The proposed artificial pitch, floodlighting and associated fencing, are therefore considered to constitute an appropriate facility for outdoor recreation that would preserve the openness of the site and would represent an exception to inappropriate development in the Green Belt as listed at paragraph 154 of the NPPF.
- 7.36 However, the plans also show that 'ball-stop' netting would be installed between the pitch and the adjoining oil terminal that would measure some 15

metres in height and 60 metres in width. Existing netting of a similar height situated behind the goal nearest the oil terminal was observed during the site visit and is considered to partially mitigate any adverse impacts. However, the plans show that the proposed netting would be some 20 metres greater in width than the existing netting, and given the 15-metre height, the increased width is considered to have a visual impact upon openness, albeit that views would only be restricted partially through the netting.

- 7.37 The plans also show that the bund/mound would be located to the north of the site would measure approximately 0.5 metres in height and 12.5 metres in width. This would also have a visual and spatial impact upon openness to an extent. The application also proposes the siting of a storage container which would also impact openness.
- 7.38 As such, some of the proposals, namely the ball-stop netting, the proposed bund/mound and storage container, would not therefore preserve openness and are not considered to constitute an exception to inappropriate development in the Green Belt. The NPPF states that substantial weight must be given to the harm to the Green Belt by reason of constituting inappropriate development. Substantial weight must also be given to the adverse impact upon openness.
- 7.39 Had the proposal been acceptable in all other regards, namely had officers considered the proposals to be acceptable in terms of the proximity of the site to the adjoining hazardous installation, it would have been considered that the benefits of the proposals, including the benefits of improving this community facility, would have outweighed the harm to the Green Belt and openness.
- 7.40 However, when a proposal constitutes inappropriate development in the Green Belt in order for 'very special circumstances' to exist, the benefits of the proposals must outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. In this instance, any other harm would be an increase in the risks associated with hazardous development, namely as a result of the location of the Esso West London Oil Terminal site which officers consider would be contrary to the objectives of policy EN14 and the NPPF. The proposal would therefore also constitute inappropriate development in the Green Belt, where no 'very special circumstances' exist to outweigh the harm to the Green Belt and any other harm.

### Community Facilities

- 7.41 Policy CO1 of the CS&P DPD states that the Council will seek to ensure that community facilities are provided to meet local needs by supporting the provision of new facilities for which a need is identified in locations accessible to the community served and supporting improvements to existing facilities to enable them to adapt to changing needs.
- 7.42 At paragraph 96, the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs, for example through the provision of safe and

accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

- 7.43 The Spelthorne *Playing Pitch Strategy* (November 2019) indicates there is one full sized and one small-sized '3G' pitch facility in the east of the borough and one small-sided pitch in the west. The pitch strategy identifies that there is a key provision gap in the centre of the authority, identifying Ashford Town FC, Thomas Knyvett College and the new Spelthorne Leisure Centre as potential sites to meet the shortfall. The strategy further identifies that there is a 1.92 shortfall in full-sized 3G football pitches in the borough.
- 7.44 The proposed artificial pitch would ensure that a community facility would be provided in an area where there is a clear and identified local need as outlined in the Spelthorne Playing Pitch Strategy. The proposal would therefore be in accordance with the objectives of policy CO1.
- 7.45 Whilst there is an existing grass pitch within the stadium area, the proposed artificial pitch would enable greater use of the facility throughout the year and at times of bad weather. Moreover, the facilities would support health lifestyles, and the scheme is also considered to be in accordance with the objectives of section 8 of the NPPF relating to '*Promoting healthy and safe communities*'.
- 7.46 The LPA has also consulted Sport England, which in turn has consulted the Football Foundation and Middlesex FA. Sport England notes that there is a shortfall of 2 full-sized 3G adult pitches in Spelthorne, with the key provision gap being in the centre of the borough. Sport England is therefore supportive of the application and raises no objections subject to a condition.
- 7.47 It is noted that the removal of the existing grass pitch would result in the loss of a sports playing field. However, any loss is considered to be mitigated by its replacement with an artificial pitch that would enable greater use. Notwithstanding concerns over the proximity of the site to the Esso West London Oil Terminal the proposal is therefore considered to be in accordance with the objectives of policy CO1. However, officers do not consider that this would outweigh the harm associated with introducing additional visitors in close proximity to a hazardous installation.

#### Character and Appearance

- 7.48 The NPPF places a strong emphasis on design and at section 12 on '*Achieving well-designed and beautiful places*' states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The framework further states that development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- 7.49 Policy EN1 of the CS&P DPD states that the Council will require a high standard in the design and layout of new development. The policy further states that proposals for new development should demonstrate that they will



respect and make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

- 7.50 It is considered that the proposals have an acceptable impact upon the character of the area. The pitch/stadium is partially screened from the public highway by fencing, trees, nearby dwellings and shrubbery. The proposed artificial grass pitch would replace the existing grass pitch, and the proposed fences, whilst taller than the existing are not considered to have an adverse impact upon visual amenity in the context of the existing sports stadium.
- 7.51 The proposed flood lighting would be similar in appearance, height and design to the existing flood lights and are therefore considered to have a satisfactory impact upon the surrounding character. Officers also consider that the proposed netting and bund/mound and the siting of the proposed shipping container would have a satisfactory visual impact. Officers also consider that the proposals are would maintain the relatively open character of the site, notwithstanding the impact upon the openness of the Green Belt identified in this report. The proposals would therefore have an acceptable impact upon the character and appearance of the area and would be in accordance with the objectives of policy EN1 and the NPPF.

#### Amenity

- 7.52 Policy EN1 of the CS&P DPD states proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss or privacy, daylight or sunlight, or overbearing effect due to bulk proximity or outlook.
- 7.53 At paragraph 135, the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.54 Policy EN11 of the CS&P DPD states that the Council will seek to minimise the adverse impact of noise by requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level.
- 7.55 Policy EN13 of the CS&P DPD states that the Council will seek to reduce light pollution by only permitting light proposals which would not adversely affect amenity or public safety.
- 7.56 At paragraph 191, the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site and wider area impacts that could arise from the development. In doing so decisions should mitigate and reduce impacts resulting from noise from new development and should limit the impact of light pollution from artificial light on local amenity.

- 7.57 When measured from the plan, the proposed fencing would be situated approximately 14 metres from the boundary with the rear garden of the nearest residential dwelling, namely no.4 Westview Cottages. The nearest flood lighting column would also be situated approximately 15.9 metres from the boundary with this dwelling and some 20.5 metres from the rear elevation. At such a distance, it is not considered that the proposal would have an overbearing impact, or a detrimental impact upon light and privacy.
- 7.58 The fencing would also be situated approximately 28 metres from the nearest dwelling in Short Lane, namely no.18, and at such a distance, officers do not consider that the proposals would have an adverse impact upon light, would result in an overbearing impact, or that the scheme would have an adverse impact upon privacy. The proposal is also considered to have an acceptable impact upon the light and privacy of all further dwellings in the surrounding locality.
- 7.59 In regards to noise, it is noted that the increased use of the site as a result of greater durability of the pitch, may lead to some increase in general noise and disturbance. However, the Council's Environmental Health Department has been consulted in relation to noise and raised no objections. Moreover, the environmental health department has also raised no objections on lighting grounds as a result of the proposed floodlighting subject to a condition.
- 7.60 The proposal is therefore considered to be in accordance with Policy EN1, EN11, and EN13 and would have a satisfactory impact upon the amenity of the occupiers of neighbouring and adjoining dwellings.

#### Parking & Highways

- 7.61 Policy CC2 of the CS&P DPD states that the Council will seek to secure more sustainable travel patterns by only permitting traffic generating development where it is or can be made compatible with transport infrastructure in the area taking into account access and egress to the public highway and highway safety. Policy CC3 states that the Council will require appropriate provision to be made for off street parking in development proposals in accordance with its parking standards.
- 7.62 At paragraph 115, the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.63 It is noted that the LPA has received letters of representation which object to the proposals on the grounds of the impact upon parking upon Short Lane, particularly during tournaments.
- 7.64 The Council's Parking Standards SPG does not state a minimum parking requirement for sports pitches. However, for a stadium, there is a minimum requirement for 1 parking space per 15 seats. The applicant's Transport Technical Note indicates that the stand at the site can accommodate 150

spectators, which the Council's Parking Standards would require a minimum of 10 spaces. Whilst the Technical Note further states that the site contains 200 car-parking spaces, it is noted from the most recent planning application at the site (01/00539/FUL) that 44 parking spaces, and 66 spaces in an overflow area on the training pitch were in place at the time that permission was granted and no further planning applications for parking have been granted since that permission. In any event this would be sufficient when assessed against the Council's Parking Standards.

- 7.65 The LPA has consulted the County Highway Authority (CHA) which has raised no objections subject to conditions.
- 7.66 It is understood from the applicants Technical Note that the access to the site from Short Lane would remain unchanged as a result of the proposals. The applicant has stated that an entrance at the north of the site would be used for construction purposes. In the event that planning permission is granted, the County Highway Authority has recommended a condition that this access is permanently closed following construction.

#### Flooding & Drainage

- 7.67 The application site is located in Flood Zone 1. It is therefore considered that the proposals would have an acceptable impact upon flood flows and flood storage capacity. A small section at the front of the site is located within a 20-metre buffer zone around a main river, although none of the proposed works would take place in this area.
- 7.62 The LPA has consulted the Environment Agency, who has raised no objections.
- 7.68 The applicant has also submitted drainage details and a flood risk assessment, which has been reviewed by the County SUDS department that has raised no objections subject to conditions.

#### Archaeology

- 7.69 The applicant has submitted a desk-based archaeological assessment, which has been reviewed by the County Archaeology Officer. The Officer has raised no objections subject to a condition. Had the proposal been acceptable in all other regards, it would have been recommended that this was attached to the decision notice.

#### Biodiversity

- 7.70 Policy EN8 of the CS&P DPD states that the Council will seek to protect and improve the landscape and biodiversity in the borough by ensuring that new development, where possible contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance and landscape or nature conservation interest.

- 7.71 In its formal response to the recently withdrawn application (23/00856/FUL) the Surrey Wildlife Trust (SWT) advised that a sensitive lighting plan and mitigation strategy should be secured by condition, although the SWT also advised that there was a lack of evidence that the proposals would not have an adverse impact upon nocturnal wildlife, notably bats. Following receipt of photographs of the floodlighting, SWT indicated that further information should be provided.
- 7.72 In its consultation response to the current application, the SWT advised that in relation to the impact of the proposed floodlighting there would be value in requesting additional lighting information prior to determination, as recommendations in the Preliminary Ecological Appraisal and Habitat Condition may not be achievable. The SWT also noted that the applicant's lighting recommendations were generic and had not been specifically designed for this proposal. However, the SWT also commented that the LPA may consider the applicant's statement provides sufficient grounds to secure a sensitive lighting plan through condition.
- 7.73 The comments of the SWT are noted and attributed appropriate weight. In this instance, the proposed floodlighting would be broadly the same height to the existing floodlights, albeit that the hours of use are currently restricted by planning permission 93/00625/FUL.
- 7.74 On balance, given that the proposed floodlighting would replace the existing and would be of a similar height and in a broadly similar location, had the proposals been acceptable in all other regards, it would have been recommended that a Sensitive Lighting and Mitigation Plan was secured by condition.

#### Minerals

- 7.75 The site is located in a minerals consultation area. As such the Surrey County Council Minerals and Waste Policy Team was consulted, which has raised no objections subject to conditions.

#### Trees

- 7.76 The applicant's submission planning statement indicates that a small amount of foliage may be removed for the temporary construction access. However, the applicant has since confirmed that no vegetation would be removed. The Council's Tree Officer has been consulted and has raised no objections subject to conditions.

#### Contamination

- 7.77 Policy EN15 of the CS&P DPD states that the Council will ensure that where development is proposed on land that may be affected by contamination, action will be taken to ensure that the site is safe or will be made safe for its intended use.

The Council's Environmental Health Department has been consulted and noted that there are some discrepancies in the applicant's information. However, it was further advised that a pre-commencement condition should be imposed upon the decision notice in relation to contamination. Had the proposal been considered as acceptable in all other regards it would have been recommended that such a condition was imposed upon the decision notice.

### Other Matters

- 7.78 The application site is located within a high-pressure pipeline consultation zone, and as such both Esso/Fisher German and the BPA were consulted during the construction process. The BPA has confirmed that there are no objections to the works, although has provided bullet point guidance and indicated that supervision would be required during the construction process. Esso/Fisher German has also confirmed that there are no objections, although has provided a special requirements brochure. Had the proposal been considered acceptable in all other regards, an informative would have been attached to the decision notice advising the applicant to contact Esso and the BPA prior to undertaking any works and drawing attention to the BPA's bullet points and Esso/Fisher German's brochure.
- 7.79 The LPA has consulted Heathrow Safeguarding, which has raised no objections subject to an informative.
- 7.80 The LPA has also consulted Natural England, which has not provided any comments on the current application, or indeed the previous similar application at the site (23/00856/FUL). However, given the nature of the proposals and the location of the site, the scheme is unlikely to impact a SSSI or London Waterbodies site.
- 7.81 Additionally, the LPA has consulted Thames Water, which has not commented on the current application. However, Thames Water raised no objections to the previous scheme, which was broadly similar to the current proposals (23/00856/FUL). The 21-day statutory deadline for a response has also now expired (07.02.2024).

### Equality Act 2010

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

### Human Rights Act 1998

- 7.84 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.85 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.86 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

### Financial Considerations

- 7.87 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. It is relevant to note that the proposal is not a CIL chargeable development.

### Conclusion

- 7.88 The application proposes improvements to a community facility where there is a demonstrable need for such a facility within the Borough as demonstrated through the Spelthorne Pitch Strategy (November 2019). This is attributed significant weight and weighs in the development's favour. For the reasons outlined in this report, the proposal is also considered to have an acceptable impact upon the character and appearance of the area, residential amenity, parking & highways, archaeology and minerals. Had the proposals been acceptable in all other regards, it is considered that 'very special circumstances' would have also existed to outweigh the harm to the Green Belt.
- 7.89 It is acknowledged that there would be significant public benefits by improving this community facility. The proposal would also achieve the aims of promoting healthy and safe communities as encouraged by part 8 of the NPPF on '*Promoting healthy and safe communities*'.
- 7.90 However, the proposals would result in an intensification of the use of the pitch and a greater number of visitors to a site situated in close proximity to a hazardous installation, namely the Esso West London Oil Terminal. Given the objection of the HSE, and the likely greater number of visitors to the site,

the proposal would significantly increase the likely harm to individuals in the event that a major incident was to occur at the oil terminal.

7.91 As such, officer's consider that the proposal would be contrary to the objectives of policy EN14 and the NPPF. Whilst the benefits of the proposals are acknowledged and are attributed significant weight, this is not considered to outweigh the public safety harm of the proposals to which the LPA attaches substantial weight. It would also not overcome any other harm associated with the development, and the proposal to represent inappropriate development in the Green Belt, where there are no 'very special circumstances' to outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. It is therefore recommended that the application is refused for the following reason:

7.85 It should be noted that the PPG on Hazardous Substances advises that that where a local planning authority is minded to grant planning permission against the Control of Major Accident Hazards (COMAH) [competent authority's](#) advice, "it should give the Health and Safety Executive, Environment Agency or Office for Nuclear Regulation advance notice of that intention, and allow 21 days from that notice for the COMAH competent authority to give further consideration to the matter. This will enable the COMAH competent authority to consider whether to request the Secretary of State for Communities and Local Government to call-in the application. The Health and Safety Executive will normally consider its role to be discharged when it is satisfied that the local authority is acting in full understanding of the advice received and the consequences that could follow". Consequently, if the Committee is minded to approve this application, it would first have to be referred to the HSE in accordance with the PPG.

## **8. Recommendation**

8.1 REFUSE for the following reason:

1. The proposed development by reason of intensification of the use of the site across any given week, would introduce additional visitors into the development proximity zone of the adjoining hazardous installation, namely the Esso West London Oil Terminal. The proposals also represent inappropriate development in the Green Belt, and 'very special circumstances' do not exist to outweigh the harm to the Green Belt and any other harm. The proposal is therefore contrary to the objectives of policy EN14 of the Spelthorne Core Strategy and Policies Development Plan Document (February 2009) Saved Local Plan Policy GB1 and the National Planning Policy Framework (December 2023).

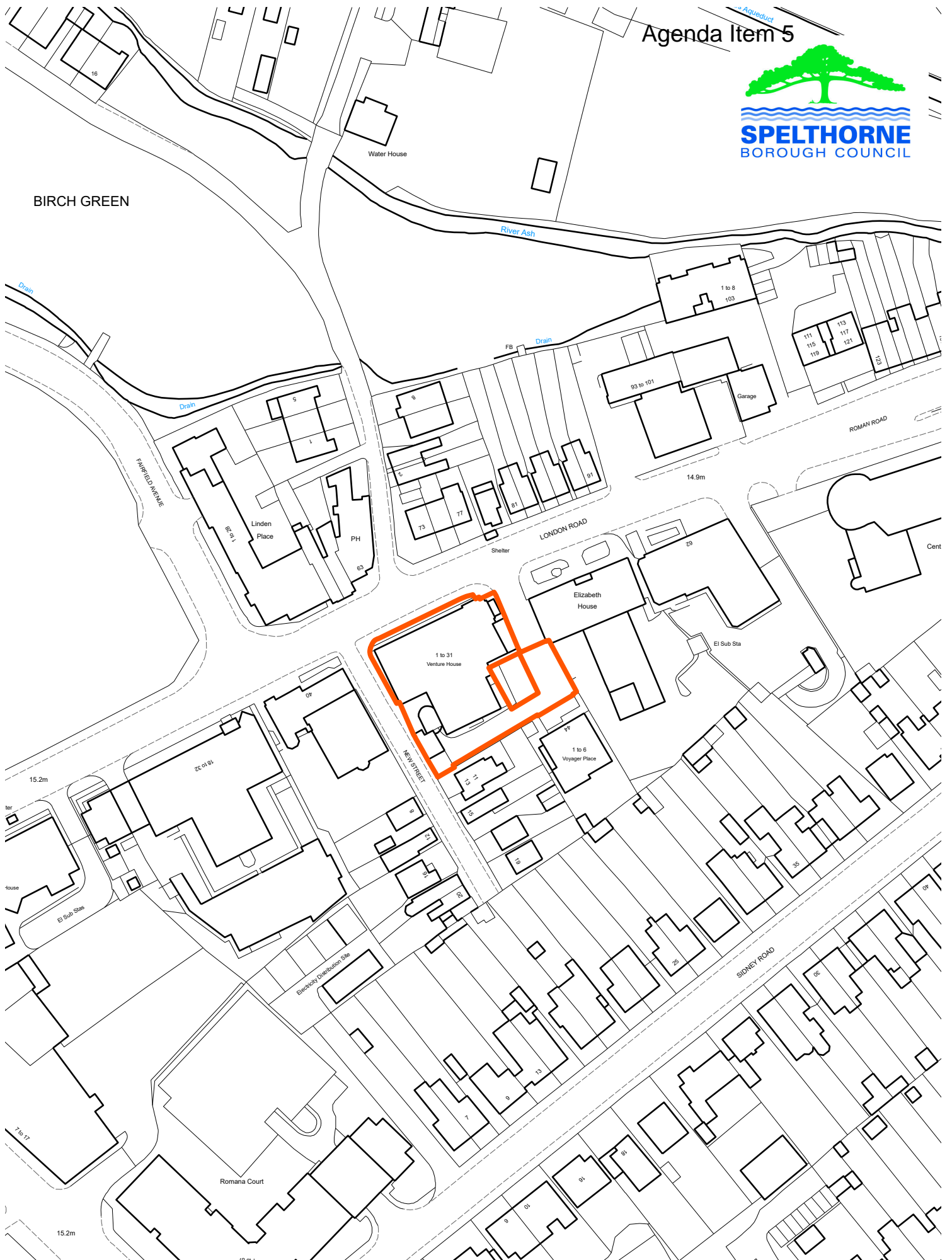
## **Appendices:**

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BIRCH GREEN

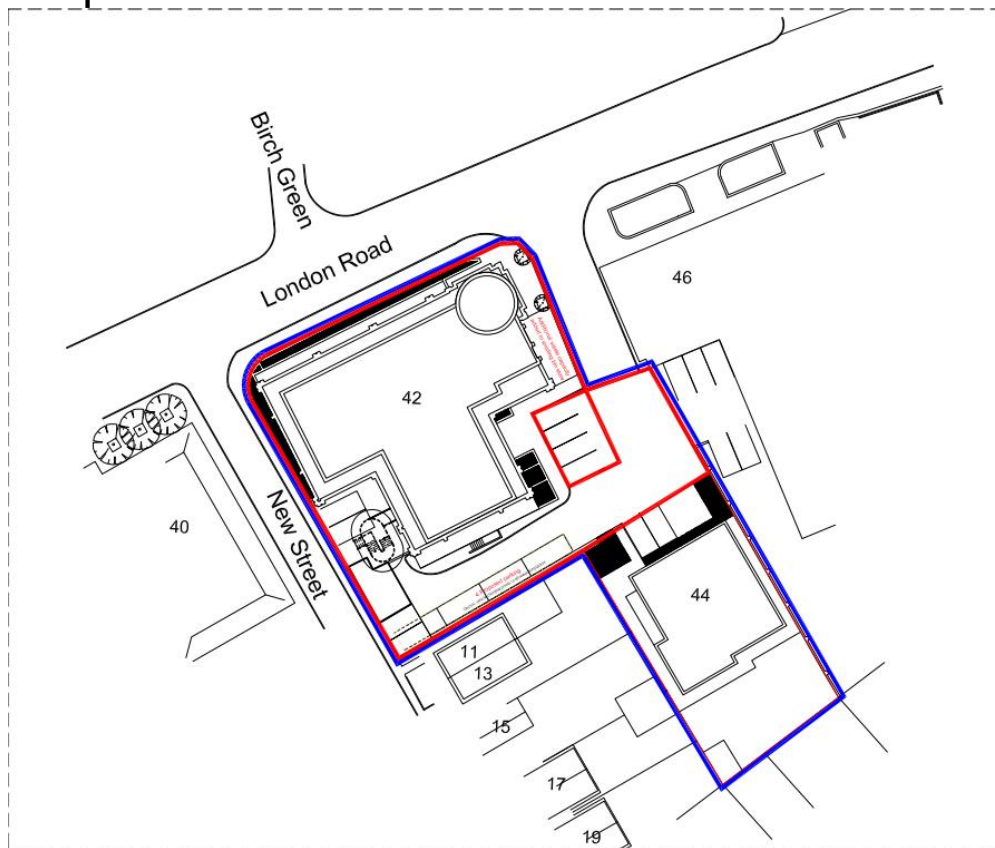


Venture House, 42 London Road, Staines-upon-Thames.  
Scale: 1:1,250

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# Proposed Block Plan



# Existing Elevations

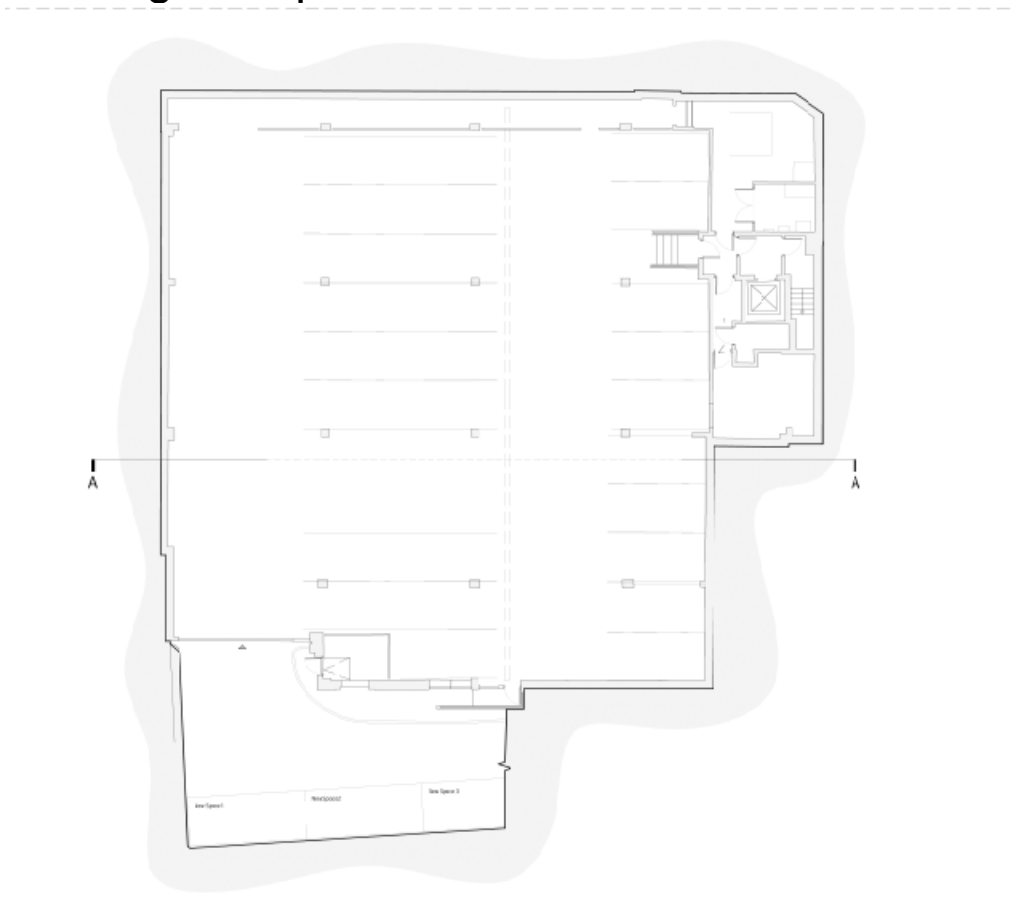


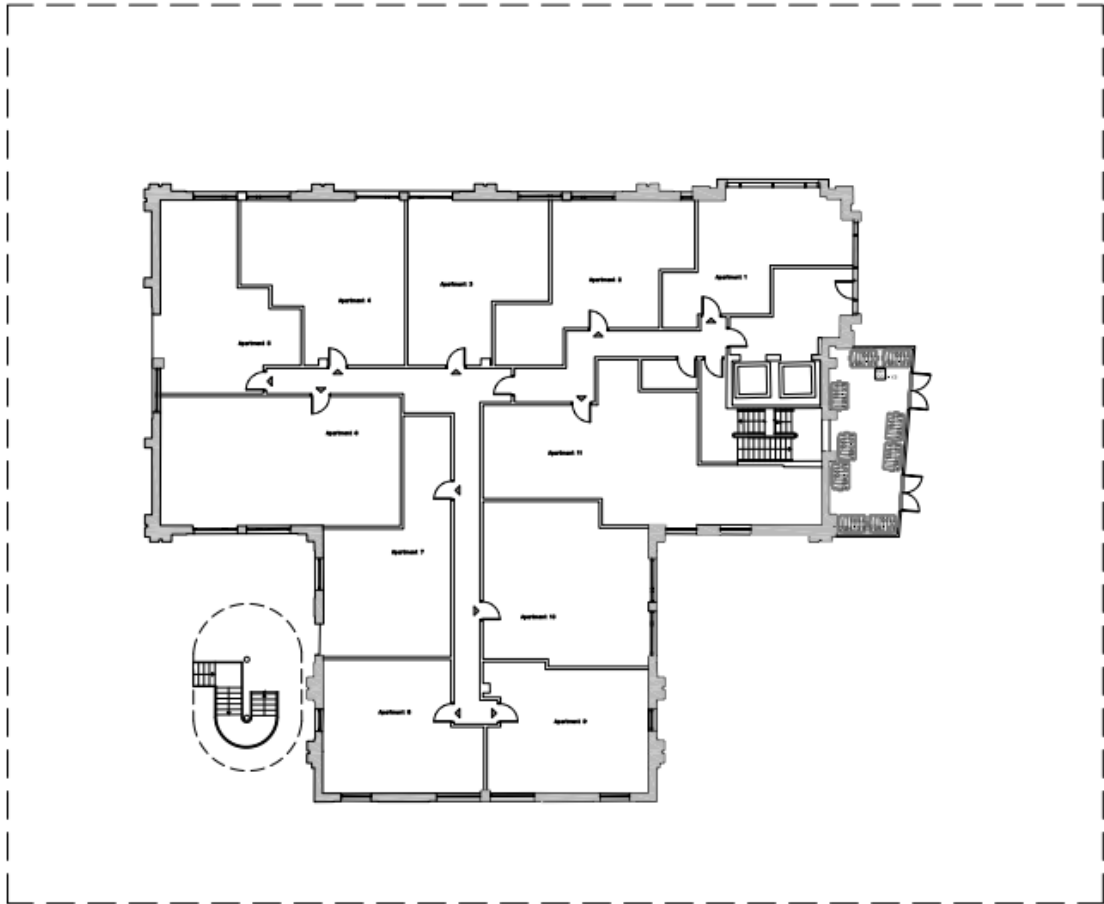


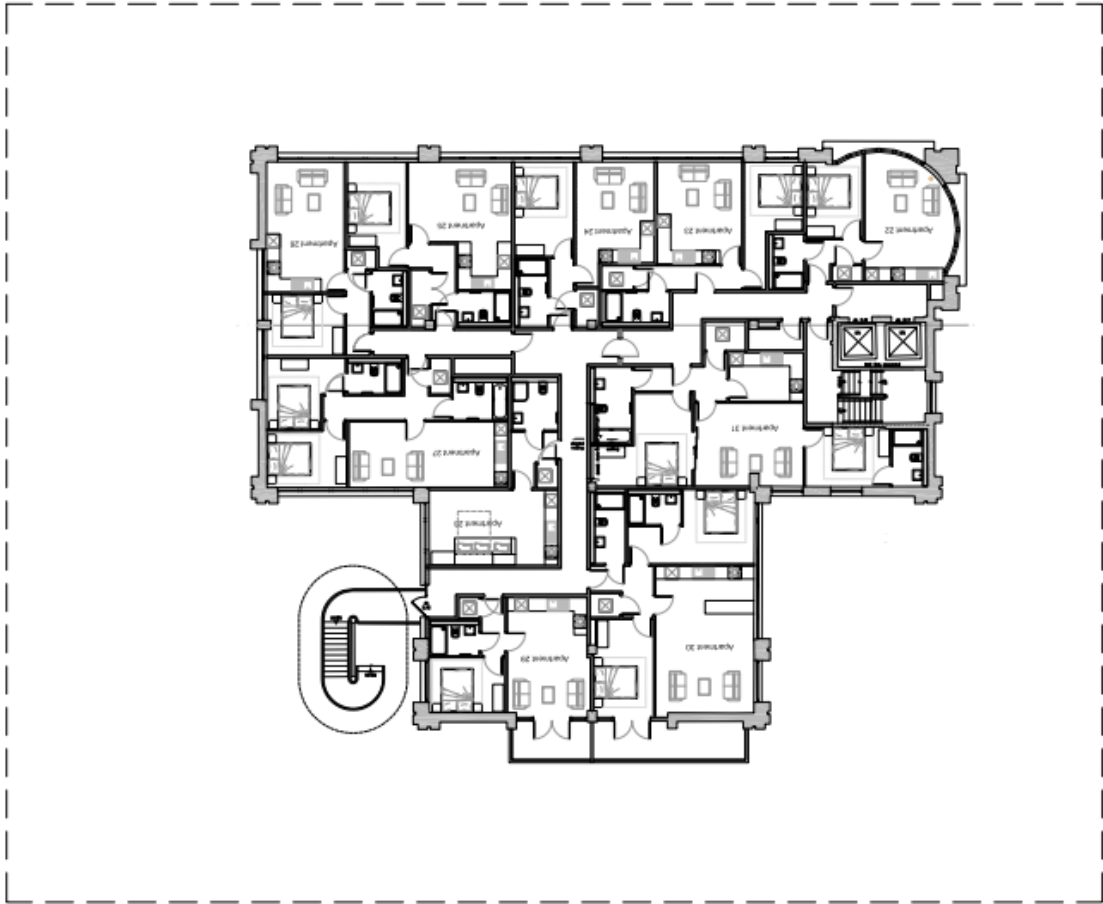
Proposed East Elevation  
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## Existing Floorplans





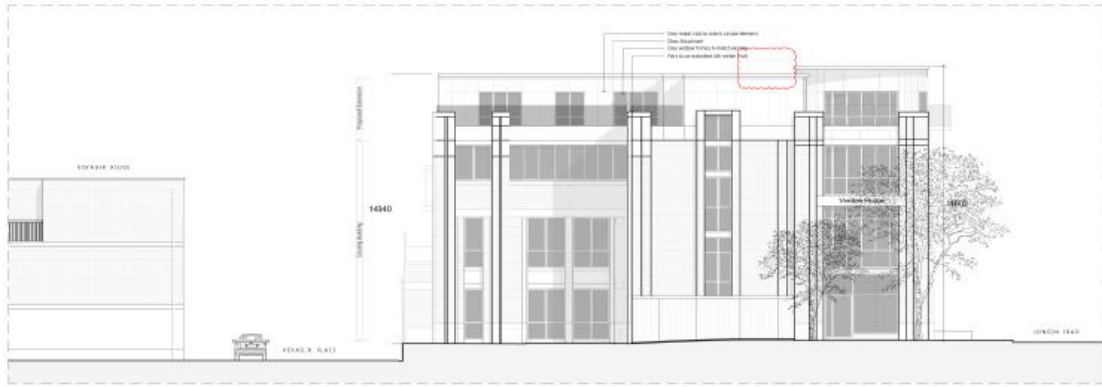


Proposed Elevations



Proposed Floor Elevation  
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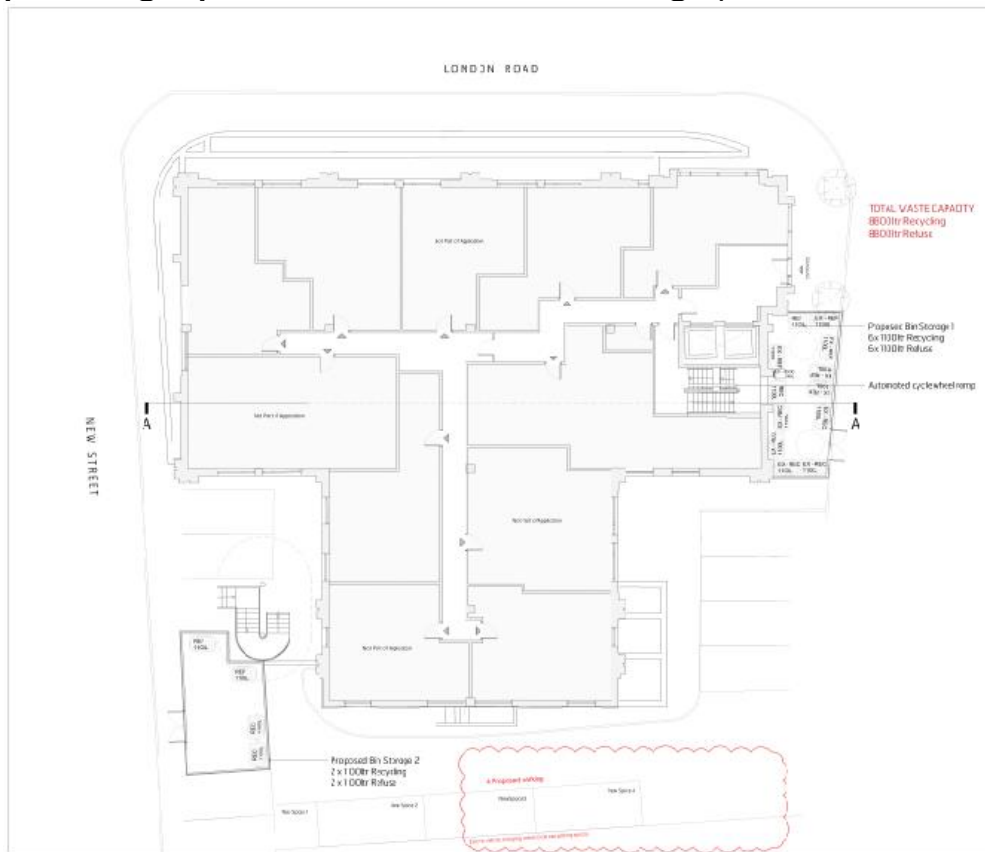




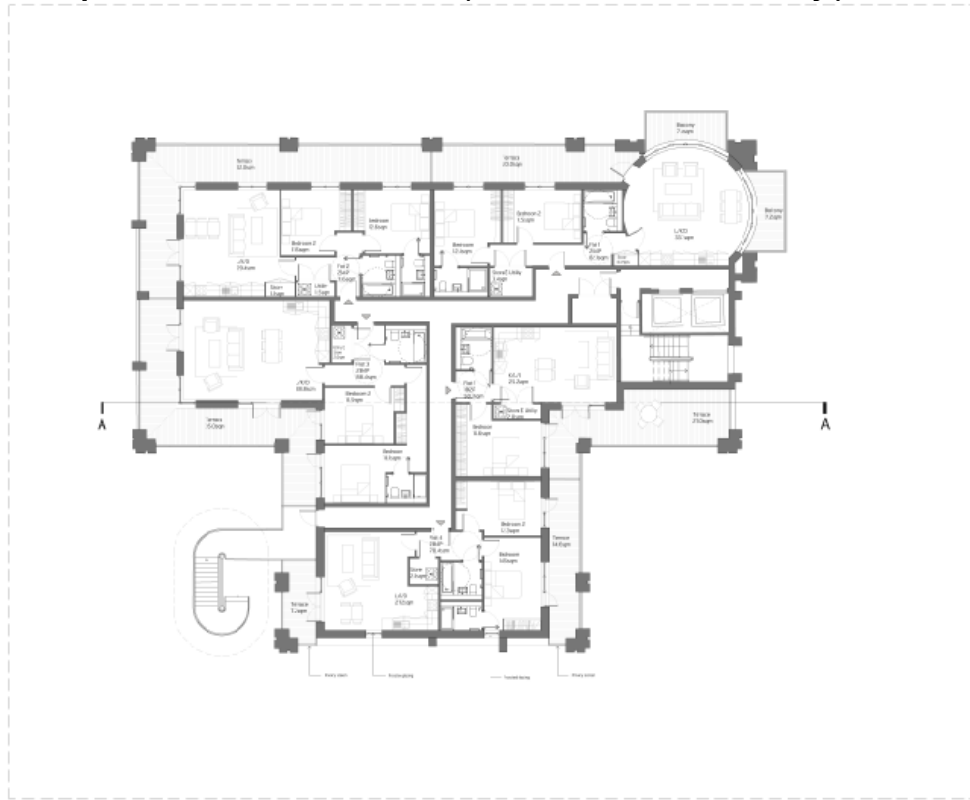
Proposed East Elevation  
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## Proposed Ground Floor Plan (showing additional parking spaces & Refuse Storage)



# Proposed Floor Plan (Additional Storey)





# Planning Committee

06 March 2024



<b>Application No.</b>	23/01234/FUL
<b>Site Address</b>	Venture House, 42 London Road, Staines-upon-Thames, TW18 4HF
<b>Applicant</b>	Mr Eli Reich
<b>Proposal</b>	Proposed development comprising the construction of a single storey extension at roof level consisting of 5 no. self-contained residential units (Use Class C3); including provision of car parking, cycling and associated works.
<b>Case Officer</b>	Matthew Churchill
<b>Ward</b>	Staines
<b>Called-in</b>	The application has been called in by Councillor Gale as a result of parking concerns, privacy in New Street and overlooking, and the visual impact of the proposals.

<b>Application Dates</b>	Valid: 03.11.2023	Expiry:29.12.2023	Target: Extension of time Agreed
<b>Executive Summary</b>	<p>This application seeks planning permission for an additional storey above Venture House, which is a three-storey former office building that has been converted to 31 residential units through the prior approval process (16/00978/PDO). The building contains a basement car park accessed through a ramp at the rear. The application also proposes 4 new parking spaces that would be situated on the ramp.</p> <p>The additional storey would be set back from the front elevation and the eastern and western elevations. The set back areas would incorporate private terraces that would be set behind glass balustrades. A balcony is also proposed in the northern and eastern elevations of the existing cylindrical feature situated at the north-eastern corner of the building.</p> <p>The proposed storey would be approximately 14.5 metres in height when measured from London Road and would be approximately 0.6 metres lower than the ridge over the existing roof, which notwithstanding the cylindrical feature, would be removed. The additional storey would incorporate zinc cladding that would match the materials of the existing cylindrical feature that would be retained. It is considered that the additional storey would be subservient in appearance and would also be in proportion with the existing building.</p> <p>The five dwellings proposed in the additional storey would each be in accordance with the minimum floorspace requirements set out in the</p>		

	<p>nationally described Technical Housing Standards (March 2015). The application would fall slightly short of the Council's amenity space guidance for a development of this size but the site is located a short distance from green spaces in Birch Green and Shortwood Common, and the Moormede Play Area. It is also a short distance from facilities supportive of residential development in Staines Town Centre. The amenity space requirement set out in the SPD is guidance, and the officers consider that the benefits of 5 additional dwellings to the Council's 5-year housing land supply in this location would outweigh this shortfall.</p> <p>The applicant has provided a daylight/sunlight report, which confirms that the proposals would meet BRE guidelines at all assessed windows. The building has a 'T shaped' layout. In the southern elevation at the bottom of the 'T shape', which is the elevation situated closest to dwellings in New Street, the proposed windows would incorporate obscure glazing. A privacy screen would also be contained at the southern elevation of all terrace areas. There would be an approximate 11.5 metres separation distance between the additional storey and the northern flank elevation of no.11 &amp; 13 New Street. The existing ramp serving the basement car park is also situated in between. Given this distance and the siting of the ramp, officers do not consider that the proposals would result in an overbearing impact.</p> <p>The proposal is also considered to have a satisfactory impact upon parking and highways, flooding and the Staines Historic Core: Prehistoric and Roman Occupation Site of High Archaeological Potential. The proposal is therefore considered to meet the objectives of local and national policies and the officer recommendation is for approval.</p>
<p><b>Recommended Decision</b></p>	<p>Approve the application subject to conditions as set out at Paragraph 8 of the Report.</p>

## MAIN REPORT

### 1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- Policy HO1 (Providing for New Housing Development)
  - Policy HO4 (Housing Size and Type)
  - Policy HO5 (Density of Housing Development)
  - Policy EN1 (Design of New Development)
  - Policy EN15 (Development on Land Affected by Contamination)
  - Policy CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
  - Policy CC2 (Sustainable Travel)
  - Policy CC3 (Parking Provision)
- 1.2 The policies contained within the National Planning Policy Framework (NPPF) (December 2023) are also relevant.
- 1.3 The local plan was submitted to the Planning Inspectorate under Regulation 19 on 25 November 2022. An Examination into the Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved the following: *Spelthorne Borough Council formally requests the Planning Inspector to pause the Examination Hearings into the Local Plan for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the Local Plan and after the three month pause the Council will decide what actions may be necessary before the Local Plan examination may proceed.* 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. On 14 September 2023, the Council considered a report following the deferral in June. The Council resolved to extend the pause in the Examination timetable until the proposed changes to the NPPF have been published (expected in the Autumn) before determining the next steps and take immediate legal advice to confirm the validity of the minister's directive. The revised NPPF was published on 19 December 2023 and the Council will be considering its next steps at a meeting of the E&S Committee on 29/02/2024 and whether Members wish to propose modifications as a result. This approach will need to be formally agreed by Committee before the Inspector is invited to resume the examination hearings.
- 1.4 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
- Policy ST1 (Presumption in Favour of Sustainable Development)
  - Policy ST2 (Planning for the Borough)
  - Policy PS2 (Designing places and spaces)

- Policy H1 (Homes For all)
- Policy E2 (Biodiversity)
- Policy E3 (Flood Risk)

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 providing material considerations do not indicate otherwise.

## 2. Relevant Planning History

2.1 The site has the following planning history:

97/00594/FUL	Redevelopment to provide 3-storey office building, with car parking (including basement car parking) and associated works.	Granted 22.04.1998
03/01139/FUL	Erection of an emergency generator in the basement of the offices	Granted 04.02.2004
14/02058/PDO	Prior Approval Notification for the change of use from Offices (Use Class B1a) to Residential (Use Class C3) comprising 29 flats.	Prior Approval Not Required 20.01.2015
15/01352/FUL	Removal of surface level car park and erection of a two-storey block of 6 flats (4 No. 1-bed and 2 No. 2-bed) together with associated amenity space.	Granted 18.01.2016
16/00978/PDO	Prior Approval Notification for the change of use from offices (use class	Prior Approval Approved 16.08.2016

B1) to Residential (use class C3) comprising 31 flats.

16/01616/FUL	Erection of bin stores, installation of 2 additional parking spaces and cycle parking	Granted 21.11.2016
16/01683/FUL	Removal of surface level car park and erection of a two-storey block of 6 flats (4 No. 1-bed and 2 no. 2-bed) together with associated car and cycle parking, bin storage and landscaping.	Granted 15.12.2016

### **3. Description of Current Proposal**

- 3.1 The application site is occupied by Venture House, which is a three-storey former office building that was originally granted planning permission in 1998 (97/00594/FUL) and which has been converted into 31 residential units through the prior approval process (16/00978/PDO).
- 3.2 The vehicular access to the site is from London Road (A308) to the north. The building incorporates a basement car park, which is accessed through a ramp situated at the rear of the building. There are also further off-street parking spaces located in New Street to the west of the site.
- 3.3 A two-storey building containing 6 residential units is situated to the south of the application building at Voyager House, which was granted planning consent in 2016 (16/01683/FUL). This contains a garden area at the rear and is also served by 6 off-street parking spaces at the front of the building. A further planning application seeking an additional storey to Voyager House has recently been withdrawn prior to determination (23/01219/FUL).
- 3.4 In terms of the surrounding character, dwellings in New Street situated to the south-west of the site are more traditional in design and typically set over two-storeys, although a maisonette is also present at no.11 & 13 New Street. The dwellings in New Street are also detached or semi-detached. Situated to the west of the site on the opposite side of New Street is 34-40 London Road, which a three-storey building that is in commercial use.
- 3.5 Elizabeth House is located to the east of the site, which at the time of the officer site visit was in commercial use. However, it should be noted that Elizabeth House benefits from prior approval for a change of use to 20 residential units across the whole building (21/01199/PDO) and 8 residential units on the second floor (22/01545/PDO). The building also benefits from prior approval for one additional storey above the existing building to provide additional residential units (21/01584/PCO) as well as prior approval for two additional storeys comprising 14 additional units (22/01623/PDNF). A further prior approval application seeking two additional storeys was also refused at Elizabeth House in September 2021 as a result of concerns over the impact upon the character of the area (21/01205/PCO). This was also dismissed at appeal. At the time of the officer site visit Elizabeth House was in commercial use, and these permissions had not been implemented.

- 3.6 In terms of planning constraints, the site is located in the 1 in 1000-year flood event area (flood zone 2) a low risk of surface water, and the Staines Historic Core Area of High Archaeological Potential.
- 3.7 The application proposes an additional storey above the existing building at Venture House. It would be occupied by 5 x residential units (comprising 4 x 2-bedroom dwellings & 1 x 1-bedroom dwelling). The units would each be served by a terrace/balcony. The application also proposes 4 new parking spaces that would be situated on the ramp at the rear of the building. However, it was noted that the ramp was being informally used for parking at the time of the officer site visit.

#### 4. Consultations

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

<b>Consultee</b>	<b>Comment</b>
<b>County Highway Authority</b>	Recommends conditions and informatives.
<b>County Archaeological Officer</b>	No archaeological concerns.
<b>Environmental Health (Contamination)</b>	Recommends a condition and informative
<b>Heathrow Safeguarding</b>	Recommends informatives.
<b>Sustainability Officer</b>	The renewable energy requirements would be met.
<b>Neighbourhood Services</b>	No objections, recommends a condition.

#### 5. Public Consultation

- 5.1 The Council has received a total of 30 letters of representation from 17 different addresses, which object to the proposals on the following grounds:
- The proposal will impact light serving existing dwellings.
  - The works will impact the water and sewage systems.
  - There would be noise and disturbance during the construction phase (Officer note: An informative is recommended to be attached to the decision notice in this regard).
  - The proposal will impact property prices and sales (Officer Note: This is not a planning matter).
  - The scheme will impact residents' quality of life.
  - The number of car parking spaces would be insufficient, congestion would increase and there would not be sufficient turning space.
  - The proposals would not be in keeping with the character of the existing building.
  - Concerns whether the existing structure could sustain an additional floor (Officer note: this would not be a planning matter).
  - The communal areas of the building will be overloaded, such as the lifts, post boxes etc.
  - Nearby flats have increased parking pressure in the area.
  - Concerns over the absence of refuse space.

- There may be an impact upon service charge fees (Officer Note: This is not a planning matter).
- Concerns over highway safety.
- Housing supply has already been met in the surrounding locality.
- The scheme represents overdevelopment and will cause strain on local amenities.
- Concerns over security for the communal areas.
- There are difficulties in selling nearby properties (Officer note: this is not a planning matter).
- The ramp is already used for parking.
- Concerns over the impact upon ventilation of the building.
- A condition should be imposed upon the decision notices requiring compliance with Building Regulations Part M4(2) (Officer note: There is not a requirement in the Council's Core Strategy and Policies Development Plan Document (February 2009), or the Council's planning guidance requiring the imposition of such a condition).

5.2 It is relevant to note that an amended site location and a revised block plan were received during the application process as it became clear that 4-existing parking spaces shown in the plans to be allocated to the occupiers of Venture House, were reserved for the occupiers of Voyager House. This was as a result of Condition 10 imposed upon planning permission 16/01683/FUL. Amended plans removing these spaces from the red line were received and were re-advertised to the occupiers of neighbouring and adjoining dwellings on 02 January 2024.

5.3 Following discussions with the Council's Head of Neighbourhood Services, one of the five initially proposed parking spaces on the ramp was also removed from the plans. The amended plans were re-advertised on 14 February 2024 with a deadline for additional comments by 28 February 2024. Any additional letters of representation received after the publishing of this committee report will be reported to members in the committee updates.

## 6. **Planning Issues**

- Housing Land Supply
- Design and appearance
- Density
- Future occupiers' amenity
- Neighbouring amenity
- Parking & Highways
- Flooding
- Ecology
- Archaeology

## 7. **Planning Considerations**

### Housing Land Supply

- 7.1 When considering planning applications for housing, local planning authorities should have regard to the government's requirement that they significantly boost the supply of housing and meet the full objectively assessed need for market and affordable housing in their housing area so far as is consistent policies set out in the National Planning Policy Framework (NPPF) 2023.
- 7.2 The Council has embarked on a review of its Local Plan and acknowledges that the housing target in its Core Strategy and Policies DPD February 2009 of 166 dwellings per annum is more than five years old and therefore the five year housing land supply should be measured against the area's local housing need calculated using the Government's standard method<sup>1</sup>. The standard method for calculating housing need is based on the 2014 household growth projections and local affordability. This equates to a need of 618 dwellings per annum in Spelthorne and this figure forms the basis for calculating the five-year supply of deliverable sites although a 20% buffer is required to be added for Spelthorne in accordance with Government requirements due to a historic under delivery. Historically, Local Planning Authorities (LPAs) needed to demonstrate a 5 year housing land supply to meet its housing needs, however, the revised NPPF, para 226 states:
- 7.3 *"From the date of publication of this revision of the Framework, for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing (with a buffer, if applicable, as set out in paragraph 77) against the housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old, instead of a minimum of five years as set out in paragraph 77 of this Framework. This policy applies to those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This provision does not apply to authorities who are not required to demonstrate a housing land supply, as set out in paragraph 76. These arrangements will apply for a period of two years from the publication date of this revision of the Framework."*
- 7.4 This paragraph applies to Spelthorne because the emerging local plan was submitted for Examination on 25 November 2022.
- 7.5 Following the lack of clarity on the interpretation of this paragraph, the Government issued a revision to the PPG on Housing Supply and Delivery on 05/02/24. Within this guidance, it is confirmed that *"Both the 5 year housing land supply and the 4 year housing land supply that authorities should demonstrate for decision making should consist of deliverable housing sites demonstrated against the authority's five year housing land supply requirement, including the appropriate buffer"*. Therefore, for Spelthorne, planning applications for new housing should be assessed using a four year supply against a five year requirement.

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<sup>1</sup> Planning Practice Guidance Reference ID: 68-005-20190722



- 7.6 The Council has considered its supply of deliverable sites, in line with the NPPF definition, as set out in Annex 2. The five year time period runs from 1 April 2023 to 31 March 2028. Government guidance (NPPF para 74) requires the application of a 20% buffer “where there has been significant under delivery of housing over the previous three years” which applies to Spelthorne. A 20% buffer applied to 618 results in a figure of 742 dwellings per annum, or 3,708 over five years.
- 7.7 In using the objectively assessed need figure of 742 as the starting point for the calculation of a four year supply it must be borne in mind that this does not represent a target as it is based on unconstrained need. Through the Local Plan review, the Borough’s housing supply will be assessed in light of the Borough’s constraints, which will be used to consider options for meeting need. The Council published its Strategic Land Availability Assessment (SLAA) in 2022 which identifies potential sites for future housing development over the plan period.
- 7.8 The sites identified in the SLAA as being deliverable within the first five years and subsequent updates from landowners have been used as the basis for a revised four year housing land supply figure. Spelthorne has identified sites to deliver approximately 2,590 dwellings in the four year period which runs from 1 April 2023 to 31 March 2027.
- 7.9 The effect of this increased requirement with the application of a 20% buffer is that the identified sites only represent a 3.49 year supply and accordingly the Council cannot at present demonstrate a four year supply of deliverable housing sites. There is, therefore, a presumption in favour of sustainable development.
- 7.10 In addition, guidance on the Housing Delivery Test indicates that where housing delivery falls below 85%, a buffer of 20% should be applied to the local authority’s five year land supply and a presumption in favour of sustainable development if the figure is below 75%. The Housing Delivery Test result (2022) for Spelthorne Borough Council was published by the Secretary of State in December 2023, with a score of 68%. This means that less housing has been delivered when compared to need over the previous three years. As a consequence, there is a presumption in favour of sustainable development because the test score of 68% is less than the 75% specified in the regulations. The figure compares with 69% last year and 50% in 2020. The Council’s Housing Delivery Test Action Plan will be updated to reflect this. The current action plan positively responds to the challenge of increasing its housing delivery and sets out actions to improve delivery within the Borough.
- 7.11 As a result, current decisions on planning applications for housing development need to be based on the ‘tilted balance’ approach set out in paragraph 11 of the NPPF (2019). This requires that planning permission should be granted unless ‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole’

#### Design and Appearance

- 7.12 At part 12 relating to ‘*Achieving well-designed and beautiful places*’, The NPPF places a strong emphasis on design and states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The NPPF further states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.13 Additionally, the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to the local character and history, including the surrounding built environment, whilst not preventing or discouraging appropriate innovation or change such as increase densities.
- 7.14 At part 11 relating to ‘*Making effective use of land*’, the NPPF states that planning decisions should support opportunities to use airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene.
- 7.15 Policy EN1 of the Core Strategy and Policies Development Plan Document (CS & P DPD) states that the Council will require a high standard in the design and layout of new development. The policy further states that:
- “proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and character of the area in which they are situated paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land”.*
- 7.16 The National Design Guide (2021) states well designed places enhance their surroundings, are attractive and distinctive, have a coherent pattern of development, are accessible and easy to move around, enhance and optimise nature, are safe, social and inclusive, mixed and integrated, functional, healthy and sustainable, efficient and resilient, and made to last.
- 7.17 The application site is situated on the southern side of London Road (A308). There are a mixture of building types and designs in the surrounding locality. Immediately opposite the site, the northern side of London Road contains more traditional scale two-storey semi-detached dwellings, as well as the Three Tuns Public House. There are also flatted units on the northern side of the road including higher density units at the Eden Grove development, as well as commercial properties, including the nearby petrol station and MOT garage.
- 7.18 The southern side of this section of London Road is occupied by office buildings that are generally set over three storeys, although a number of the buildings have been converted into residential dwellings in recent years

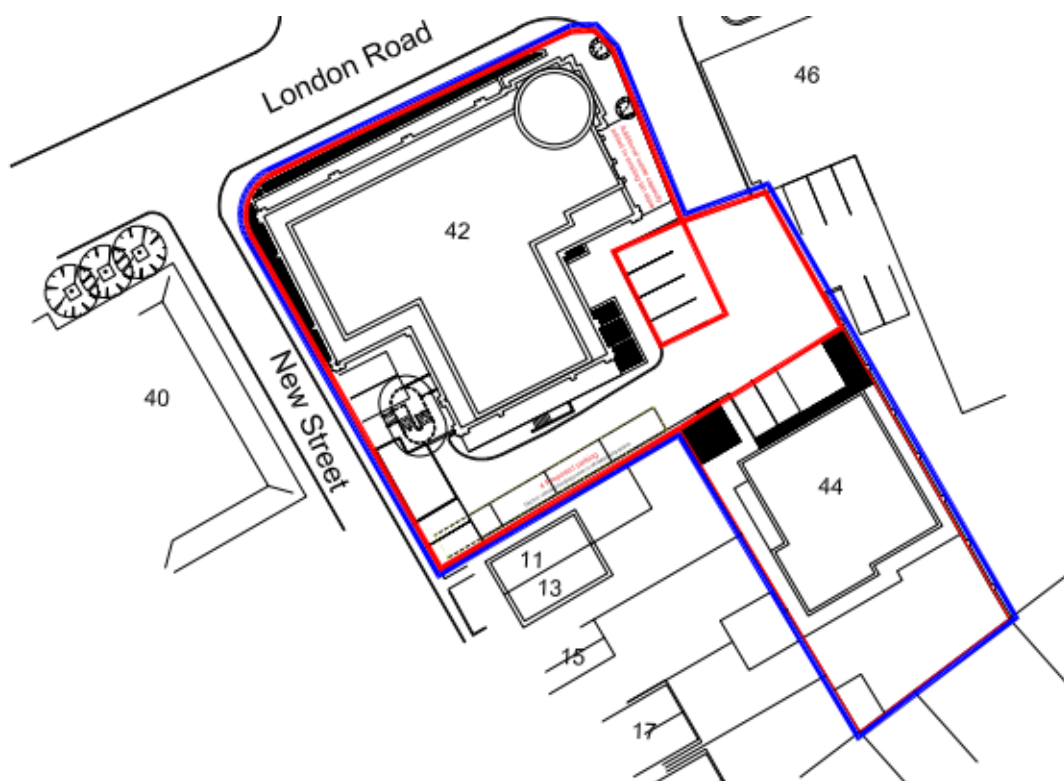
through the 'prior approval' process. There is also a mixture of roof designs, including gable roofs, pitched and crown roofs, as well as flat roofs, notably at Elizabeth House situated immediately to the east of the site.

7.19 The dwellings in New Street situated to the south-west of the site are more traditional family dwellings that are semi-detached and detached, and are typically set over two storeys, although a maisonette is also present at no.11 & no.13 New Street.

7.20 The application proposes an additional storey that would be constructed following the removal of the existing hipped roof. The scheme would incorporate a flat roof design that would be approximately 14.5 metres in height when measured from London Road. This would be some 0.6 metres lower than the existing ridge (pitch roof), which when measured from London Road is approximately 15.1 metres in height. It would also be some 0.35 metres lower in height than the existing cylindrical feature situated in the north-eastern corner of the building that would be retained following construction of the additional storey.

7.21 The Design and Access Statement indicates that the additional storey would incorporate zinc cladding to match the materials incorporated within the existing cylindrical feature. This is considered to have an acceptable visual impact, particularly in the context of the existing appearance of the building. However, it is recommended that details of the conditions are secured by condition.

7.22 Venture House has a 'T shaped' design, with the existing cylindrical feature located in the north-eastern corner or the top right-hand side of the 'T shape'. This is demonstrated in the image below:



- 7.23 In the London Road elevation, located at the top of the 'T shape', it is proposed that the additional storey would be set back approximately 1.9 meters from the existing front elevation. The set back area would be occupied by private terraces set behind a glass balustrade. The application also proposes two protruding balconies in the northern and eastern elevations of the existing cylindrical feature.
- 7.24 There would be further set back terrace areas in the southern elevation of the top part of the 'T shape', and the western elevation and parts of the eastern elevation, which would also be set behind glass balustrades. However, no set back is proposed in the southern elevation in the bottom part of the 'T shape'.
- 7.25 The application would also increase the height of the existing external staircase located in the western elevation, which would be extended upwards to serve the additional storey. This is considered to have an acceptable visual impact particularly in the context of the design of the existing staircase.
- 7.26 Whilst the surrounding buildings on the southern side of London Road are typically set over three storeys, the additional storey would be lower in height than the existing ridge. As such the proposed height it is considered to be in keeping with the surrounding local character.
- 7.27 The additional storey is also considered to be in proportion with the floors below. The incorporation of set-back terrace areas described above, is considered to result in a subservient appearance. Moreover, the incorporation of terraced areas is considered to be in keeping with the surrounding locality, as it is noted that balconies overlook London Road at the nearby Eden Grove development, which is currently under construction.
- 7.28 The overall design, scale and height of the proposal is therefore considered to accord with the objectives of policy EN1 and the NPPF.

### Density

- 7.29 Policy HO5 of the CS & P DPD states that within higher density areas, including those characterised by a significant proportion of flats and those containing significant Employment Areas, new development should generally be in the range of 40 to 75 dwellings per hectare. The policy further states that higher density development may be acceptable where it is demonstrated that the development complies with policy EN1, particularly in terms of its compatibility with the character of the area and where the proposal is in a location that is accessible by non-car based modes of travel.
- 7.30 At paragraph 128, the NPPF states that planning decisions should support development that makes effective use of land.
- 7.31 The proposal would have a density of approximately 240 dwellings per hectare increased from 207 dwellings per hectare currently. The application site is located approximately 580 metres from Staines Railway Station. There are also bus stops on London Road in each direction situated a short distance from the Venture House. The site is therefore accessible by non-car based modes of travel. As highlighted above, the proposal is also considered to

accord with the objectives of policy EN1 in terms of the impact upon the character of the area. A higher density is therefore considered to be acceptable in this location and the proposals are considered to be in accordance with the objectives of policy HO5.

#### Future Occupiers

- 7.32 The nationally described Technical Housing Standards (THS) (March 2015) stipulates minimum internal floorspace requirements for variously sized units. Relevant to the current application, the THS states that a 1-bedroom, 2-person dwelling set over a single storey, should contain a minimum internal floor area of at least 50m<sup>2</sup>. Additionally, the THS states that a 2-bedroom, 4-person dwelling, set over a single storey, should contain a minimum internal floor area of at least 70m<sup>2</sup>. Each of the dwellings would be in accordance with the minimum requirements set out in the THS.
- 7.33 The Council's SPD on design states that the first 5 units in a flatted development should be provided with a minimum of 35m<sup>2</sup> of amenity (garden) space per unit. The SPD further states that 10m<sup>2</sup> should be provided per unit for the next 5 units in a development, and 5m<sup>2</sup> per unit should be provided for each dwelling thereafter.
- 7.34 The Council would normally expect 175m<sup>2</sup> of amenity space to be provided for 5 new units. Each of the dwellings would be provided with private amenity space in a terraced or balcony area. The units would be served by a total of 160m<sup>2</sup> of amenity space falling 15m<sup>2</sup> short of the Council's guidelines. However, this is guidance and the site is located in close proximity to the town centre where there are numerous facilities that are supportive of residential development. The site is also a short distance from green space at Birch Green and Shortwood Common and the Moormede Play Area. In this instance, the benefits of five additional dwellings to the Council's 5-year housing land supply, is considered to outweigh the 15m<sup>2</sup> shortfall when assessed against the Council's guidelines.

#### Housing Mix

- 7.35 Policy HO4 states that the Council will ensure that the size and type of housing reflects the needs of the community by requiring developments that propose four or more dwellings to include at least 80% of their total as one- or two-bedroom units.
- 7.36 All of the proposed dwellings would contain one or two bedrooms in accordance with the objectives of policy HO4.

#### Neighbouring Amenity

- 7.37 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk proximity or outlook. A paragraph 3.6 the Council's SPD on design states that most

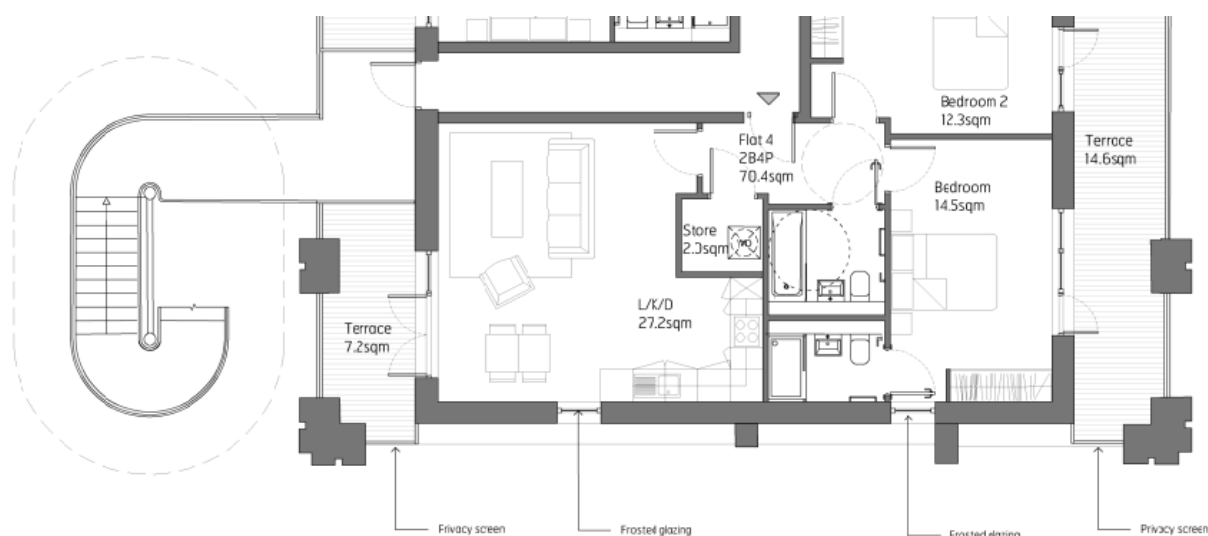
developments will have some impact on neighbours. The aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed.

### Daylight/Sunlight

- 7.38 The applicant has submitted a daylight/sunlight assessment, which assesses the impact of the proposals upon dwellings in Voyager House, 11-13 New Street, dwellings situated on the opposite side of London Road to north of the site, as well as the existing dwellings in Venture House situated below the proposed balconies. The report concludes that at all windows assessed, the additional storey would be compliant with BRE guidelines.
- 7.39 It was noted during the site visit that a ground floor window incorporating clear glazing was contained within the northern flank elevation of no.11 & no.13 New Street. When measured from the centre of this window at a height of 2 metres, the additional storey would breach the Council's 45° vertical guide to a minor extent. However, the breach would occur at the very edge of roof over the additional storey, and the applicant's daylight sunlight report confirms that BRE guidelines would be met when measured from this window. The minor breach of the Council's 45° vertical guide when measured from this window is therefore not considered to result in significant harm to light serving no.11 & 13 New Street. As such, the proposal is considered to have an acceptable impact upon the light serving neighbouring and adjoining dwellings in accordance with the objectives of policy EN1.

### Privacy and Overlooking

- 7.40 The additional storey proposes two windows in the southern elevation at the bottom part of the 'T shape'. Whilst the windows would be situated approximately 11.5 metres from the northern elevation of no. 11 & 13 New Street, the plans show that the windows would incorporate obscure glazing. This can be seen in the image below:

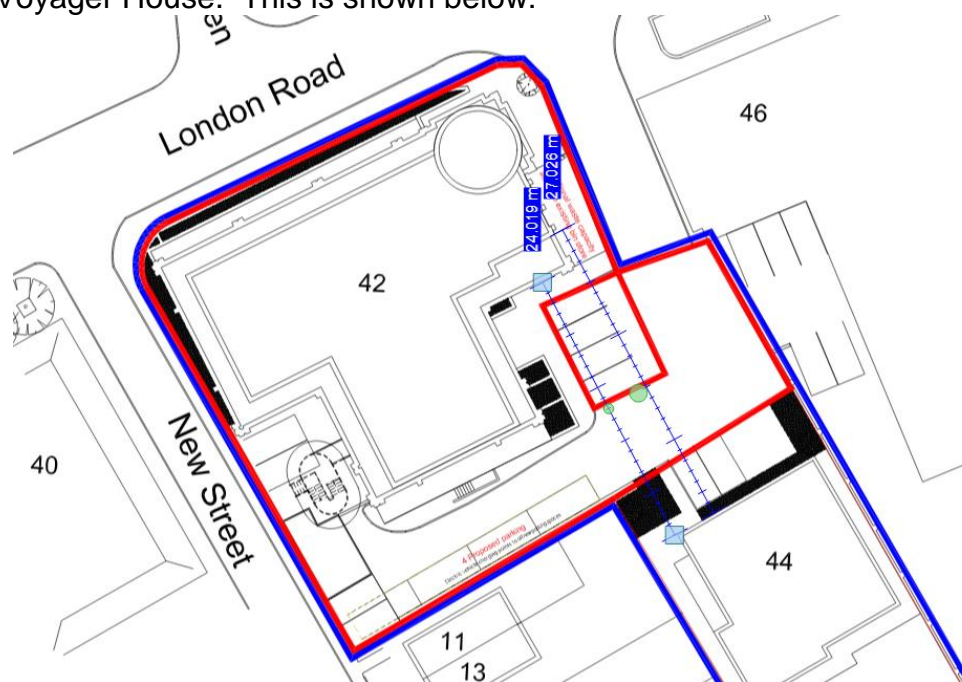


- 7.41 As the windows would be secondary and each room would be served by a further opening, the use of obscure glazing would not result in a substandard level of outlook to future occupiers. As such, the use of obscure glazing is considered to be acceptable, and these windows would not provide

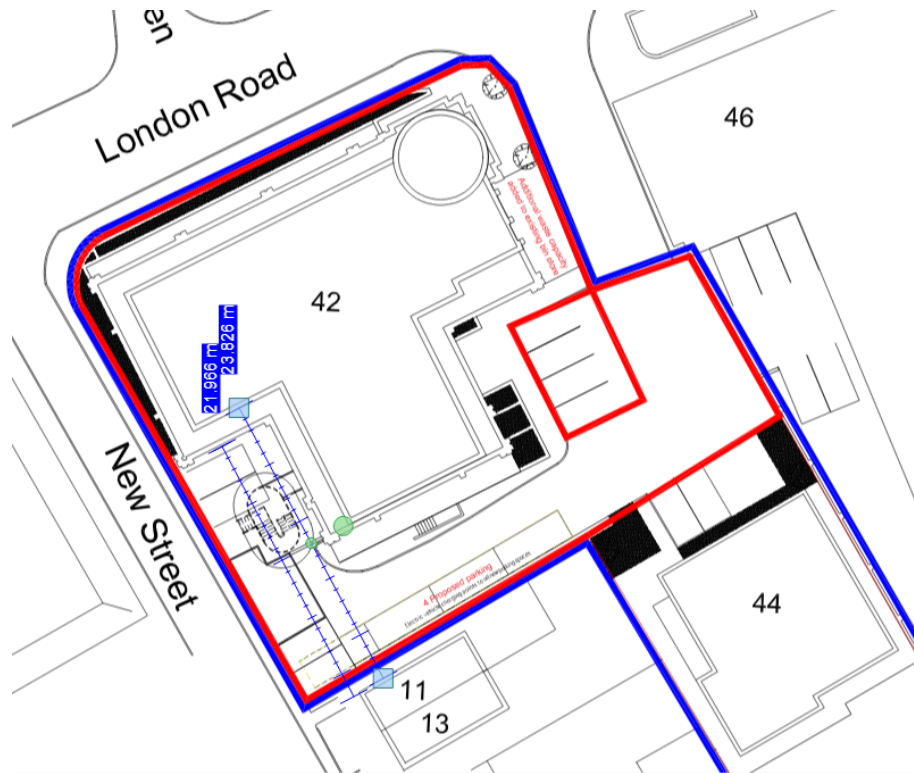
opportunities for overlooking the dwellings situated to the south of the site. However, it is recommended that the obscure glazing is secured by condition.

7.42 There would also be a terrace area in the eastern and western elevations at the bottom part of the 'T shape'. At the southern elevation, nearest no.11 & 13 New Street, the terrace areas would both incorporate a privacy screen measuring 1.8 metres in height. As a result of the privacy screen, the terrace areas are not considered to provide unacceptable opportunities for overlooking dwellings no.11 & no.13 New Street, or any further dwellings situated to the south of the application site.

7.43 The application also proposes window and door openings, and terraces in the southern elevation at the top part of the 'T shape'. At the eastern side of the top part of the 'T shape', the southern elevation of the additional storey would be situated approximately 27 metres from the front elevation of Voyager House. The terrace area would also be located some 24 metres from Voyager House. This is shown below:



7.44 In the western part of the 'T Shape', there would be a separation distance of some 23.8 metres between the southern elevation of the additional storey and the side elevation of no.11 & 13 New Street. There would also be a separation distance of approximately 22 metres between the terrace area and no.11 & 13. This is also shown in the image below:



- 7.45 At such a distance it is not considered that unacceptable opportunities for overlooking would be provided into dwellings situated to the south of the site. Moreover, the applicant has submitted revised plans during the application process which shows a privacy screen of 1.8 metres in height in the southern elevation of all of the terraced areas. The proposals are therefore considered to have an acceptable impact upon the privacy of all dwellings located to the south of the site.
- 7.46 It is acknowledged that the height of the existing external staircase at the south-western part of the building would be increased so that it would serve the additional storey. Given the siting and position of the staircase and its existing use, it is considered that the extended staircase would have an acceptable impact upon amenity.
- 7.47 In terms of the dwellings located to the north of the site on the opposite side of London Road. there is a distance of approximately 20 metres between the front elevation of no.73, no.75 and no.77 London Road and the northern elevation of Venture House. Whilst there would be terraces and balconies in the front elevation, as a result of such a distance, and the siting of the highway in London Road between these dwellings and the northern elevation of Venture House, and given that there are existing first and second floor windows in the front elevation of Venture House, officers consider that the additional storey would have a satisfactory relationship with dwellings situated on the northern side of London Road.
- 7.48 At the time of the officer site visit no.34-40 London Road situated to the west of the site and Elizabeth House situated to the east were both in commercial use. It is acknowledged Elizabeth House benefits from prior approval for a change of use to residential dwellings and also for additional storeys



containing residential units although the LPA would have no control over whether the applicant chooses to implement these permissions. Nevertheless, given the position of the proposed additional storey and the location of the proposed window and terrace areas, it is considered that the proposal would have an acceptable impact upon the privacy of the occupiers of Elizabeth House, should the prior approval applications ever be implemented.

### **Overbearing Impact**

- 7.49 There would be a separation distance of approximately 11.5 metres between the southern elevation of the additional storey at the bottom part of the 'T shape' and the existing northern elevation no. 11 & 13 New Street. However, the application building does not directly adjoin the garden serving no.11 & 13 as the ramp down to the basement car park serving Venture House is situated in the space between.
- 7.50 Given the siting of the basement ramp, and the existing relationship between Venture House and no.11 & 13 New Street, officers do not consider that the additional storey would have an overbearing impact upon dwellings in New Street situated to the south of the site.
- 7.51 Moreover, as a result of the separation distances to the existing dwellings in Voyager House and dwellings on the northern side of London Road situated opposite the application site, officers also consider that the additional storey would not have an overbearing impact upon the occupiers of these dwellings. The proposal is therefore considered to have an acceptable impact upon residential amenity and would be in accordance with the objectives of policy EN1 and the NPPF in this regard.

### **Other Matters**

- 7.52 There may be some additional noise and disturbance to the occupiers of the dwellings, although no more than would reasonably be expected in a flatted development. It is also noted that a number of letters of representation raise concerns over noise and disturbance during the application process. It is recommended that an informative is attached to the decision notice in this regard.

### **Parking & Highways**

- 7.53 Policy CC2 of the CS&P DPD states that the Council will seek to secure more sustainable travel patterns by only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account amongst other things, access and egress to the public highway and highway safety. Policy CC3 states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its parking standards.
- 7.54 At paragraph 115, the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts upon the road network would be severe.

- 7.55 The Council's Parking Standards SPG states that a 1-bedroom dwelling should be provided with a minimum of 1.25 off-street car parking spaces and a 2-bedroom dwelling should be provided with a minimum of 1.5 spaces. The parking standards do allow for a reduction in minimum requirements within the borough's four town centres, where any reduction will be assessed against the distance from public transport modes, the frequency and quality of bus and train services, the availability and quality of pedestrian and cycle routes, and the range and quality of facilities supportive of residential development within reasonable walking distance.
- 7.56 The application site is not situated within one of the borough's four town centres. However, the site is situated approximately 580 metres from Staines Railway Station and 620 metres from Staines Bus Station. There are also bus stops in both directions on London Road that are a short distance from the site. The pedestrianised section of Staines High Street is also located approximately 390 metres from the site, which contains numerous facilities that are supportive of residential development. It is therefore considered that a reduction against the minimum parking standards may be considered in this location.
- 7.57 The applicant's submission documents state that there are 31 parking spaces serving the 31 existing units. The application proposes 4 new spaces for the proposed units.
- 7.58 It is relevant to note that the application originally proposed 5 parking spaces, that would have been shared between the occupiers of the additional storey, and two units proposed in an additional storey at neighbouring Voyager House (proposed in planning application 23/01219/FUL). However, that application has been withdrawn, and one of the 5 proposed parking spaces has been removed. This is because the Council's Head of Neighbourhood Services considered that it would have impeded refuse collections from Voyager House.
- 7.59 When assessed against the Council's Parking Standards, the five proposed units would generate a requirement for 7.25 off-street parking spaces. However, given the proximity of the site to Staines Railway Station and public transport nodes, and the proximity to facilities supportive of residential development in Staines Town Centre, a reduction against the Council's Parking Standards is considered to be acceptable in this instance. As such the proposed parking ratio of 0.8 parking spaces per new dwelling (0.97 spaces per dwelling across Venture House as a whole), is considered to be acceptable. It should also be noted that a parking ratio of 0.7 parking spaces per dwelling was accepted at the nearby Eden Grove development.
- 7.60 The LPA has also consulted the County Highway Authority (CHA), which has acknowledged the concerns raised in the letters of representation in relation to increased traffic levels. However, the CHA considers that there would be sufficient car parking for the proposed residents and the number of proposed dwellings will not lead to a significant increase in vehicular movements and will therefore not lead to a severe impact upon the local transport network. As such, subject to conditions the CHA has raised no objections on highway

safety or capacity grounds. The proposal is therefore considered to be in accordance with policy CC2, policy CC3 and the NPPF in highways terms.

- 7.61 The applicant has also submitted a parking covering letter which suggests that the hatched area in front of Voyager House could be used for parking as the area has not been used for waste collection vehicles. This area falls outside of the red line site boundary for the current application, and is required to remain permanently clear as a result of Condition 21 imposed upon planning permission 16/01683/FUL. As such, this is attributed no weight in the determination of the current application.

### Flooding

- 7.62 At paragraph 165, the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 7.63 The application site is located in the 1 in 1000-year flood event area (Flood Zone 2). The application proposes an additional storey above an existing building and is not considered to have any adverse impacts upon flood flows and flood storage capacity. However, it is recommended that the conditions in the Environment Agency's Standing advice are attached to the decision notice. The site is also located in an area of low risk for surface water.
- 7.64 In addition residential development has already been accepted at the application site and Voyager House when assessed against the Council's current planning policies and guidelines, including the Flooding SPD (July 2012), which states that over the next 15 years, sites in Flood Zones 1 and 2 will be needed to meet housing needs. Moreover, the Planning Practice Guidance (PPG) and the Council's SPD on Flooding state that a residential dwelling would be an acceptable use in the flood zone.
- 7.65 There would also be a dry means of escape away from the site outside of the 1% annual exceedance probability.

### Waste & Refuse

- 7.66 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will incorporate provision for the storage of waste and recyclable materials.
- 7.67 The plans show that there would be 8800 litres of general waste storage in 8800 litres of recycling storage. This would be in bin storage areas to the east of the building and a further bin store to the west of the building that fronts New Street. This would be in adherence to the capacity requirements set out within the Spelthorne "*Waste management guidelines for property developers, architects, planners and contractors*" (November 2022).
- 7.68 The application has been reviewed by the Council's Head of Neighbourhood Services who following removal of the fifth proposed parking space raised no

objections. However, hatched lines were requested in front of Voyager House, to ensure that the area at the front of building remains free from impediments on bin collection days. It is recommended that this is secured by condition.

### Sustainability

- 7.69 Policy CC1 of the CS&P DPD states that the Council will support the provision of renewable energy, energy efficiency and will promote sustainable development generally by requiring residential development of one or more dwellings to include measures to provide at least 10% of the developments energy demand from on-site renewable sources unless it can be shown that it would seriously threaten the viability of the development.
- 7.70 The applicant has submitted a Renewable Energy Statement, providing details reducing the use of energy, energy efficiency and the use of Air Source Heat Pumps. This has been reviewed by the Council's Sustainability and Flood Risk Officer, who has confirmed that the Council's Renewable Energy Requirements would be met by the development.

### Archaeology

- 7.71 The application site is located in the Staines Historic Core: Prehistoric and Roaman Occupation Site of High Archaeological Potential. However, as the works relate to an additional storey above an existing building, the proposal is not considered to have an adverse impact upon the archaeological area.
- 7.72 The LPA has also consulted the County Archaeological Officer who has raised no objections.

### Biodiversity

- 7.73 Policy EN8 of the CS&P DPD states that the Council will seek to protect and improve the landscape and biodiversity in the borough by ensuring that new development wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest.
- 7.74 The applicant has submitted a Bat Scoping Survey, which identifies that the site has negligible suitability for bats. This has been reviewed by the Surrey Wildlife Trust, which has commented on lighting and avoidance of works being undertaken during the bird nesting season. It is recommended that this information is attached to the decision notice as an informative. It is also recommended that biodiversity enhancement measures including bat and bird boxes are secured by condition.

### Other Matters

- 7.75 The Council's Environmental Health Department has commented that as no ground works are proposed there are no land contamination comments. The Environmental Health Department has also requested a condition in relation

to cycle parking spaces in order to improve air quality. A similar condition has also been requested by the County Highway Authority.

- 7.76 In total the LPA has received 30 letters of representation in objection to the proposals. Of the objections not already covered in this report, it is not considered that a planning objection could be sustained on the grounds of the impact upon sewage. With regard to noise and disturbance during the construction process, it is recommended that an informative is attached to the decision notice. The impact upon property values and future sales would not be a planning matter.

#### Financial Considerations

- 7.77 Under In S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal would generate New Home Bonus which is an economic benefit. It is a CIL chargeable development and will generate a CIL Payment of approximately £ 94,247. This is a mitigation against the development. The proposal will also generate Council Tax payments which is not a material consideration in the determination of this proposal.

#### Equalities Act 2010

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

#### Human Rights Act 1998

- 7.80 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.81 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

- 7.82 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.83 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

### **Conclusion**

- 7.84 Policy HO1 of the CS&P DPD states that Council will ensure that provision is made for housing by encouraging housing development, including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing on all sites suitable for that purpose taking into account other policy objectives.
- 7.85 The Council cannot currently demonstrate a 4-year housing land supply and can only demonstrate a supply of 3.49 years. Where a 5-year housing land supply cannot be demonstrated, the NPPF states that planning permission should be granted unless "*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the framework taken as a whole*".
- 7.86 In this instance, the proposal would make a contribution of 5 additional dwellings to the Council's 5-year housing land supply. For the reasons outlined in this report, officers also consider that the proposal would be acceptable when assessed against the policies in the framework as a whole. In particular, the proposals would accord with part 11 of the NPPF on '*making effective use of land*', which states that planning decisions should support opportunities to use the airspace above existing residential and commercial premises of homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene.
- 7.87 The additional storey is considered to have an acceptable impact upon the character of the area, future occupiers, the amenity of neighbouring and adjoining dwellings, parking provision, archaeology and the 1 in 1000-year flood event area. The proposal is therefore considered to be in accordance with the objectives of policy EN1 policy HO1, Policy HO4, Policy HO5, Policy CC1, Policy CC2, Policy CC3 and the NPPF.

## **8. Recommendation**

- 8.1 **APPROVE** subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans 1244.36.2-PA-050 Rev B, 1244.36.2-PA-00 Rev B (Received 22.12.2023), 1244.36.-PA-105 Rev B, 1244.36-PA-10 Rev A, 1244.36.2-PA-C09, 1244.36.2.PA-010, 1244.36.2.PA-012, 1244.36.2.PA-C20, 1244.36.2.PA-C21, 1244.36-PA-201 Rev CB(Received 02.10.2023) 1244.36.2-PA-200 Rev C, (Received 18.01.2024) 1244.36.2-PA-100 Rev C, 1244.36.2-PA-050 Rev C (Received 13.02.2024),

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

3. No development above damp course level shall take place until details of the materials to be used for the external surfaces of the building(s) including balustrade details are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

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

4. The works shall be carried out in accordance with the renewable energy measures detailed in the document entitled as "Renewable Energy Statement Venture House and Voyager House" (Received 30.10.2023). The agreed measures shall be implemented with the construction of each building and thereafter retained.

Reason:- To ensure that the development is sustainable and complies with Policy SP7 and CC1 of the Spelthorne Development Plan Core Strategy and Policies DPD.

5. There shall be no raising of existing ground levels on the site within the area liable to flood, other than in accordance with the approved details.

Reason:- To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. All spoil and building materials stored on site before and during construction shall be removed from the area of land liable to flood upon completion.

Reason:-.To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

7. Prior to the occupation of the building(s), a scheme to provide bird boxes and bat boxes/tubes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the building(s) is occupied and thereafter maintained.

Reason:-. To encourage wildlife on the site.

8. The development hereby approved shall not be first occupied unless and until each of the proposed dwellings have been provided with bicycle parking in a robust, secure enclosure in accordance with the approved plan and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason :-. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2023.

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

Reason :-. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2023.

10. Prior to the occupation of the development hereby permitted the third floor window(s) on the southern elevation(s) located at the bottom part of the 'T shape' of the building, shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. The(se) window(s) shall thereafter be permanently retained as installed.

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

11. Prior to the occupation of the development hereby permitted details of the materials for the privacy screens located in the southern elevation at the bottom part of the 'T shape' of the building, shall be submitted and approved in writing by the Local Planning Authority. The privacy screens



shall be installed as approved prior to occupation, unless otherwise agreed in writing by the Local Planning Authority.

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

12. Prior to the occupation of the development hereby permitted a scheme shall be submitted and approved in writing by the local planning authority, showing a hatched area at the front of the dropped kerb serving Voyager House, to ensure that this area remains clear from obstruction on waste collection days. The hatchings shall be implemented prior to occupation of the proposed units and shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority

Reason:-.In the interests of the provision of adequate waste and refuse facilities in accordance with policy EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

#### Informatives:

1. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays; The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels; Deliveries should only be received within the hours detailed in (a) above; Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;

There should be no burning on site;

Only minimal security lighting should be used outside the hours stated above; and

Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

2. 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 2023.
3. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
4. In order to encourage a modal shift to greener transport in support of Spelthorne's strategy to reduce NOx emissions caused by road vehicles, and in accordance with Surrey County Council's 'Vehicular, electric vehicle and cycle parking guidance for new developments', secure cycle storage should be provided for this development.
5. In order to meet best-practice, gas-fired boilers should meet a minimum standard of <math><40\text{mgNOx/kWh}</math>.
6. The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site, to comply with the above referenced legislation and the recommendations in BCT & ILP (2023) Guidance Note 08/23. Bats and artificial lighting at night. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.
7. The applicant should take action to ensure that development activities such as works to the roof and eaves are timed to avoid the bird nesting season of early March to August inclusive.
8. In accordance with Approved Document S of the Building Regulations, you will be required to install electric vehicle charging facilities.

## **Appendices:**

**Key**

**T1: Yew**



**TPO291/2023**

**110 French Street, Sunbury-on-Thames, TW16 5LE**



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Scale: 1:1,250

Date: 19 October 2023

## TREE EVALUATION METHOD FOR PRESERVATION ORDERS ASSESSMENT

Surveyor: Stewart Bee Date: 18/10/23

Owner: \_\_\_\_\_

Location: Rear garden of 110 French Street, Sunbury on Thames

Tree species: T1 Yew

### PART 1: AMENITY ASSESSMENT

#### A) Condition and suitability for TPO (NB: Refer to guidance note for definitions)

Score	Condition	Suitability	Notes
<u>5</u>	Good	Highly suitable	The yew tree is in a good condition with no particular defects
3	Fair	Suitable	
1	Poor	Unlikely to be suitable	
0	Unsafe	Unsuitable	
0	Dead	Unsuitable	

#### B) Remaining longevity and suitability for TPO (NB: Refer to 'Species guide in guidance note)

Score	Age	Suitability	Notes
5	100+	Highly suitable	Mature
<u>4</u>	40 -100	Very suitable	
2	20 - 40	Suitable	
1	10 – 20	Just suitable	
0	<10	Unsuitable	

#### C) Relative public visibility & suitability for TPO (NB: Consider future potential refer to guidance note)

Score	Visibility	Suitability	Notes
5	Very large or large trees that are prominent landscape features	Highly suitable	Easily visible French Street and Beauclerc Infant School
<u>4</u>	Large/medium trees clearly visible to the public	Suitable	
3	Medium/larger trees with limited view only	Just suitable	
2	Small/larger trees visible only with difficulty	Unlikely to be suitable	
1	Trees that are not visible to the public, regardless of size	Probably unsuitable	

**D) Other factors** (NB: Trees must have accrued 7 or more points (no zeros) to qualify)

Score	Factor	Notes
5	Principal components of arboricultural features, or veteran trees	None
4	Members of groups of trees that are important for their cohesion	
3	Trees with significant historical or commemorative importance	
2	Trees of good form, especially if rare or unusual	
1	Trees with none of the above additional redeeming features	

**PART 2: EXPEDIENCY ASSESSMENT** (NB: Trees must have accrued 9 or more points to qualify)

Score	Expediency	Notes
5	Known threat to tree	A Conservation Notification 23/01167/TCA requested the felling of the yew tree
3	Perceived threat to tree	
2	Reasonably foreseeable threat to tree	
1	Threat to tree not reasonably foreseeable	
0	Tree known to be an actionable nuisance	

**PART 3: DECISION GUIDE**

Score	TPO	Total	Decision
Any 0	Do not apply TPO	5+4+4+1+5=19	Definitely merits TPO
1-10	Does not merit TPO		
11-13	Possibly merits TPO		
14+	Definitely merits TPO		

Signature: Stewart Bee

**FOR OFFICE USE ONLY:**

TPO Reference No:	Tree Number	File Reference	Case officer

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# Planning Committee

6 March 2024



	<b>Tree Preservation Order</b>
<b>TPO No.</b>	TPO291/2023
<b>Site Address</b>	110 French Street, Sunbury-on-Thames, TW16 5LE
<b>Date Served</b>	20 October 2023
<b>Expiry Date</b>	20 April 2024
<b>Case Officer</b>	Alice Heynes
<b>Ward</b>	Sunbury East
<b>Executive Summary</b>	Confirmation of TPO291/2023
<b>Recommended Decision</b>	Confirm TPO without modification.

## MAIN REPORT

### 1. Details of Order

- 1.1 On 20 October 2023, Tree Preservation Order (TPO) was served with immediate effect to protect one Yew tree on land at 110 French Street, Sunbury-on-Thames, TW16 5LE.

### 2. Background

- 2.1 110 French Street, Sunbury is located within the Lower Sunbury Conservation Area. The northern boundary of the site is adjacent to a Listed Grade II Building (The William and Mary House).
- 2.2 On 15<sup>th</sup> September 2023, the Council received a S211 notification to carry out works to trees in the Lower Sunbury Conservation Area (ref. no. 23/01167/TCA) to fell 2 x Holly trees, 2 x Lawson Cypress trees and 1 x Yew tree, all located in the rear garden of 110 French Street, Sunbury-on-Thames, TW16 5LE.

- 2.3 Following receipt of the notification, the Council's Tree Officer visited the site on 18<sup>th</sup> October 2023 to assess the trees subject to the application.
- 2.4 The Council's Tree Officer raised no objection to the felling of four (4) trees within the Conservation Area Notification (ref.no. 23/01167/TCA) - 2 x Holly trees and 2 x Lawson Cypress trees. The reason indicated was that the subject trees were poor specimens and in close location to the boundary wall. Therefore, these trees were not considered worthy of protection under a Tree Preservation Order.
- 2.5 However, the Tree Officer disagreed with the proposal that the Yew tree should be felled, as it was in good condition with no defects and no signs of disease or decay. It was considered that is a mature tree with a reasonable crown structure and is not causing any obvious signs of damage to the adjacent wall. Furthermore, the Yew tree was considered visible from French Street and the adjacent Beauclerc Infant and Nursery School which brings contribution to the street scene and the visual amenities.
- 2.6 Accordingly, a Tree Preservation Order was made and served on 20 October 2023 to protect the Yew tree because of its 'contribution to the visual amenities of the locality and the street scene'.

### **3. Third Party Representations**

- 3.1 As required under the legislation all affected parties, including residents and adjoining neighbours were served with copies of the Tree Preservation Order. The Council received one letter of objection within the consultation period dated 29 November 2023.
- 3.2 The letter of objection raised the following concerns (listed below), and the Council's Tree Officer has provided comments to each one –

#### **3.3 Size of tree**

- *'The tree has not had any pruning or care (in recent years) .... As a result, it has grown to a considerable size and is now dominating the rear garden to a large extent.'*

The tree has been assessed by the Council's Tree Officer who has considered its current health, structure, and longevity in making the TPO.

The tree is only considered to dominate a small part of the garden, and this is no different to many properties within the Lower Sunbury Conservation Area, wherein trees contribute to the character and setting of the locality.

The removal of other trees within the garden (approved under the notification ref. no. 23/01167/TCA), was agreed on 26 October 2023. This would allow space and light for amenity recreation, whilst retaining this Yew tree that contributes to the Conservation Area.



This objection is not considered to outweigh the value of the tree within this environment.

### 3.4 **Potential toxicity and harm to children and pets**

- *'...we are also concerned in terms of potential toxicity and pollination allergens linked to this species of tree.'*
- *'The tree is located adjacent to the Beauclerc Infant and Nursery School and is overhanging the school boundary.'*

Many trees and plants have potential issues with toxicity and pollination allergens, these issues can usually be adequately controlled by active garden management, as is the case with this Yew tree.

The school has not raised concerns about Yew trees in the past and has several Yew trees growing within its grounds.

This objection is not considered to outweigh the value of the tree within the environment.

### 3.5 **Replacing the tree with a more ornamental species.**

- *'We would like to fell the Yew tree and replace it with a species which is smaller in size and more family and animal friendly.'*

The Yew tree has been assessed as being worthy of retention and contributing to the urban fabric, it also makes a contribution to the character and appearance of the Lower Sunbury Conservation Area.

A replacement tree would not have the same impact or make a similar contribution to the character and appearance of the area.

This representation is not considered to outweigh the value of the tree within the environment.

## 4. **Conclusion**

- 4.1 The Council's Tree Officer has assessed the Yew tree as being worthy of a Tree Preservation Order. The representations made are not considered to outweigh the value that the tree makes to the environment nor to the character and appearance of the Lower Sunbury Conservation Area.

## 5. **Recommendation**

- 5.1 That Tree Preservation Order 291/2023 relating to 110 French Street, Sunbury-on-Thames be confirmed without modification.

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Planning Committee

6 March 2024

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

**Appeals Started between 30 November 2023 – 20 February 2024**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
23/00958/FUL  <b>Shepperton Road Shepperton TW17 0JJ</b>	20.02.2024	Written Representation	APP/Z3635/W/23/3334047 Proposed NTQ telecommunications installation; Proposed 35.0m High FLI Type T3A Lattice Tower and associated ancillary works. Please refer to drawings
23/00541/OUT	08.02.2024	Written Representation	APP/Z3635/W/23/3327918

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
<b>33 Ashford Crescent Ashford TW15 3EF</b>			Outline application with access, layout and scale to be assessed, for the demolition of the existing bungalow and erection of 3 new dwelling houses
22/001111/ENF  <b>99 Marlborough Road Ashford TW15 3PW</b>	01.12.2023	Written Representation	APP/Z3635/C/23/3331038  Appeal against serving of an enforcement notice. Without Planning Permission and within the last four (4) years, the carrying out of building, engineering, mining or other operations, specifically the erection of a two-storey side extension, new front porch and garage conversion, in the approx location shown edged in and hatched black on the plan.
23/00546/HOU  <b>Little Stoatswold 43 Lower Hampton Road Sunbury- on-Thames</b>	26.01.2024	Fast Track Appeal	APP/Z3635/D/23/3332038  Retrospective planning for a single storey wrap around extension and cantilevered deck extension.
23/00832/FUL  <b>58 Green Lane Shepperton TW17 8DT</b>	05.02.2024	Written Representation	APP/Z3635/W/23/3333577  Erection of a new two-storey 3 bedroom detached dwelling house at the rear of No. 58 Green Lane
23/00325/HOU	09.02.2024	Fast Track Appeal	APP/Z3635/D/23/3333634  Retrospective planning permission for a summerhouse/shed in the side garden

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
<b>48 Elgin Avenue Ashford TW15 1QF</b>			
23/00865/FUL  <b>5-7 &amp; 9 Station Approach &amp; 21 Woodthorpe Road Ashford TW15 2RP</b>	20.12.2023	Written Representation	APP/Z3635/W/23/3333864  Demolition of existing office buildings, and construction of 40 new residential units together with Class E (Commercial, Business and Service), associated amenity and parking. As shown on drawings numbered TPH-01, 05, 06, 07, 08, 09, 10,11 and 28301A-1, 2, 2-1, and 3 received on 11 July 2023, and amended plans numbered TPH-02A, 03A and 04A received on 28 September 2023.
22/00058/ENF  <b>Land To The East Of Moor Lane Staines-upon- Thames</b>	07.12.2023	Written Representation	APP/Z3635/C/23/3334551  Appeal against serving of an Enforcement Notice. Without planning permission, the material change in use of the land to a mixed use of agriculture, a leisure plot, open storage and the storage of motor vehicles.
22/00231/ENF_A  <b>Land South East Of The Ranges (addressed As 1A Priory Stables) Chertsey Road</b>	12.02.2024	Written Representation	APP/Z3635/C/23/3335127  Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining or other operations in particular the laying of an area of hardstanding and a roadway on Green Belt land. Marked in blue on the attached plan and a change of use of the use of the land to the commercial storage of vehicles.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
21/00393/ENF  <b>11 Loudwater Road Sunbury-on-Thames TW16 6DB</b>	17.01.2024	Hearing	APP/Z3635/C/23/3333226  Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.
22/00099/ENF  <b>9 Loudwater Road Sunbury-on-Thames TW16 6DB</b>	17.01.2024	Hearing	APP/Z3635/C/23/3333218  Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.
22/00067/ENF  <b>4 Loudwater Road Sunbury-on-Thames TW16 6DB</b>	17.01.2024	Hearing	APP/Z3635/C/23/3333211  Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.
22/00057/ENF  <b>2 Loudwater Road Sunbury-on-Thames TW16 6DB</b>	17.01.2024	Hearing	APP/Z3635/C/23/3333204  Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.

**Appeal Decisions Made between 30 November 2023 – 20 February 2024**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
23/00554/FUL  <b>Land Adjacent To 1 Hillview Cottages Moor Lane Staines-upon-Thames</b>	N/A	N/A	Erection of a new detached dwellinghouse with associated parking provision and amenity space	Appeal Withdrawn	08.02.2024	The appeal was withdrawn on 08/02/2024. The documents required from the applicant were not provided within the Inspector's timeframes.
22/01724/FUL  <b>4 Sandhills Meadow Shepperton TW17 9HY</b>	20.09.2023	Written Representation	APP/Z3635/W/23/3319801 Demolition of the existing dwelling and erection of a replacement (zinc) dwelling with accommodation in the roof	Appeal Dismissed	25.01.2024	The Inspector considered that the proposed replacement dwelling would be materially larger than the existing and would therefore be inappropriate development in the Green Belt. The development would also have a harmful impact on the openness of the Green Belt as the proposed dwelling would be more prominent from the river and from Sandhills Meadow by virtue of its greater height and mass. Furthermore, the lack of traditional eaves and metal end capping to the integral eaves and guttering would contrast sharply with the existing buildings in the area. Therefore, the appeal was dismissed along with the below scheme (22/01725/FUL

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
22/01725/FUL  <b>4 Sandhills Meadow Shepperton TW17 9HY</b>	21.09.2023	Written Representation	APP/Z3635/W/23/3319800 Demolition of the existing dwelling and erection of a replacement (brick) dwelling with accommodation in the roof	Appeal Dismissed	25.01.2024	See above – as both appeals were considered together.
23/00258/HOU  <b>16 Sandhills Meadow Shepperton TW17 9HY</b>	12.10.2023	Fast Track Appeal	APP/Z3635/D/23/3324804 Loft conversion including raising of the ridge height and a balcony. Side porch extension	Appeal Dismissed	25.01.2024	<p>The main issues discussed include whether the development would be inappropriate in the Green Belt, its impact on the area's openness, character, appearance, and the living conditions of neighboring properties.</p> <p>The Inspector finds that the extension would not be disproportionate to the original building and so not inappropriate for the Green Belt.</p> <p>However, the Inspector had concerns about the proximity of the extension to a neighboring property, potentially impacting privacy and outlook. Despite the extension being in line with the area's character, its impact on living conditions led the Inspector to dismiss the appeal.</p>
22/00210/FUL	30.03.2023	Written Representation	APP/Z3635/W/22/3312221 Demolition of existing buildings and development of	Appeal Dismissed	15.01.2024	The main issues are the character and appearance of the area and highway safety, with regards to the access



Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
<p><b>280, 282 And 284 Staines Road East Sunbury-on-Thames TW16 5AX</b></p>			<p>a 47-bedroom care home with associated parking, facilities and landscaping as shown on drawings numbered H21.31 (00)2, 3 and 4 all Rev B, (005), (9)3, 4 and 5, (21)1 and 2, 1361-00 PRLP, EX SS, 2021-5917-001 (P1), 002 (P2) and 003 (P1) and 484.3 Rev 2 received on 14 February 2022.</p>			<p>The appeal site consists of three detached residential properties, one of which is vacant. surrounding area is mainly residential, a varied pattern of development in which buildings differed in style, age, size and position within their plots. However, area around the appeal site is suburban in appearance with a characteristic pattern of spaces between houses that are of a typical domestic scale. Inspector notes some feature of he proposed care home are common in the local area but has concerns about its scale noting that, <i>‘...the proposed building would fill almost the full width of the appeal site, with limited gaps to the neighbouring residential properties. The building is also shown as having considerable depth, such that while the front elevations of the building are shown as being approximately level with the neighbouring dwellings, the rear of the building extends far beyond the rear elevations of the neighbouring properties, albeit in one instance with a greater gap to the boundary.’</i></p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						<p>Further indication of scale and massing is displayed because the proposed development would, break a 45-degree, due to its rear projection close to the boundary and the proposed building and car parking covers much of the plot, with limited opportunities for soft landscaping concluding that</p> <p><i>'Fundamentally, the appeal scheme is a more intensive form of development than the existing dwellings, effectively filling the full width of the appeal site with a deep projection along boundary and greater mass of development particularly when viewed from properties to the rear and side. 'and as a result of the significant width, scale and massing of the proposed building in the context of typical residential dwellings, 'I find that the appeal scheme would harm the character and appearance of the area' contrary to Policy EN1</i></p> <p>In regard to Highway matters the Inspector notes that the appeal scheme would be accessed at a single point from Staines Road East (the A308). Which he noted is a busy thoroughfare consisting of a single lane in each</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						<p>direction and a 40 mph speed limit, included buses and heavy goods vehicles.</p> <p>The Inspector considered the proposal would result in a '<i>...greater level of movements onto and off the site than is currently the case.</i>' And the proposal's visibility splay would be deficient and vehicles leaving the site would represent a clear hazard.</p> <p><i>Overall, I consider the development would lead to a material increase in traffic movements on to and off the site and the access would provide insufficient visibility. Consequently, I find that the development would have a harmful impact upon highway safety' contrary to Policy CC2.</i></p> <p>The Inspector considered there would be some limited social and economic benefits, redevelopment of the unsightly He also considered that the provision of a 47 bed care home would contribute to the choice of accommodation available, meeting the needs of an aging population and there would also likely be a consequential freeing-up of</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						existing, potentially under-occupied, housing to the general market, for which he gave significant weight. However concluded that, <i>'Nonetheless, I am satisfied that the appeal scheme would harm the character and appearance of the area and harm highway safety contrary to the development plan and that this harm would significantly and demonstrably outweigh the benefits.'</i>
22/00470/OUT  <b>Land At 1-12 New Road Shepperton TW17 0QQ</b>	27.03.2023	Written Representation	APP/Z3635/W/22/3311540 Erection of 9 no. two storey dwelling houses with associated amenity space, car-parking and accesses (Outline).  As shown on drawings numbered LP; 203; HW1; HW2; HW3; HW4; HW5; HW6; HW7; HW8; Site Survey drawings 01 and 02 received 29 March 2022.	Appeal Dismissed	18.12.2023	The Planning Inspector considered the proposal would be inappropriate development in the Green Belt and would fail to preserve the openness of the Green Belt. Furthermore, the Planning Inspector took the view that the proposal would have unacceptable impact on flooding and would fail to make appropriate provision of smaller sized dwellings. Consequently, the appeal was dismissed.
22/01620/FUL  <b>Land To The Rear Of No. 46 And 46A And</b>	07.09.2023	Written Representation	APP/Z3635/W/23/3321949 Installation of a shipping container (retrospective) to be used as a dwelling and the provision of hardstanding	Appeal Dismissed	14.12.2023	The Inspector considered the main Issues to be character and appearance, living conditions for occupants and impact on the amenity of neighbours in respect of noise and disturbance.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
<p><b>Adajcent To No. 50-58 Reedsfield Road Ashford TW15 2HE</b></p>			<p>(retrospective) as shown on amended drawings numbered 'Site location and Block Plan' received on 14/12/2022, Proposed Plan Rev A and Existing container Version FB received on 16/12/2022.</p>			<p>The Inspector notes the surrounding plots have good sizes and accommodate dwellings facing the road with gardens to the rear.</p> <p>The plot is smaller than those surrounding, is located behind the residential properties facing Reedsfield Road, and he says is <i>'...markedly at odds with the prevailing pattern of development in the area which consists of street frontage development with rear gardens'</i>. and despite some properties having outbuildings, <i>'...do not justify the introduction of a residential plot in this location'</i>.</p> <p>He notes that the existing access appears incongruous, causing visual harm to the street scene, the dwelling has a utilitarian appearance, which reflects its original use as a shipping container and falls to create a visually attractive development.</p> <p>Concludes that <i>'...As such, the development fails to relate well with its receiving environment, to the detriment</i></p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						<p><i>of the character of the area.</i>' Contrary to Policy EN1 and SPD .</p> <p>The Inspector also notes that the internal space is below standard, <i>noting that '... the container feels cramped and enclosed due to its modest floor area and limited floor to ceiling height'. And, '... the development fails to provide an adequate amount of living space for its occupants.'</i></p> <p>He states that the development fails to create acceptable living conditions for its occupiers with particular regard to internal and external space, and outlook, contrary to Policy EN1.</p> <p>Concluding the development contributes to meeting a housing need, however, the benefits associated with a single dwelling are small and the adverse impacts attract substantial weight and significantly and demonstrably outweigh the benefits.</p>
22/01615/OUT	01.08.2023	Public Inquiry	APP/Z3635/W/23/3325635	Appeal Dismissed	18.12.2023	Located on the edge of a large built-up area, the appeal site encompassed several distinct areas including a

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
<b>Bugle Nurseries Upper Halliford Road Shepperton</b>			<p>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.</p>			<p>bungalow and its curtilage, a small industrial estate, grazing paddocks and an overgrown former waste transfer station area now blended into the landscape. The site had considerable planning history including dismissed appeals, permission for housing on the previously developed area and an allocation for housing in a paused emerging local plan.</p> <p>At the outset the inspector made clear that he did not agree with the appellant's interpretation of NPPF paragraph 149(g) exception to inappropriate green belt for limited infilling or the partial or complete redevelopment of previously developed land, as applying to a scheme that includes, or predominantly includes, the redevelopment of previously developed land (PDL). In his view such an approach would open the door to a proposal where a small area of PDL could justify a substantial incursion into undeveloped land, seriously undermining the effectiveness of the green belt, and recorded that this was not how the exception was written. The inspector concluded the appeal scheme would not meet the exception, and went on to identify substantial harm to the</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						<p>spatial and visual openness of the green belt from the urbanising impact of the development. The proposal was inappropriate development in the green belt.</p> <p>Housing land supply was agreed to be between 2.79 and 3.52 years, aggravated by significant under delivery and green belt constraints as well as delay in bringing forward the reasonably advanced new local plan. Mindful that the 'exceptional circumstances' test for allocating housing in the green belt through a development plan is a lower threshold than the 'very special circumstances' test required to grant planning permission following the submission of an application, the inspector concluded the cumulative advantages of providing market and affordable housing, reusing some brownfield land and the planned release of the site from the green belt for housing, were considerations that did not clearly outweigh the harm to the green belt. The scheme was contrary to the development plan and material considerations, including the NPPF and the very special circumstances test, did not indicate the proposal should be</p>



Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						determined otherwise, the inspector dismissing the appeal.
23/00637/HOU  <b>48 Knightsbridge Crescent Staines-upon- Thames TW18 2QR</b>	20.09.2023	Fast Track Appeal	APP/Z3635/D/23/3326072 Erection of a two storey side extension (following demolition of existing garage and single storey side extension)	Appeal Allowed	30.11.2023	The main concern revolved around the potential impact on the amenity of neighbouring residents, specifically regarding privacy and overlooking. The Council points out that the extension's proximity to properties on Commercial Road violates separation distance guidelines in the SPD. Despite this non-compliance, the Inspector notes that mutual overlooking already exists as there are already three first-floor windows in the rear facade of the appeal property, providing views of the neighbouring rear garden. Therefore, the proposed new bedroom window is not considered to significantly increase overlooking or result in harm to privacy.

**Current/Future Hearings/Inquiries**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
21/00393/ENF  <b>11 Loudwater Road Sunbury-on-Thames TW16 6DB</b>	17.01.2024	Hearing	APP/Z3635/C/23/3333226 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.			The appeal process has started and a Statement of Case has been submitted to the Planning Inspectorate. The Hearing not yet been scheduled.
22/00099/ENF  <b>9 Loudwater Road Sunbury-on-Thames TW16 6DB</b>	17.01.2024	Hearing	APP/Z3635/C/23/3333218 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.			The appeal process has started and a Statement of Case has been submitted to the Planning Inspectorate. The Hearing not yet been scheduled.

22/00067/ENF <b>4 Loudwater Road Sunbury-on-Thames TW16 6DB</b>	17.01.2024	Hearing	APP/Z3635/C/23/3333211 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.			The appeal process has started and a Statement of Case has been submitted to the Planning Inspectorate. The Hearing not yet been scheduled.
22/00057/ENF <b>2 Loudwater Road Sunbury-on-Thames TW16 6DB</b>	17.01.2024	Hearing	APP/Z3635/C/23/3333204 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining, or other operations in particular the ridge height increase, hip to gable roof alteration and rear facing dormer without planning permission.			The appeal process has started and a Statement of Case has been submitted to the Planning Inspectorate. The Hearing not yet been scheduled.
19/00015/ENF <b>Riverbank 1 The Creek</b>	07.06.2023	Public Inquiry 7-8 February 2024	APP/Z3635/C/23/3320593 Appeal against serving of an Enforcement Notice. Without planning permission the unlawful development of a new			The Public Inquiry overran the 2 days allocated and closing comments were presented via MS Teams on the 16 February 2024. Outstanding submissions of 'as built' plans submitted now by the

<b>Sunbury On Thames</b>			dwelling house, garage, boathouse, associated terracing and planters, steps, walls, pillars and hardstanding.			Appeallant to PINS as requested by the Inspector. Decision pending.
22/01615/OUT  <b>Bugle Nurseries Upper Halliford Road Shepperton</b>	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.	Appeal Dismissed	18.12.2023	The appeal was dismissed on 18/12/2023. See table above for more details.
23/00507/CLD  <b>Roslin Rookery Road Staines- upon-Thames</b>	07.11.2023	Public Inquiry	APP/Z3635/X/23/3331411  Certificate of Lawfulness relating to failure to comply with condition 2 of 09/00277/COU in respect to pupil numbers			Decision pending.

			As shown on site location plan and detailed in a planning statement, statutory declarations and occupancy numbers received 21.04.2023			
20/00257/ENF_A  <b>Stanwell Farm Bedfont Road Stanwell</b>	07.11.2023	Public Inquiry 12-13 March 2024	APP/Z3635/C/23/3331902 Appeal against serving of an Enforcement Notice. The material change of use of the land from open land to use comprising the storage of builders merchants materials in connection with a builders merchants business, including pallets and scaffolding,			The inquiry will open at 10.00am on 12 March 2024.
20/00257/ENF_B  <b>Stanwell Farm Bedfont Road Stanwell</b>	07.11.2023	Public Inquiry 12-13 March 2024	APP/Z3635/C/23/3331903 Appeal against serving of an Enforcement Notice. Without planning permission, the carrying out on the land of building, engineering, mining or other operations in particular the erection of a warehouse building and			The inquiry will open at 10.00am on 12 March 2024.

			the use of that building on Green Belt land. Marked in blue on the attached plan.			
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## Major Applications

This report is for information only.

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

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

<b>App no</b>	<b>Site</b>	<b>Proposal</b>	<b>Applicant</b>	<b>Case Officer(s)</b>
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	<b>Map Slough Ltd / c/o Zyntax Chartered Architects</b>	<b>Susanna Angell</b>
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.	<b>Lichfields on Behalf of Spelthorne Borough Council</b>	<b>Paul Tomson / Susanna Angell</b>

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)	<b>Ashford Corporation Ltd</b>	<b>Paul Tomson / Kelly Walker</b>
23/01120/FUL	Vitesse House Ashford Road Ashford TW15 1XG	Demolition of existing Industrial Unit and erection of new Industrial Unit in a B2 Use (General Industry) - AMENDED DESCRIPTION	<b>FCW Twickenham</b>	<b>Matthew Clapham</b>
23/01515/RVC	Builders Merchant Moor Lane Staines-upon-Thames TW18 4YN	Application to vary condition 1 (approved plans) , condition 7 (vehicle access) and condition 11 (refuse details) of planning permission 23/00173/RVC, (which varied condition 2 of p/p 18/0100/FUL) to allow external alterations to plots 17-18 , 24-27, 28-33 and 34-36, addition of Juliet balconies and replacement of roof lights with dormer windows (to plots 28-33 and 34-36) . New bin collection area and relocation of bin storage area and car parking layout.	<b>Shanly Homes</b>	<b>Susanna Angell</b>
23/01524/FUL	193 London Road Staines-upon-Thames	Demolition of existing, vacant, trade counter and storage/industrial unit. Construction of a new steel portal frame structure with insulated metal clad facades and brickwork plinth, for use as a Self Storage facility. Including improvements to existing access off Stanwell New Road and stopping up of other redundant accesses, associated car parking, service yard and cycle parking.	<b>Marlin Land Midlands Limited</b>	<b>Matthew Churchill</b>



24/00017/FUL	Land North East Of Eco Park Charlton Lane Shepperton TW17 8QA	The construction of and operation of a Battery Energy Storage System of up to 200 megawatts electrical output, associated site access and cable route with connection point at the existing National Grid/SSE 132 kV Laleham GSP (Grid Supply Point), with associated work	<b>Sunbury BESS Ltd</b>	<b>Matthew Clapham</b>
24/00046/FUL	Ashford Town Football Club Sports Ground Short Lane Stanwell Staines-upon-Thames TW19 7BH	Provision of an artificial grass pitch (AGP), floodlighting and ancillary works	<b>Ashford Town FC</b>	<b>Matthew Churchill</b>

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

Esmé Spinks  
Planning Development Manager  
22/02/2024

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**PLANNING GLOSSARY OF TERMS AND ABBREVIATIONS**

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

DM	Development Management – the area of planning service that processes planning applications, planning appeals and enforcement work
DMPO	Development Management Procedure Order - This Order provides for procedures connected with planning applications, consultations in relation to planning applications, the determination of planning applications and appeals
DPH	Dwellings per Hectare (density)
EA	Environment Agency. Lead government agency advising on flooding and pollution control
EIA	Environmental Impact Assessment – formal environmental assessment of specific categories of development proposals
EHO	Environmental Health Officer
ES	Environmental Statement prepared under the Environmental Impact Assessment Regulations
FRA	Flood Risk Assessment
FUL	Full planning application
GPDO	General Permitted Development Order. Document which sets out categories of permitted development (see 'PD' below)
HOU	Householder planning application
LBC	Listed Building Consent – consent to alter a listed building
LLFA	Lead Local Flood Authority
Local Plan	The current development policy document
LPA	Local Planning Authority
Material Considerations	Matters which are relevant in the determination of planning applications
MISC	Miscellaneous applications (usually a consultation by adjoining boroughs)
NPPF	National Planning Policy Framework, 2023. 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</i> Planning Practice Guidance
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 21/12/2023

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