



*Please reply to:*

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Date: 05 September 2024

## Notice of meeting

### Planning Committee

**Date:** Wednesday, 18 September 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

T. Burrell

J. Button

R. Chandler

D.C. Clarke

K. Howkins

M.J. Lee

L. E. Nichols

K.E. Rutherford

P.N. Woodward

Substitute Members: Councillors N. Islam, A. Mathur, K.M. Grant, S.A. Dunn, A. Gale, J.T.F. Doran and S.M. Doran

*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 - 6

To confirm the minutes of the meeting held on 21 August 2024 as a correct record.

3. **Disclosures of Interest**

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

**Planning Applications and other Development Control matters**

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

4. **Planning application - 23/01524/FUL 193 London Road, Staines-upon-Thames**

7 - 42

**Ward**  
Staines

**Proposal**

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.

**Recommendation**

The application is recommended for approval

5. **Planning application - 24/00369/FUL 35 The Avenue, Sunbury-on-Thames TW16 5HY**

43 - 80

**Ward**  
Sunbury East

**Proposal**

Erection of a replacement detached dwelling house to replace existing detached property and garage

## **Recommendation**

The application is recommended for approval

- |           |  |                  |
|-----------|--|------------------|
| <b>6.</b> | <b>National Planning Policy Framework Consultation Response</b>  | <b>81 - 92</b>   |
|           | <p>To note Spelthorne Borough Council's response to the Government's open consultation on change to the National Planning Policy Framework (NPPF) and the planning system.</p> <p>Appendix 2 – To follow</p> <p><i>Note: this report is being considered for approval by the Environment and Sustainability Committee at their meeting on 17 September 2024.</i></p> |                  |
| <b>7.</b> | <b>Planning Appeals Report</b>   | <b>93 - 110</b>  |
|           | <p>To note details of the Planning appeals submitted and decisions received between 09 July 2024 – 04 September 2024.</p>  |                  |
| <b>8.</b> | <b>Major Planning Applications</b>   | <b>111 - 112</b> |
|           | <p>To note the details of future major planning applications.</p>  |                  |
| <b>9.</b> | <b>Glossary of Terms and Abbreviations</b>   | <b>113 - 118</b> |

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**Minutes of the Planning Committee  
21 August 2024**

**Present:**

Councillor D.L. Geraci (Vice-Chair)

**Councillors:**

C. Bateson	J. Button	K.E. Rutherford
S.N. Beatty	K. Howkins	P.N. Woodward
M. Beecher	M.J. Lee	
T. Burrell	L. E. Nichols	

**Apologies:** Councillors M. Gibson, R. Chandler and D.C. Clarke

**26/23 Minutes**

The minutes of the meeting held on 24 July 2024 were approved as a correct record.

**27/23 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**

Councillor Nichols advised that he was a Director of Knowle Green Estates Limited.

**28/23 Planning application - 24/00681/HOU The Lodge, Ashford Cemetery, Long Lane, Stanwell, Staines-upon-Thames, TW19 7AD**

**Description:**

Creation of a vehicular access (9.0 metre width) serving two car parking spaces in the front driveway of the residential property, The Lodge

**Additional Information:**

The Planning Officer reported that two plans stated in Condition 2 had been amended and that a new location plan was to be added to the condition as follows:

Two plans in Condition 2 have been amended from 22289[S]01 rev B; 22289[WD]01 rev B received 17.07.2024 to 22289[S]01 rev C; 22289[WD]01 rev C received 12.08.2024.

A new location plan is to be added to the condition with plan number 22289[OS]L1 received 20.08.2024.

**Debate:**

During the debate the following key issues were raised:

- The Committee requested whether an additional condition could be added to state that no hedging work should be done during nesting season. The Planning Officer advised that this could be added as an informative.

The Committee voted on the application as follows:

**For:** 11

**Against:** 0

**Abstain:** 0

**Decision:** The application was **approved subject to the following additional informative:**

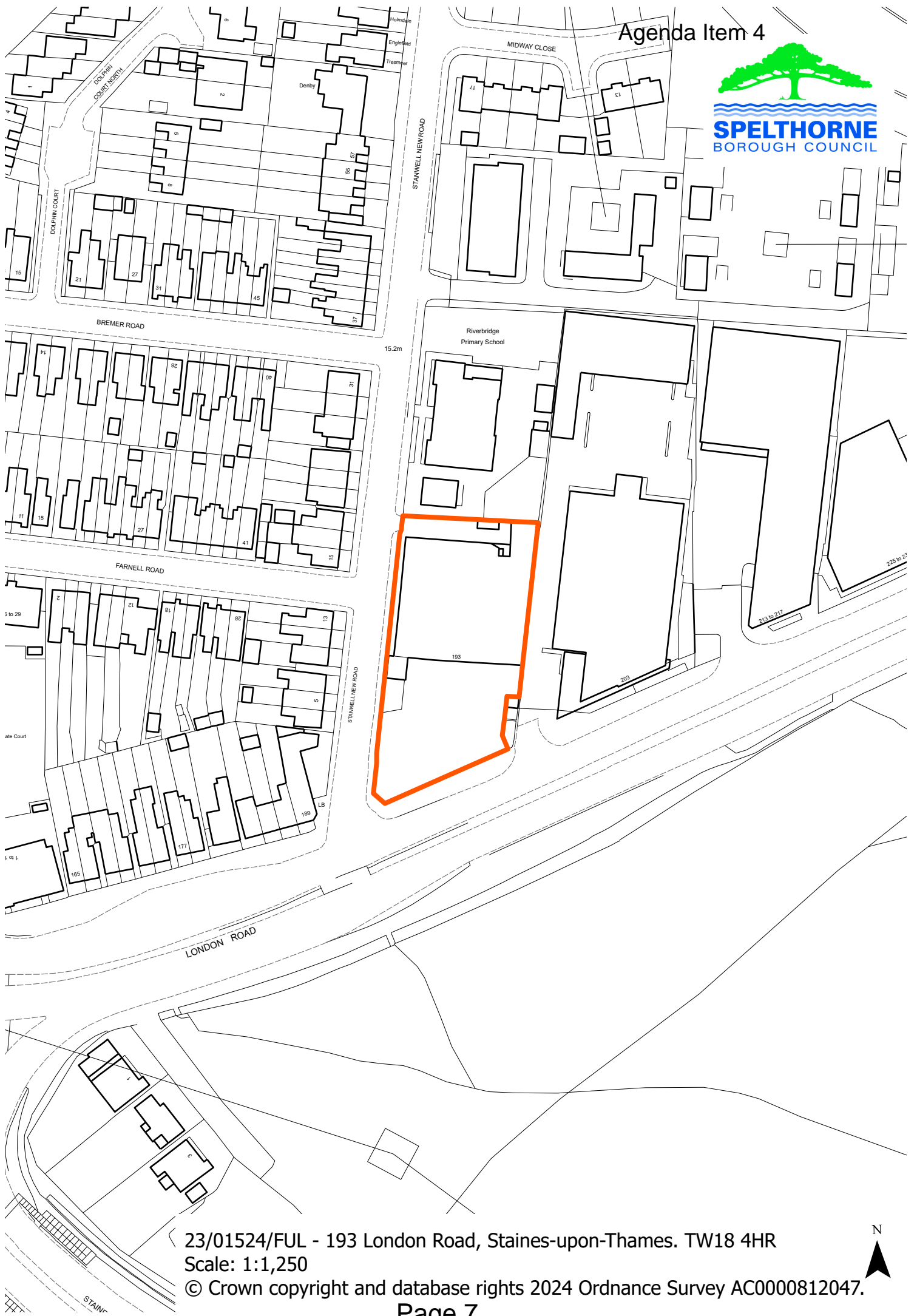
**The applicant is requested to not undertake any work to the hedging within the bird nesting season which is generally 1 March to 31 July (inclusive)**

**29/23 Major Planning Applications**

The Planning Development Manager submitted a report outlining major applications that may be brought before the Planning Committee for determination.

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

**The meeting ended at 19:11**



23/01524/FUL - 193 London Road, Staines-upon-Thames. TW18 4HR  
Scale: 1:1,250

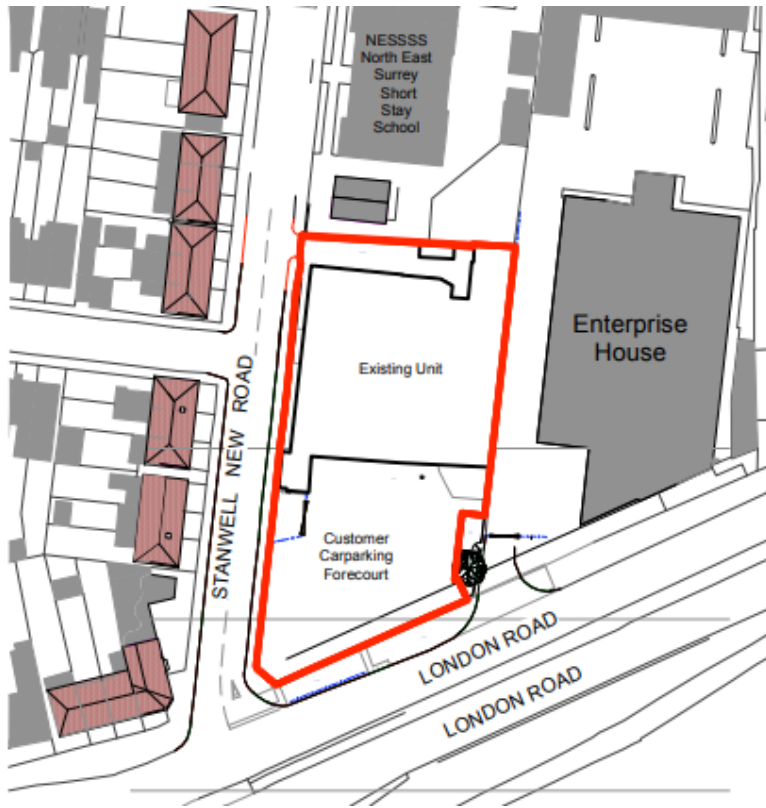
© Crown copyright and database rights 2024 Ordnance Survey AC0000812047.



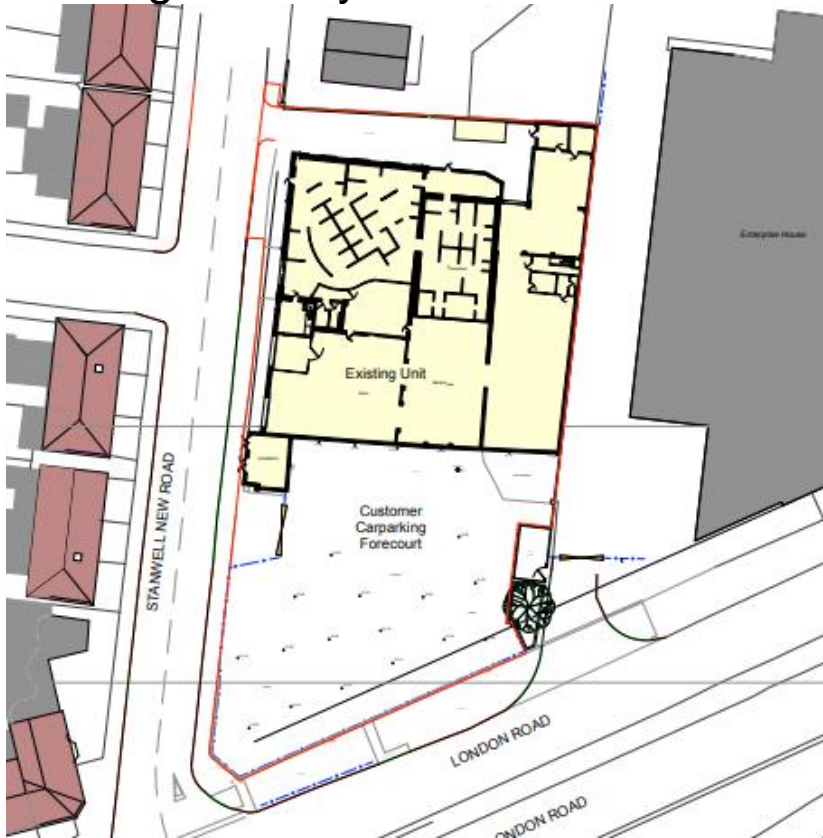
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## Location Plan



## Existing Site Layout

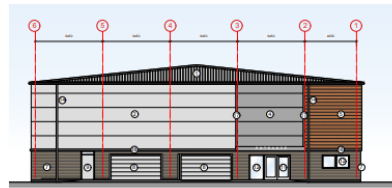




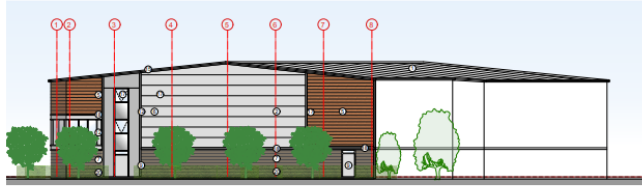
# Proposed Elevations



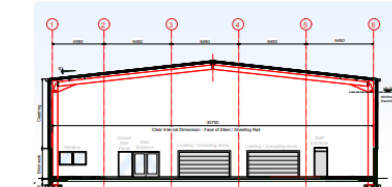
ELEVATION TO STANWELL NEW ROAD.



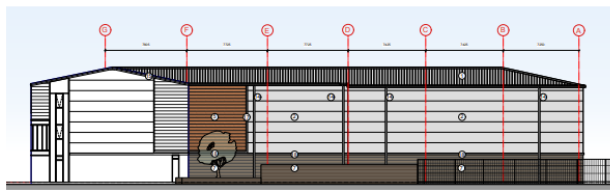
ELEVATION TO SERVICE YARD.



ELEVATION TO LONDON ROAD - A30.



TYPICAL CROSS SECTION.



EAST ELEVATION.

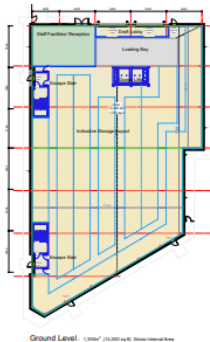


MATERIALS KEY:		Fixtures, Fittings and Rainwater Goods:	
<b>Roof:</b>		14. Painted Galvalume	Anthracite
1. Painted Galvalume	Compassing Grey	15. Painted Galvalume	Painted Steel Trim
2. Painted Galvalume	RAL 7013	16. Painted Galvalume	Painted Steel Trim
<b>Walls:</b>		17. Painted Galvalume	Painted Steel Trim
3. White - Horizontal Formed	Stone Grey	18. Painted Galvalume	Painted Steel Trim
Composite Panels	RAL 9005	19. Painted Galvalume	Painted Steel Trim
4. Painted Galvalume	White	20. Painted Galvalume	Painted Steel Trim
Painted Galvalume	RAL 7016	21. Painted Galvalume	Painted Steel Trim
5. White - Horizontal Formed	White		
Composite Panels	RAL 9005		
6. Infillion Timber	Dark Superfleck		
Cladding	10002 Apple Oak		
7. Painted Galvalume	Black Anthracite		
Cladding	RAL 7016		
8. Painted Galvalume	Black Anthracite		
Cladding	RAL 7016		
9. Painted Galvalume	Black Anthracite		
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12. Painted Galvalume	Black Anthracite		
Cladding	RAL 7016		
13. Painted Galvalume	Black Anthracite		
Cladding	RAL 7016		
<b>Roofs:</b>		<b>Boundary Treatments:</b>	
1. Painted Galvalume	Black Anthracite	1. Painted Galvalume	Black
Cladding	RAL 7016	2. Painted Galvalume	Black
2. Painted Galvalume	Black Anthracite	3. Painted Galvalume	Black
Cladding	RAL 7016	4. Painted Galvalume	Black
3. Painted Galvalume	Black Anthracite	5. Painted Galvalume	Black
Cladding	RAL 7016	6. Painted Galvalume	Black
4. Painted Galvalume	Black Anthracite	7. Painted Galvalume	Black
Cladding	RAL 7016	8. Painted Galvalume	Black
5. Painted Galvalume	Black Anthracite	9. Painted Galvalume	Black
Cladding	RAL 7016	10. Painted Galvalume	Black
6. Painted Galvalume	Black Anthracite	11. Painted Galvalume	Black
Cladding	RAL 7016	12. Painted Galvalume	Black
7. Painted Galvalume	Black Anthracite	13. Painted Galvalume	Black
Cladding	RAL 7016	14. Painted Galvalume	Black
8. Painted Galvalume	Black Anthracite	15. Painted Galvalume	Black
Cladding	RAL 7016	16. Painted Galvalume	Black
9. Painted Galvalume	Black Anthracite	17. Painted Galvalume	Black
Cladding	RAL 7016	18. Painted Galvalume	Black
10. Painted Galvalume	Black Anthracite	19. Painted Galvalume	Black
Cladding	RAL 7016	20. Painted Galvalume	Black
11. Painted Galvalume	Black Anthracite	21. Painted Galvalume	Black
Cladding	RAL 7016		
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Cladding	RAL 7016		

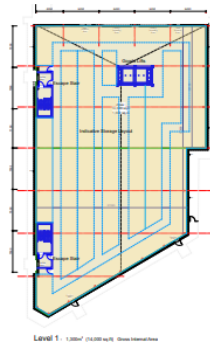
Proposed Development at Stanwell New Road, Slanes.
   
 Proposed Elevations
   
 Self-Serve LHM
   
 October 2023
   
 RL
   
 TJC
   
 3261

# Indicative Floor Plans

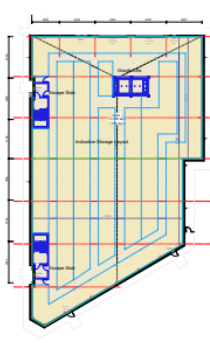
Layouts are Indicative Only



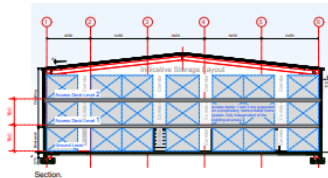
Ground Level - 1:200 (1:1000 scale) - Street/External Area



Level 1 - 1:200 (1:1000 scale) - Street/External Area



Level 2 - 1:200 (1:1000 scale) - Street/External Area



Section

Martin Land Midlands Ltd.
   
 Proposed Development at Stanwell New Road, Slanes.
   
 Indicative Filling Out Plan
   
 21st November 2023
   
 RL
   
 TJC
   
 3261

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# Planning Committee

## 18 September 2024



<b>Application No.</b>	23/01524/FUL
<b>Site Address</b>	193 London Road, Staines-upon-Thames
<b>Applicant</b>	Mr Stephen Prockter
<b>Proposal</b>	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>Case Officer</b>	Matthew Churchill
<b>Ward</b>	Staines
<b>Called-in</b>	N/A

<b>Application Dates</b>	Valid:29.01.2024	Expiry:09.05.2024	Target: Extension of Time Agreed
<b>Executive Summary</b>	<p>This application relates to 193 London Road, which is situated at the junction of Stanwell New Road and London Road. The site is currently occupied by a parking area to the south and a vacant industrial unit at the north of the site.</p> <p>The application proposes the demolition of the existing vacant trade counter and storage/industrial unit, and the construction of a new steel portal frame structure with insulated metal clad facades and brickwork plinth, for use as a self-storage facility. The application further proposes improvements to the existing vehicular access to the site from Stanwell New Road, the stopping up of other redundant accesses, and a service yard and car parking area for 13 cars.</p> <p>Following discussions with planning officers, the applicant has reduced of the size of the building in comparison to the original plans. The height at the ridge has been reduced from 13.9 metres to approximately 11 metres and the height of the eaves have been reduced from 12.3 metres to approximately 9.4 metres. The distance between the building and the Stanwell New Road boundary has also been increased by 1.55 metres.</p> <p>The applicant has also submitted an indicative floor plan, which in addition to the ground floor, shows a first and second floor deck level, with each containing 1300m<sup>2</sup> of floor space. The applicant did not initially show the first and second floor levels, and the plans are</p>		

	<p>indicative as mezzanine floors which can be installed without planning permission. However, officers requested that the plans were submitted in order to gain understanding of how the facility would operate.</p> <p>The application site is located within the designated London Road (North Side) Staines Employment Area and the proposals would increase employment floorspace at the site above the current 1255m<sup>2</sup> by 45m<sup>2</sup> on the ground floor, although this is likely to substantially increase with the first and second floors, which the indicative plans show would contain 1300m<sup>2</sup> on each floor. The proposals are therefore considered to be in accordance with the objectives of policy EM1.</p> <p>Officers consider that the reduced scale of the building compared with the original submission has an acceptable impact upon the character and appearance of the area in this designated employment area. The reduced height would also be in accordance with the Council's 25° guide which, whilst aimed towards residential development is considered to be a good guide and which measures whether to the front and rear of a property, a significant view of the sky would be lost. Additionally, officers do not consider that there would be an overbearing impact, or an adverse impact upon privacy of the occupiers of the dwellings located opposite the site in Stanwell New Road.</p> <p>The application would be in accordance with the Council's maximum Parking Standards and the applicant's submission documents state that in the weekday peak of 13.30pm, there are likely to be 3 cars parked at the site. Additionally, no objections have been raised by the County Highway Authority or National Highways.</p> <p>Overall, officers consider that the proposals would accord with the Council's policies and as such the application is recommended for approval.</p>
<p><b>Recommended Decision</b></p>	<p>Approve 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:
- SP3 (Economy and Employment Land Provision)
  - EM1 (Employment Development)
  - SP6 (Maintaining and improving the Environment)
  - EN1 (Design of New Development)
  - EN8 (Protecting and Improving the Landscape and Biodiversity)
  - EN11 (Development and Noise)
  - EN13 (Light Pollution)
  - EN15 (Development on Land Affected by Contamination)
  - CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
  - CC2 (Sustainable Travel)
  - CC3 (Parking Provision)
- 1.2 The policies contained within the National Planning Policy Framework (NPPF) (December 2023) are also relevant. The Governmental also published a draft revised NPPF in July 2024, which has not currently been adopted. The draft NPPF is given limited weight currently.
- 1.3 The Council's SPD on Climate Change (April 2024) is also relevant.
- 1.4 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.5 An Examination into the emerging Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved to request that the Planning Inspector pause the Examination for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the emerging Local Plan. After the three month pause the Council would decide what actions may be necessary before the Local Plan Examination should proceed.
- 1.6 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 Local Plan process forward.
- 1.7 On 14 September 2023, the Council considered a report following the deferral in June. The report listed three options; to continue with the local plan to include further work (especially on design codes), to request a further pause,

or to withdraw the local plan. On the day of the meeting, a letter was received from the Housing Minister stating that the Housing Secretary was directing the Council “not to take any step to withdraw the plan from examination...” The Council resolved to extend the pause in the Examination timetable until the proposed changes to the NPPF had been published before determining the next steps.

- 1.8 On 22 September 2023, the Inspector agreed to a further pause to the Examination and requested that the Council continue to address the issues that he identified in the first week of the Examination, in particular flood risk and its potential implications in relation to the site allocation and delivery strategy of the plan.
- 1.9 On 10 November 2023, the Environment Agency (EA) provided comments on Spelthorne’s Level 1 and Level 2 Strategic Flood Risk Assessment (SFRA) seeking additional information, amendments and updates to the assessment.
- 1.10 Following the Environment & Sustainability Committee meeting on 29 February 2024, it was resolved to propose, to the Planning Inspector, modifications to the emerging Local Plan, including the removal of all Green Belt site allocations, with the exception of two allocations that meet the need for Gypsy, Traveller and Travelling Showpeople, the removal of site allocations at high risk of flooding and to move some higher flood risk sites to the later plan period (years 11-15), and the withdrawal the Staines Development Framework as a core document.
- 1.11 On 19 March 2024 the Council published updated Level 1 and Level 2 SFRA. On 2 May 2024 the EA provided comments, including a request for additional clarification which was provided on 17 May 2024.
- 1.12 On 18 July 2024, Council considered a report into the resumption of the Local Plan Inquiry which had previously been agreed by the Corporate Policy and Resources Committee on 8 July 2024. The report set out the recent response from the Environment Agency, and the options for deciding whether or not Council agreed a request for further Main Modifications to the Local Plan in order to resume the Examination hearings and progress the Plan to adoption. Council agreed the option to progress the local plan and officers have now requested this from the Inspector.
- 1.13 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
  - ST1: Presumption in Favour of Sustainable Development.
  - ST2: Planning for the Borough.
  - PS2: Designing places and spaces.
  - E1: Green and Blue Infrastructure.
  - E2: Biodiversity.
  - EC1: Meeting Employment Needs.
  - Infrastructure and Delivery.
- 1.14 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).

- 1.15 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.
- 1.16 At this stage, the policies in the Pre-Submission Spelthorne Local Plan carry limited weight in the decision-making process. The adopted policies in the 2009 Core Strategy and Policies DPD carry substantial weight in the determination of this planning application.

## 2. Relevant Planning History

- 2.1 The site has the following planning history:

SPW/COU/87/447	Change of use from industrial to use as small office suites.	Granted 26.08.1987
94/00519/FUL	Two storey office development with part covered basement parking, vehicle access from Stanwell New Road	Granted 16.10.1995
97/00017/ADV	Erection of three externally illuminated signs.	Granted 23.07.1997
00/00539/REN	Renewal of planning permission PA/94/0519 for the erection of a two storey office development with part covered basement parking, vehicle access from Stanwell New Road	Granted 15.06.2001
01/00366/FUL	Demolition of existing buildings. Erection of a 2-storey building fronting London Road incorporating warehouse, showroom, trade counter & office space, & 3-storey office building to the rear, plus parking and new vehicular access points.	Granted 23.02.2006
06/00252/REN	Renewal of planning permission PA/00/0539 for the erection of a 2-storey office development with part covered basement parking (vehicle access from Stanwell New Road).	Granted 11.09.2007
08/00991/FUL	Erection of a building providing warehouse, showroom, trade counter, and ancillary office facilities,	Granted 01.04.2010

	accesses, plus segregated customer parking, staff parking and service area.	
11/01122/FUL	Change of Use of part of the site to car parking following demolition of existing redundant building	Granted 31.05.2012
11/01121/FUL	Demolition of a redundant building, alterations to external appearance of existing building and erection of 2.5m high palisade fencing to site boundary.	Granted 31.05.2012
13/00311/ADV	Display of two advertisement signs, one unlit fronting Stanwell New Road and one internally illuminated backlit sign fronting London Road	Granted 30.04.2013

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

- 3.1 The application site comprises an irregularly shaped plot that is some 2580m<sup>2</sup> in area. The site is situated at the junction of London Road and Stanwell New Road and is currently occupied by an industrial unit that is located at the north of the plot, together with a car parking area to the south.
- 3.2 It is relevant to note that the southern part of the site was previously occupied by a commercial building, which was demolished as part of planning permission 11/01121/FUL. The plot is currently accessed by vehicles from Stanwell New Road.
- 3.3 The western side of Stanwell New Road, situated opposite the application site, is residential in character and is typically occupied by two storey terraced dwellings, although there is some variation in dwelling types at the northern end of the road, including semi-detached dwellings.
- 3.4 Located immediately to the north of the site is Riverbridge Primary School, which is a Locally Listed Building. Situated to the north of the school is an electricity distribution site. Beyond the electricity site to the north are dwellings in Midway Close, and further properties in Stanwell New Road at Howard's Court.
- 3.5 The southern site boundary fronts onto London Road (A30). The properties to the east of the site are commercial in nature, including Enterprise House (203 London Road), which is a three-storey office building with parking at the rear, and a 'self-storage' building at no.213-217 London Road, which was granted planning consent in 2011 (11/00198/FUL).
- 3.6 Shortwood Common is located to the south of London Road opposite the application site, which is a Site of Special Scientific Interest (SSSI). The Staines Reservoirs, whilst not immediately adjoining the site, are located some 180 metres to the north-east, which form part of the London Water Bodies SPA and are also a Site of Special Scientific Interest.

- 3.7 The application site is also located within the London Road (North Side) Staines Employment Area. Additionally, the site is situated within a High-Pressure Pipeline Consultation Zone (Cadent).
- 3.8 The application proposes a self-storage facility that would be situated within a steel portal frame structure, and which would be constructed following the demolition of the existing buildings. The applicant has not stated who would operate the self-storage facility. The application form indicates that the site would be open 24 hours a day.
- 3.9 It should be noted that the applicant has reduced the scale of the proposed building in comparison to the scheme originally submitted, as officers raised concerns over the impact upon the character and appearance of the area and to residential amenity. The reduction has comprised an approximate 2.9 metre reduction in ridge height from 13.9 metres to 11 metres, as well as an approximate 2.9 metre reduction in eaves height.
- 3.10 Additionally, the applicant has also increased the separation distance of the building to the Stanwell New Road boundary by 1.55 metres.
- 3.11 The revised plans show that the building would measure approximately 9.4 metres to the eaves and 11 metres at the ridge. The plans also show the building would contain a ground floor area of 1300m<sup>2</sup>. An indicative floor plan has also been submitted, which shows that the building would contain first and second floor decking providing access to the upper storage levels. The indicative plans show that both upper levels would incorporate 1300m<sup>2</sup> floorspace. However, as mezzanine floors can be installed without planning permission, these plans are indicative.
- 3.12 There would be 13 parking spaces at the north of the site that would be accessed through Stanwell New Road. The site layout can be seen below:



#### 4. Consultations

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

Consultee	Comment
County Archaeological Officer	No archaeological concerns.
County Highway Authority	Recommends conditions and informatives.
National Highways	Recommends conditions.
Natural England	Recommends a Construction Environment Management Plan is secured by condition.
Surrey Wildlife Trust	Recommends consultation with Natural England and conditions.
Heathrow Safeguarding	Recommends an informative relating to cranes.
Lead Local Flood Authority (SUDs)	No objections subject to conditions.
Thames Water	No comments received.
Sustainability Officer	The proposal meets to the 10% renewable energy requirement.

<b>Heritage Advisor</b>	No objections.
<b>Environmental Health (Contamination)</b>	Recommends conditions & informatives.
<b>Environmental Health (Noise &amp; Lighting)</b>	Recommends conditions.

## 5. Public Consultation

5.1 The Council has received nine letters of representation in response to the initial consultation, which object to the proposals on the following grounds:

- The proposed building is virtually over 100% larger than the existing building (Officer Note: the size of the building has been reduced in comparison to the original submission, although it is acknowledged that the proposed building is larger than the existing).
- A similar business already exists nearby.
- The site should be used for residential accommodation (Officer Note: the site is located within a designated Employment Area)
- The lighting and signage will have an adverse impact upon residential amenity.
- Concerns relating to wildlife.
- The proposals will overshadow the community.
- The scheme will have an unacceptable impact upon natural light serving nearby properties (Officer Note: The size of the building has been reduced in comparison to the original plans).
- The proposals will impact office windows adjoining the site.
- The building at the proposed height will obscure views.
- Existing businesses park their cars on Stanwell New Road.
- Concerns that the existing building is Listed and cannot be demolished (Officer note: The existing building is not statutorily or locally Listed).
- If the building was the same height and in the same location as the existing building it would be more acceptable.
- Concerns over the proposed height of the building and potential opening times.
- There may be asbestos in the building (Officer Note: This is not a planning matter).
- The entrance to the building should be on London Road.
- Concerns over noise impacts upon surrounding properties.
- There may be impacts upon the value of surrounding properties (Officer Note: this is not a planning matter).
- There may be a loss of daylight.
- Views of the nearby common will be obscured.
- There will be increased road traffic and parking issues.
- The elevations are well over and above the existing building.
- The pitch is not in line with neighbouring properties and towers over surrounding dwellings.
- The proposal will impact traffic in surrounding roads.
- There will be an adverse impact upon existing on-street parking.
- Having parking at the rear of the building will cause a highway safety issue.
- Concerns over anti-social behaviour in Stanwell New Road.

- The surrounding roads are not large enough for large vans and lorries.
- Concerns of the neighbour notification process.
- The height will be out of character.
- Lighting on the proposed building will have an adverse impact upon surrounding dwellings.
- The proposal will cause air pollution.
- Concerns over the existing use of the site.
- The proposals will not comply with BRE guidelines (Officer Note: the scale of the building has been reduced in comparison to the original plans).
- Concerns over the noise impacts.

5.2 The Council re-notified the occupiers of neighbouring and adjoining dwellings following the submission of the reduced plans and the indicative floor plans. At the time of writing, two further letters of representation have been received, which object to the proposals on traffic, noise and height grounds, as the building would be an eyesore, pavement parking, the impact upon light.

## 6. Planning Issues

- The Staines Employment Area.
- The character of the area.
- Residential amenity.
- Parking & highways.
- SUDS.
- Biodiversity.
- Air Quality.
- Climate Change
- Archaeology.

## 7. Planning Considerations

### Employment Area

- 7.1 The application site is located in the London Road (North Side) Staines Employment Area in the Council's adopted local plan. The site is also shown to be located in Strategic Employment Area in the Council's Emerging Local Plan Policies Map.
- 7.2 Policy EM1 of the Council's Core Strategy and Policies Development Plan Document (CS&P DPD) (February 2009) states that the Council will maintain employment development by supporting in principle, employment development in the Council's designated Employment Areas.
- 7.3 The policy further states that the Council will refuse "*proposals that involve a net loss of employment land or floorspace in Employment Areas, unless that loss of employment land or floorspace forms part of a redevelopment that more effectively meets the needs for an existing business operating from the*

*site, or the loss of employment land is part of a mixed development that results in no net loss of employment floorspace, or it can clearly be demonstrated that maintenance of the existing levels of employment floorspace on the site is unsustainable or unviable in the long term”.*

- 7.4 In the notes section for policy EM1, it is clarified that employment development under this policy includes industry, offices, research and development, warehousing, retail, hotels and some leisure uses.
- 7.5 At paragraph 85, the NPPF states that planning policies and decisions should help create conditions in which businesses can invest, expand and adapt. The NPPF further states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. This remains unchanged at paragraph 83 of the draft NPPF.
- 7.6 The applicant’s submission documents state that the existing building has an existing gross internal floor space of 1255m<sup>2</sup>. The proposed building would incorporate a ground floor of 1300m<sup>2</sup> representing an increase in employment floorspace of 45m<sup>2</sup>. The indicative plans also show that the first and second floor decking areas would contain 1300m<sup>2</sup> on each floor, adding an additional 2600m<sup>2</sup> of internal floor space. However, it should be noted that the floor plans are indicated as mezzanine floors can be installed without planning permission.
- 7.7 The proposals would nevertheless increase employment floor space in this designated employment area and the scheme would therefore, generally, be in accordance with the objectives of policy EM1 and the NPPF.

#### Character and Appearance

- 7.8 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 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.
- 7.9 The NPPF states development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents.
- 7.10 Additionally, the NPPF states that planning decisions should ensure that developments function well and add to overall character 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 and surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

- 7.11 The National Design Guide (January 2021) states that well designed places are based on a sound understanding of the features of the site and the surrounding context, integrated into their surroundings so they relate to them, influenced by, and influence their context positively, and are responsive to local history, culture and heritage.
- 7.12 The application site is located on the eastern side of Stanwell New Road. The western side of the road is occupied by two-storey residential dwellings that are typically terraced, although there is a greater variety of dwelling types at the northern end of the road.
- 7.13 Immediately to the north of the site in Stanwell New Road is Riverbridge Primary School, which is a Locally Listed Building. Further to the north is an electricity distribution facility, two storey dwellings in Midway Close, and a two-storey residential building at Howard's Court.
- 7.14 Officers initially had concerns that the proposed building would have had an unacceptable impact upon that character of the area. This was because the proposed ridge height of 13.9 metres and eaves height of some 12.3 metres were considered to result in a building that was overly dominant and out of proportion within the street scene.
- 7.15 In response, the applicant has reduced the ridge height to some 11 metres and the eaves height to approximately 9.4 metres. The applicant has also increased the distance between the proposed building and Stanwell New Road by some 1.55 metres. The roof design has also been revised.
- 7.16 As a result of the reduced height, together with the increased distance to the Stanwell New Road Boundary, it is considered that the proposal would have an acceptable scale in the context of the Stanwell New Road street scene. Officers do not consider that the building at the reduced scale would be over dominant or visually overbearing. Moreover, the application site is located within a designated employment area, and a commercial building in this location would not be out of character.
- 7.17 The building would also be visible from London Road. The section of London Road located to the west of the site on the opposite site of Stanwell New Road, is predominantly residential and is largely occupied by two-storey semi-detached dwellings.
- 7.18 The buildings in London Road situated to the east of the site are predominantly commercial, including Enterprise House at No. 203 London Road, and a self-storage building at no.213-217 London Road. When measured from elevation plans submitted with previous planning applications at Enterprise House, whilst the building is set over differing levels, the highest part of the building located toward the rear, measures approximately 13.9 metres in height (16/00613/FUL).
- 7.19 The building located at No .213-217 London Road measures a maximum height of 14.2 metres, although the third floor measuring this height is set back some 48 metres from the front elevation. The front element of this building measures some 9.3 metres in height.



- 7.20 In the context of surrounding properties, the application building is also considered to have an acceptable visual impact upon London Road. Officers therefore considered that the proposals would be in accordance with the objectives of policy EN1 and Section 12 of the NPPF in terms of the impact upon the character of the area.
- 7.21 The elevation plans show that the building would incorporate a mixture of materials, including steel and timber cladding, which adds interest to the overall design of the scheme. The plans also show that landscaping would be contained between the building and the Stanwell New Road and London Road highways, which is considered to make a positive contribution to the street scene.

#### Locally Listed Building

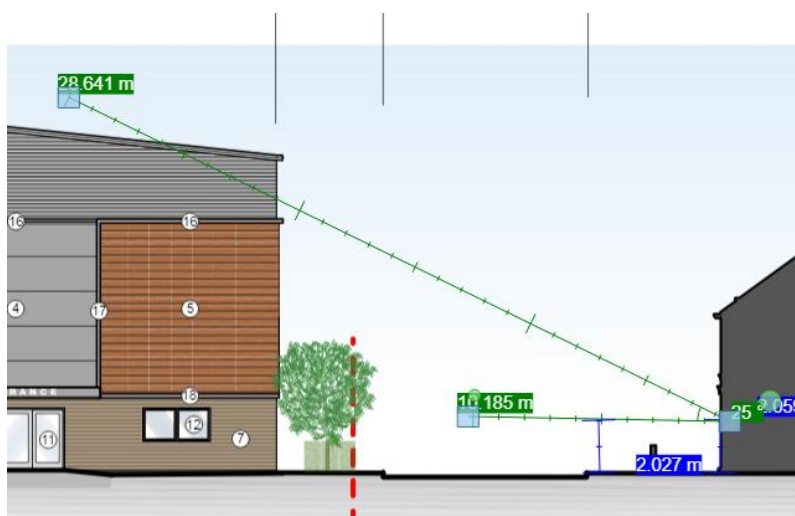
- 7.22 Policy EN5 of the CS&P DPD states that the Council will seek to preserve architectural heritage by encouraging the retention of buildings of local architectural or historic interest and seeking to ensure that their character and setting is preserved in development proposals.
- 7.23 Riverbridge Primary School, which is situated to the north of the application site is a Locally Listed Building. The Council's Heritage Advisor has been consulted and has commented that the redevelopment of this site would not harm the setting of the Locally Listed Building to the north. As such, the proposal is considered to be in accordance with the objectives of policy EN5 in this regard.
- 7.24 It is noted that the Local Planning Authority (LPA) has received a letter of representation which states that the existing building on the application site is Listed. However, it has been confirmed that the existing building is not a Statutory Listed Building or a Locally Listed Building.

#### Residential Amenity

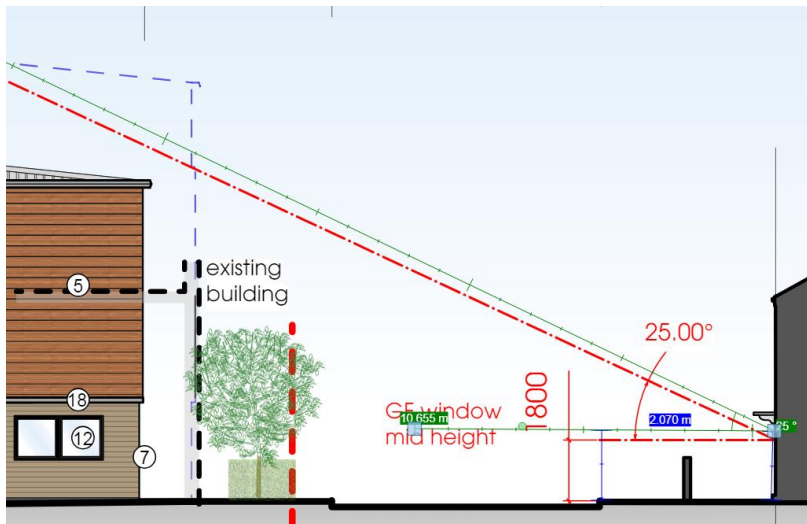
- 7.25 Policy EN1 of the CS&P DPD states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.26 The NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible with a high standard of amenity of existing and future users.
- 7.27 On the basis of the original plans, officers were concerned that the proposals would have had an unacceptable impact relationship with dwellings opposite the site at no's. 3-15 Stanwell New Road.
- 7.28 The building proposed in the applicant's original plans would have measured some 12.3 metres in height at the eaves and 13.9 metres at the ridge. When

measured from the residential dwellings situated opposite the site on Stanwell New Road, there would have been a breach of the Council's 25° guide.

- 7.29 The 25° guide which is set out in paragraph 3.21 in the Council's SPD on the *Design of Residential Extensions and New Residential Development* (April 2011), is designed to ensure that in the area to the front and rear of a property, no extension or new dwelling is so close that a significant view of the sky is lost. It is acknowledged that the 25° is applicable to residential development rather than commercial proposals. However, it provides useful guidance in determining whether a scheme would have an acceptable impact upon nearby properties. The applicant's daylight/sunlight assessment also indicated that with the original scheme there would be shortfalls in BRE (Building Research Establishment) guidelines. The breach of the 25° guidance in the original plans is shown below:



- 7.30 In the revised plans, the eaves height has been reduced from 12.3 metres to 9.4 metres, and the ridge height has been reduced from 13.9 metres to 11 metres. The applicant has also relocated the building so that it is situated 1.55 metres further from the boundary with Stanwell New Road. As a result of the reduced height and relocation, the scheme would no longer breach the Council's 25° guidance, as shown in the image below (note the applicant's measurement in red, is taken from 1.8 metres above ground level, whereas the Council's measurement in green is based upon the SPD on design which states the measurement should be taken at 2 metres):



- 7.31 The revised plans show there would no longer be a breach of the Council's 25° it is considered that the proposal would have an acceptable impact upon the light serving dwellings opposite the site.
- 7.32 The applicant has also commented that the proposed building now falls within the 25° benchmark test - as set out in Clause 2.2.5. of the BRE Guide for Sunlight / Daylight - relative to the buildings opposite.
- 7.33 As a result of the reduced eaves and ridge height and as the applicant has increased the distance of the building from the Stanwell New Road by 1.55 metres, (some 18-19 metres to properties on the opposite site of Stanwell New Road), officers do not consider that the proposal would result in an overbearing impact. The siting of the highway of Stanwell New Road is also considered to mitigate any adverse impacts in this regard.
- 7.34 The application also proposes first and second floor windows in the Stanwell New Road elevation. As the windows would be some 18-19 metres from dwellings located opposite the site and the highway of Stanwell New Road is located between, it is considered that the proposal would have an acceptable impact upon privacy.
- 7.35 It is noted that the Council has received a letter of representation, which raises concerns over the impact of the scheme upon the adjoining office windows at Enterprise House. When measured from the applicant's plans there would also be a separation distance of approximately 12.7 metres, which is considered to result in an acceptable impact upon the occupiers of this property.
- 7.36 The scheme is also considered to have an acceptable impact upon all further properties in the surrounding locality.
- 7.37 The proposal is therefore considered to be in accordance with the objectives policy EN1 and the NPPF in amenity terms.

#### Parking & Highways

- 7.38 Policy CC2 of the CS&P DPD states that “*The Council will seek to secure more sustainable travel patterns by... (d) only permitting traffic generating development where it is or can be made compatible with transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements including servicing needs; (ii) capacity of the local transport network (iii) cumulative impacts including other proposed development; (iv) access and egress to the public highway; and (v) highway safety*”.
- 7.39 Policy CC3 of the CS&P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.
- 7.40 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. The draft NPPF states that development should only be prevented or refused if the impacts upon the road network would be severe in all tested scenarios.
- 7.41 The Council’s Parking Standards (Supplementary Planning Guidance) SPG states that a B8 unit that is used solely for storage, should have a maximum of 1 parking space per 100m<sup>2</sup> of internal floor space. On this basis the ground floor plan there would be a maximum requirement of 13 spaces, and the proposal would be in accordance with the Council’s guidelines.
- 7.42 If the first and second floor decking levels shown indicative floor plans were implemented, the development would normally be expected to provide a maximum of 39 off street parking spaces. As this is applied as a maximum and not a minimum, if the first and second floors were installed, the proposal would comply with the Council’s maximum Parking Standards.
- 7.43 The applicant’s Transport Assessment states that car parking demand at the site is predicted to peak at 13.30pm on weekdays, with an accumulation of 3 vehicles, resulting in a minimum space capacity of 8 spaces at any one time. The applicant has also confirmed in writing that this figure would remain applicable should the indicative decking levels be installed.
- 7.44 In terms of Trip Generation, the applicant’s Transport Assessment indicates that the existing use currently generates 1340 two-way trips, which would reduce to 52 two-way trips as a result of the proposed use (increasing to 57 taking into account the indicative first and second floor plans). The applicant has also indicated that the site layout and access is not designed to accommodate an articulated HGV, and the largest vehicle likely to enter the site being a 7.5 tonne box van.
- 7.45 The applicant has also submitted a transport addendum detailing the impact of the indicative floors, which has been reviewed by the County Highway Authority (CHA). The CHA commented that there is a negligible difference between trips during peak periods (as a result of the additional floors). The CHA also commented that the applicant has sufficiently demonstrated that the number of trips to the development would be significantly lower than the extant

land use. The CHA further stated “*The operational characteristics of the proposed development are such that there would be low staffing levels, a larger proportion of trips outside network peak hours, whilst it should be noted that self-storage sites tend not to experience intense usage by their customers*”.

- 7.46 As the proposal would be in accordance with the Council’s maximum parking standards, and as trip generation at the site is predicted to significantly fall as a result of the proposed use, it is considered that the works would be in accordance with the objectives of policy CC2, CC3 and the NPPF in parking and highways terms.
- 7.47 The LPA also consulted National Highways which raised no objections subject to conditions.

#### Noise

- 7.48 Policy EN11 of the CS&P DPD states that the Council will seek to minimise adverse impacts of noise by requiring developments that generate unacceptable noise levels to reduce noise to an acceptable level.
- 7.49 The proposal has been reviewed by the Council’s Environmental Health Department, which has recommended that a condition is imposed upon the decision notice requiring the rated noise level from plant to be at least 10 dB(A) below background noise levels at the nearest sensitive property.
- 7.50 There may be some additional noise and disturbance as a result of vehicles accessing the site 24 hours a day. However, given the relatively low trip generation for this use, outlined in the applicant’s transport and the nature of the use, officer’s do not consider that this would cause sufficient harm to reasonably justify a recommendation for refusal.

#### Lighting

- 7.51 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. The Council’s Environmental Health Officer has been consulted and has raised no objections, subject to a condition being imposed upon the decision notice.

#### Climate Change

- 7.52 Policy CC1 of the CS&P DPD states that the Council will support the provision of renewable energy by requiring development involving new buildings to include measures to provide 10% of the developments energy through on-site renewable sources, unless it can be shown that it would seriously threaten the viability of the development.
- 7.53 The applicant has submitted a Renewable Energy Statement that has been reviewed by the Council’s Sustainability Officer, who has confirmed that the 10% requirement would be met. The proposal is therefore considered to be in accordance with policy CC1.

- 7.54 The Climate Change Supplementary Planning Document (SPD) was adopted by the Council in April 2024. It provides more detailed guidance to applicants on how to implement adopted Policy SP7 from the Core Strategy 2009. Policy SP7 seeks to reduce climate change effects by:
- a) promoting inclusion for renewable energy, energy conservation and waste management in new and existing developments*
  - b) development reduces the need to travel and encourages alternatives to car use*
  - c) encourage non car-based travel,*
  - d) promoting the efficient use and conservation of water resources,*
  - e) promoting measures to reduce flooding and the risks from flooding,*
  - f) supporting measures to enhance and manage Staines' role as a public transport interchange.*
- 7.55 There are also three implementation policies; Policy CC1: Renewable Energy Conservation and sustainable Construction, Policy CC2: Sustainable Travel and Policy CC3: Parking provision.
- 7.56 There are also other key documents supporting action on climate change; the NPPF 2023 chapter 14 "*Meeting the challenge of climate change*", the *National Model Design Code and Spelthorne Borough Council's Climate Change Strategy 2022 – 2030*.
- 7.57 A climate change checklist has been submitted with this application, in accordance with the new SPD requirements. This checklist shows that the applicant has considered the following factors: an energy statement considering renewable energy measures, the roof structure is designed to fit PV panels, travel and transport, the building will be constructed using recycled materials, they have considered wildlife by increasing soft landscaping, and they will include bat bricks and bird boxes.
- 7.58 Overall, the scheme performs against the Council's SPD and climate change policies. Subject to a condition to secure that the development is carried out in accordance with the climate change checklist (in the event that planning permission is granted), the application accords with the expectations of the policies.

### Biodiversity

- 7.59 Policy EN8 of the CS&P DPD states that the Council will seek to protect and improve landscape and biodiversity in the borough.
- 7.60 It is relevant to note that the application was submitted before National Biodiversity Net Gain requirements came into effect. Nevertheless, given the sites proximity to Shortwood Common SSSI and the Staines Reservoirs, which forms part of the London Water Bodies SPA and is also a SSSI, both the Surrey Wildlife Trust (SWT) and Natural England were consulted.
- 7.61 The SWT reviewed the applicant's submission documents including the Ecological Impact Assessment, and commented on lighting, demolition and

recommended that an ecological enhancement plan and construction environment management plan are secured by condition.

- 7.62 Natural England also recommended that given the sites proximity to Staines Moor and Staines Reservoirs, that a construction environment management plan is secured by condition. Subject to the proposed conditions, the proposal is considered to be in accordance with the objectives of policy EN8.

#### Flooding

- 7.63 The application site is situated outside of the flood event areas. As such the proposal is considered to have an acceptable impact upon flood flows and flood storage capacity and would be acceptable in this regard.

#### SUDS

- 7.64 The proposal has been reviewed by the County SUDs department which initially requested further information. The application submitted further details, which have been reviewed by the County SUDs Department, which has raised no objections subject to conditions.

#### Contamination

- 7.65 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.
- 7.66 The application has been reviewed by the Council's Environmental Health Department, which having reviewed the applicant's submission documents has recommended that a condition is attached to the decision notice. Further conditions are also requested in relation to demolition.

#### Air Quality

- 7.67 Policy EN3 of the CS&P DPD states that the Council will seek to improve the air quality of the Borough and minimise harm to air quality by amongst other things supporting measures to encourage non-car based modes of travel and supporting measures to reduce traffic congestion where it is a contributor to existing area of poor quality.
- 7.68 The Council's Environmental Health Department has reviewed the applicant's Air Quality Assessment and has raised no objections although has recommended a condition in relation to bike storage.

#### Archaeology

- 7.69 London Road situated at the front of the application site is a Site of High Archaeological Potential. The County Archaeological Officer has been consulted and has raised no archaeological concerns, noting that the site is under the 0.4ha area required by the Spelthorne Local Plan for larger applications to need to consider the impact upon heritage assets.

#### Heathrow Safeguarding

- 7.70 The LPA has consulted Heathrow Safeguarding, which has raised no objections subject to an informative relating to Cranes.

#### Financial Considerations

- 7.71 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. The proposal may generate business rates which is not a material consideration in the determination of this proposal.

#### Equalities Act 2010

- 7.72 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:

- 7.73 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

- 7.74 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.75 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.



- 7.76 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

- 7.77 The application proposes an increase in employment floorspace in the designated London Road (North Side) Staines Employment Area in accordance with the objectives of policy EM1 and the NPPF.
- 7.78 Officers consider that the reduced ridge and eaves height and increased distance to the boundary result in the proposals having an acceptable impact upon the character of the area and the amenity of neighbouring dwellings. The proposal are also considered to have an acceptable impact upon parking provision the highway. The proposal would therefore be in accordance with the objectives of local policies and national guidance.

## **8. Recommendation**

- 8.1 APPROVE subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans PL 202 Rev F, PL101 Rev B, PL203 Rev D, PL404 Rev B, PL 403 Rev F (Received 17.07.2024) Location Plan, PL 401, PL 402, PL 201 Rev A (Received 12.12.2024).

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) and surface material for parking areas 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. Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s)/use is/are occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

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

5. Following construction of any groundwork and foundations, no construction of development above damp course level shall take place until a report is submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained.

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

6. No part of the development shall be first opened for trading unless and until the proposed modified vehicular access to Stanwell New Road has been constructed and provided with visibility zones in general accordance with the approved plan (dwg no. PL403 - rev F) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

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.

7. The development hereby approved shall not be first opened for trading unless and until the existing dropped kerb along the frontage of the site to Stanwell New Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

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.

8. The development hereby approved shall not be first opened for trading unless and until space has been laid out within the site in accordance with the approved plan (dwg no. PL403 - rev F) 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 purposes.

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 facilities for the secure, lit and covered parking of bicycles have been provided within the development site in accordance with a scheme submitted and approved by the Local Planning Authority. Thereafter the said approved facilities shall be provided, 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.

10. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) vehicle routing
  - (e) measures to prevent the deposit of materials on the highway
  - (f) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented during the construction of the development.

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.

11. No development shall take place until:-

- (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.
- (ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications.

The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.

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

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

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

NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.

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

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

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

NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.

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

13. The rated noise level from the plant hereby approved shall be at least 10 dB(A) below the background noise level at the nearest noise sensitive property as assessed using the guidance contained within the latest BS 4142 (2014).

Reason:- To safeguard the amenity of nearby residential properties

14. Prior to the commencement of development, full details of new drainage and its location shall be submitted to and approved in writing the Local Planning Authority (in consultation with National Highways). The

development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or into any drainage system connected to the Strategic Road Network. No drainage connections from any part of development hereby permitted may be made to any Strategic Road Network drainage systems.

Reason:-. In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development (paragraph 59).

15. Prior to commencement of the development a construction environmental management plan (CEMP) shall be submitted and approved in writing by the Local Planning Authority. The proposal shall then be constructed in accordance with the approved details.

Reason:-. To ensure construction impacts do not adversely affect the integrity of Staines Moor SSSI.

16. 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.

17. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.2l/s.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

c) Details of drainage management responsibilities and maintenance regimes for the drainage system.

d) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason:- To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

18. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason:- To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

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

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development. In accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

20. Prior to the occupation of the development hereby permitted, the sustainability measures proposed in the supporting Climate Change Checklist shall be incorporated into the design of the development and/or site layout as relevant. Thereafter the approved sustainability measure shall be retained and maintained.

Reason:- To ensure sustainability measures are taken into account in the development in accordance with policies SP7, CC1, CC2 and CC3 of the Spelthorne Core Strategy and Policies DPD 2009 and the Climate Change SPD, April 2024.

21. Prior to the occupation of the building(s) hereby permitted details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed

external lighting shall be implemented prior to the occupation of the building(s) and shall at all times accord with the approved details.

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

22. The development hereby approved shall not be occupied unless and until at least 50% of all available parking spaces are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with the approved plans 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.

### Informatives

1. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/> To apply for future crane permits, please follow the link via CAA website: Crane notification | Civil Aviation Authority (caa.co.uk).
2. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater. 3 If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.
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.

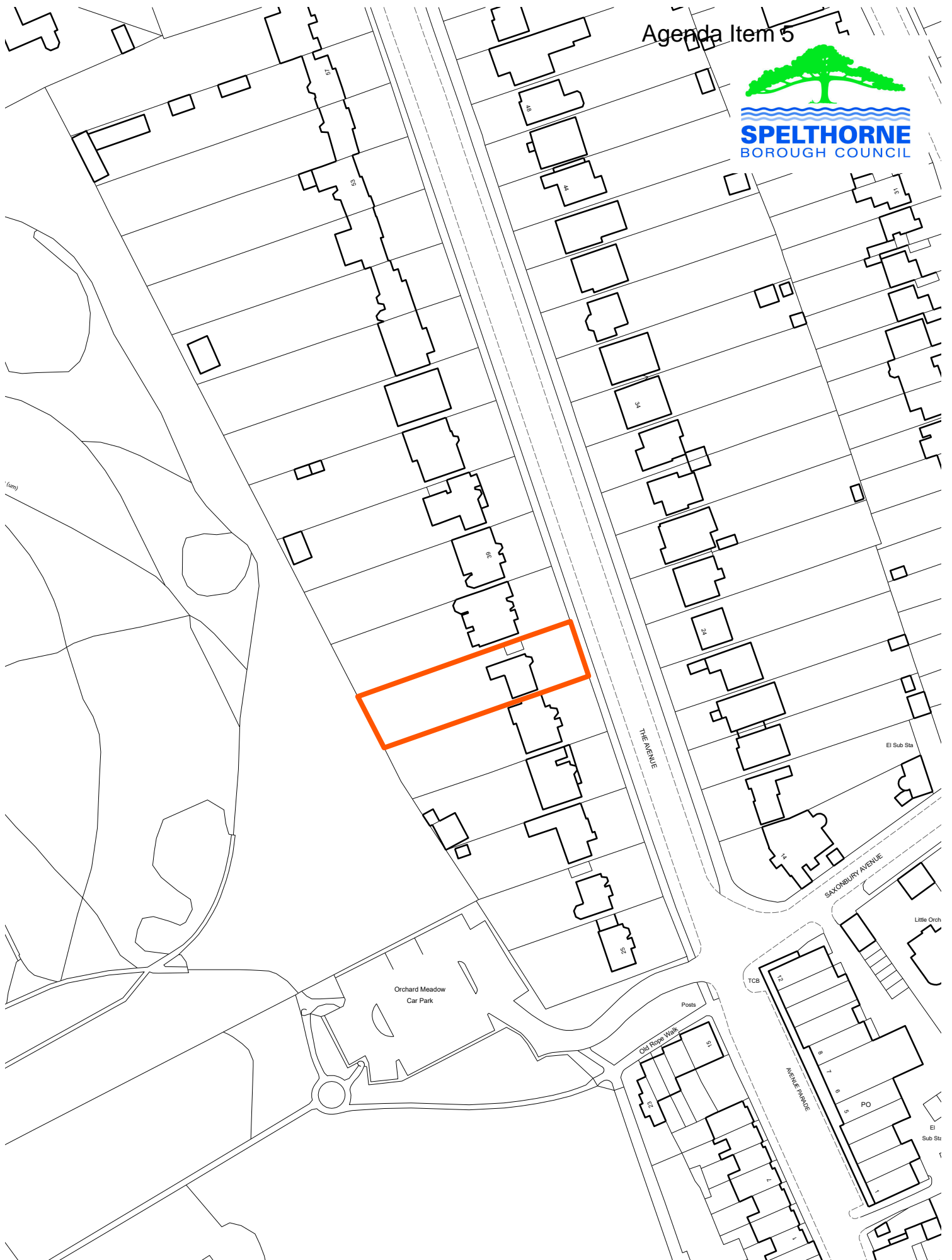
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
5. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management/permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice)
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.



8. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
9. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
  - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
  - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
  - (c) Deliveries should only be received within the hours detailed in (a) above;
  - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
  - (e) There should be no burning on site;
  - (f) Only minimal security lighting should be used outside the hours stated above; and
  - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway. Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - [www.ccscheme.org.uk/index.php/site-registration](http://www.ccscheme.org.uk/index.php/site-registration).
10. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as: (a) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme; (b) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them; (c) the arrangements that will be in place to ensure a reasonable telephone response during working hours; Spelthorne Borough Council, Council Offices, Knowle Green, Staines-upon-Thames, TW18 1XB [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) (d) the name and contact details of the site manager who will be able to deal with complaints; and (e) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the

standards set by the Considerate Constructors Scheme  
(<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

## **Appendices:**

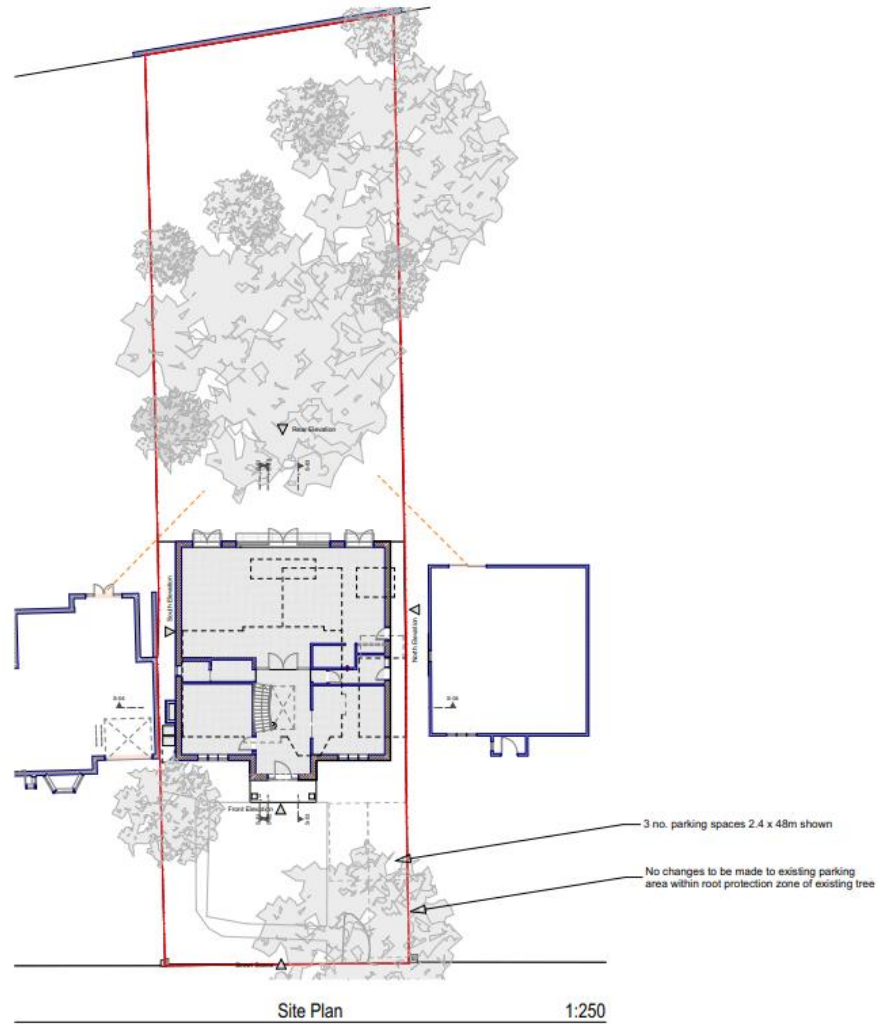


24/00369/FUL - 35 The Avenue, Sunbury on Thames. TW16 5HY  
Scale: 1:1,250

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## Proposed Site Plan

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This drawing must not be used on site unless issued for construction.

Do not scale from this drawing. All dimensions to be site checked and verified. Any deviations to be reported and confirmed, if in doubt ask.

No encroachment is permitted over adjoining neighbour's boundary without prior written agreement between both parties. True line of boundary and ownership to be established on site.

Neighbouring properties have not been surveyed.

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A	22.03.24	PLANNING	HAB
B	30.04.24	PLANNING	HAB
C	10.05.24	PLANNING	HAB
D	30.05.24	PLANNING	HAB



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 Sunbury-on-Thames  
 TW16 6AF

Job Title  
**35 The Avenue  
 Sunbury  
 TW16 5HY**

Drawing Name  
**Proposed Site Plan**

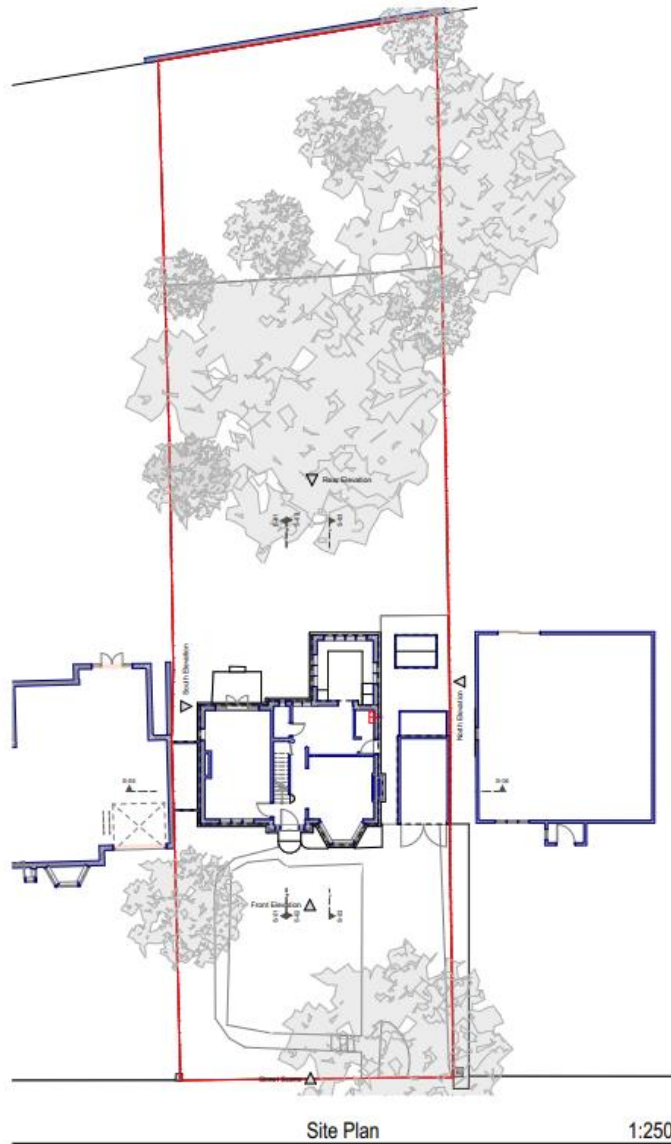
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## Existing Site Plan

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Revision

**2023/18/PE01**

**A**

**Existing Front and Rear Elevations**



Front Elevation 1:100



Rear Elevation 1:100

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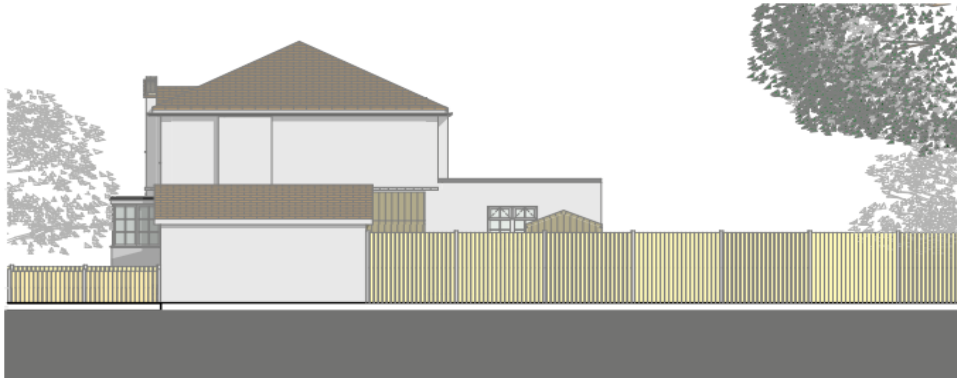
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**Existing Flank Elevations**



North Elevation

1:100



South Elevation

1:100

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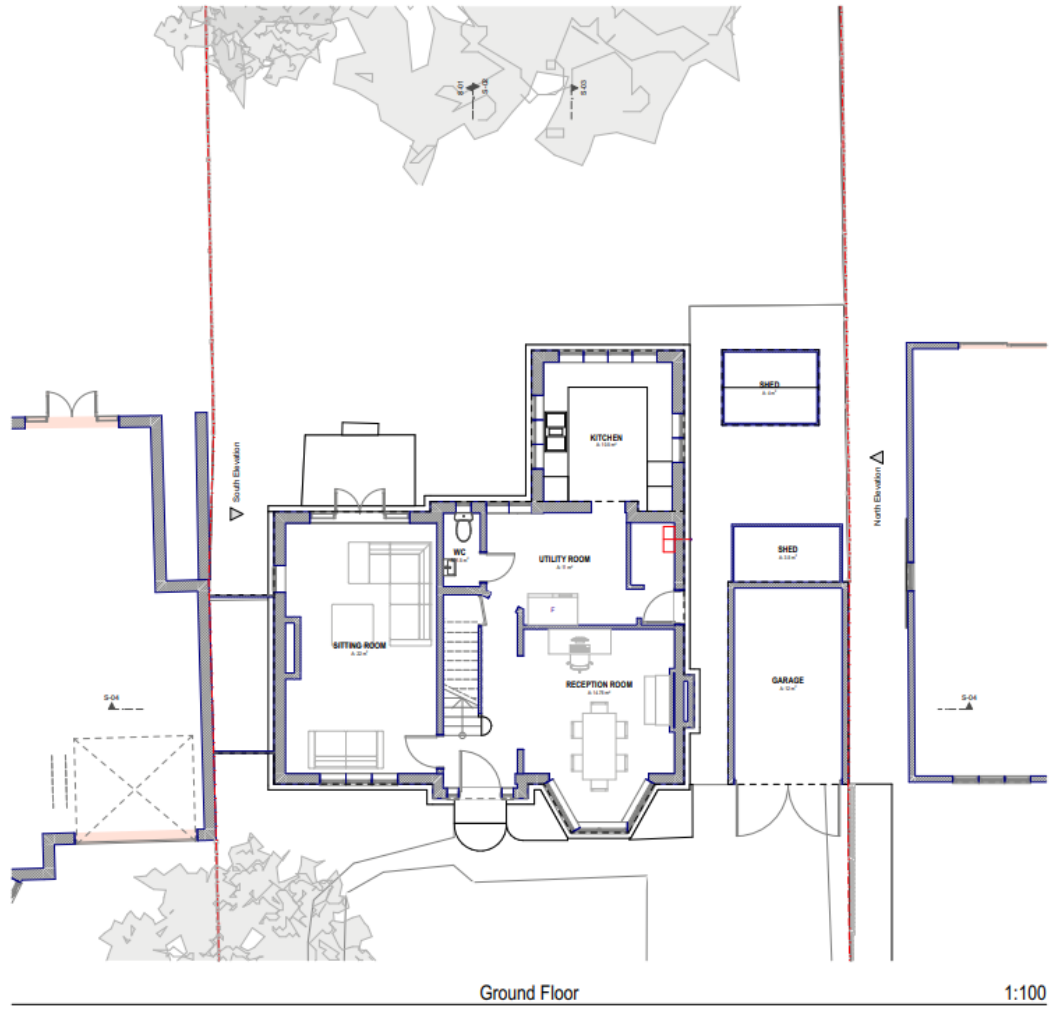
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**2023/18/PE06 A**



**Existing Ground Floor Plan**



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Job Title  
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Drawing Name  
**Existing Ground Floor  
 Plan**

Drawing Status  
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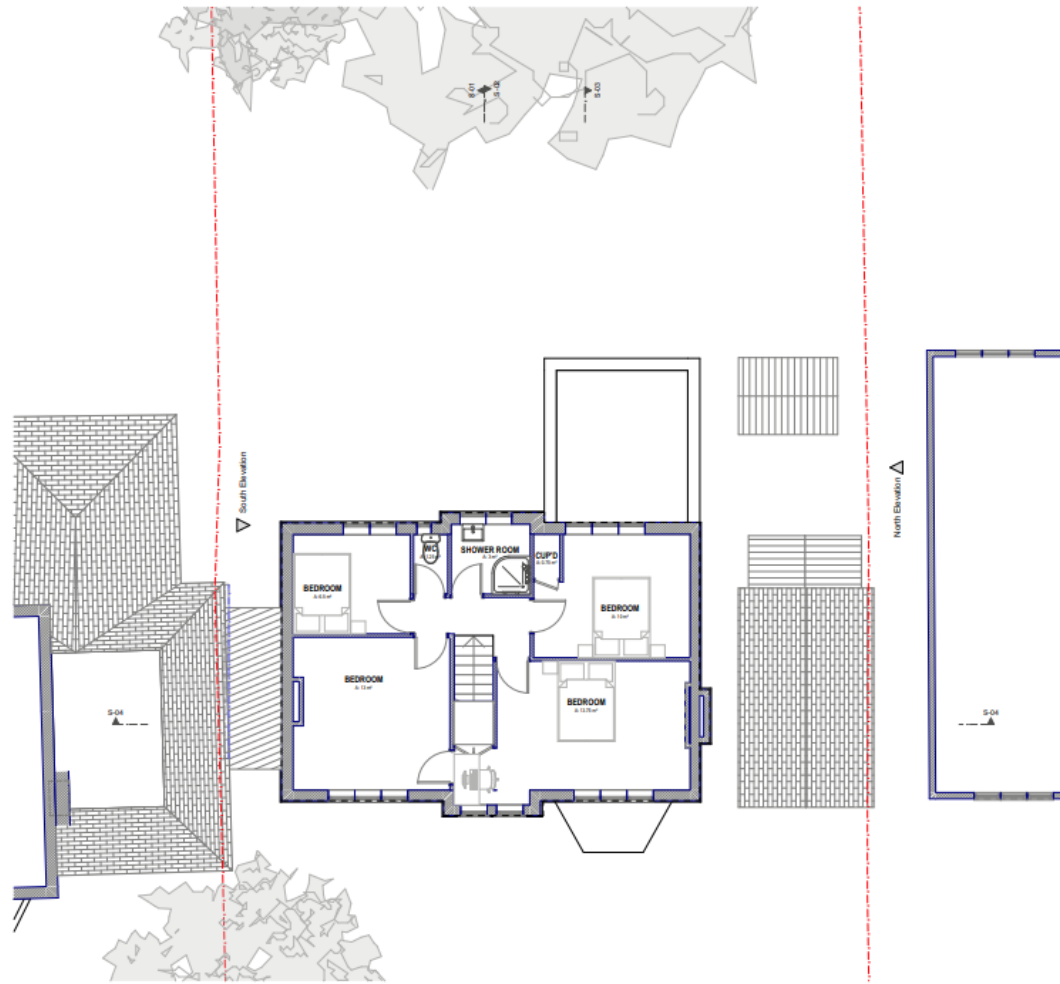
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**2023/18/PE02 A**

Ground Floor 1:100

**Existing First Floor Plan**



First Floor

1:100

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**35 The Avenue  
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 TW16 5HY**

Drawing Name  
**Existing First Floor Plan**

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**Proposed Front and Rear Elevations**



Front Elevation 1:100



Rear Elevation 1:100

- Key**
1. Dashed lines indicate outlines of existing
  2. Painted double glazed aluminium/ timber casement windows with detailing
  3. Double glazed PPC aluminium windows and doors with stone head
  4. Red/brown clay roof tiles

**Notes**

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 TW16 6AF

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 Sunbury  
 TW16 5HY**

Drawing Name  
**Proposed Elevations I**

Drawing Status  
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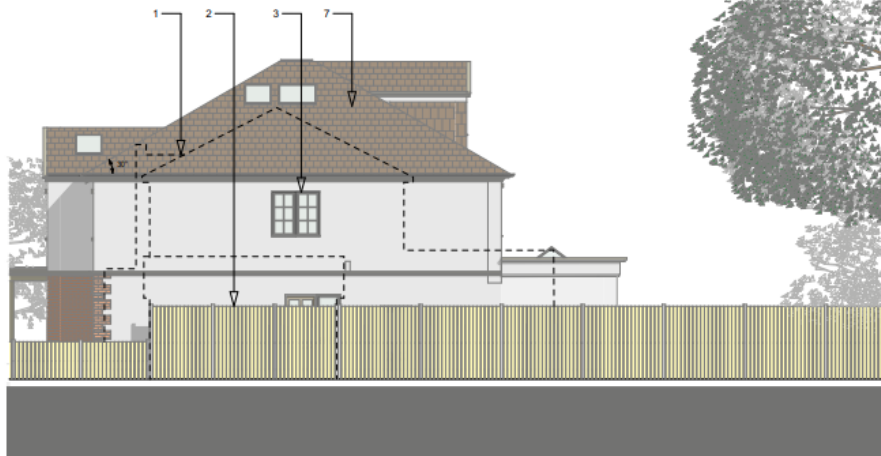
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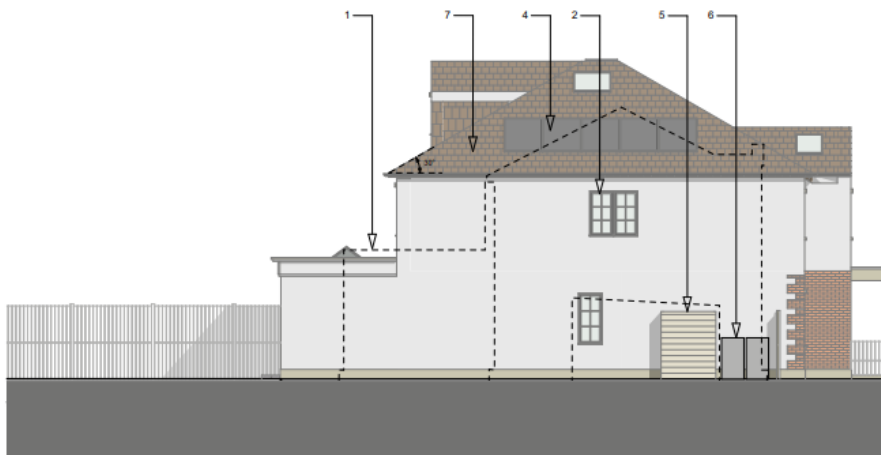
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**2023/18/PP06 C**

## Proposed Flank Elevations



North Elevation

1:100



South Elevation

1:100

- Key**
1. Dashed lines indicate outlines of existing
  2. Fence to be infilled to match existing adjacent fence
  3. Double glazed PPC aluminium windows and doors
  4. PV panels
  5. Air Source Heat Pump within acoustic enclosure/ screening
  6. Proposed location of wheelie bins accessible via timber gate to front
  7. Red/brown clay roof tiles

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Drawing Name  
**Proposed Elevations II**

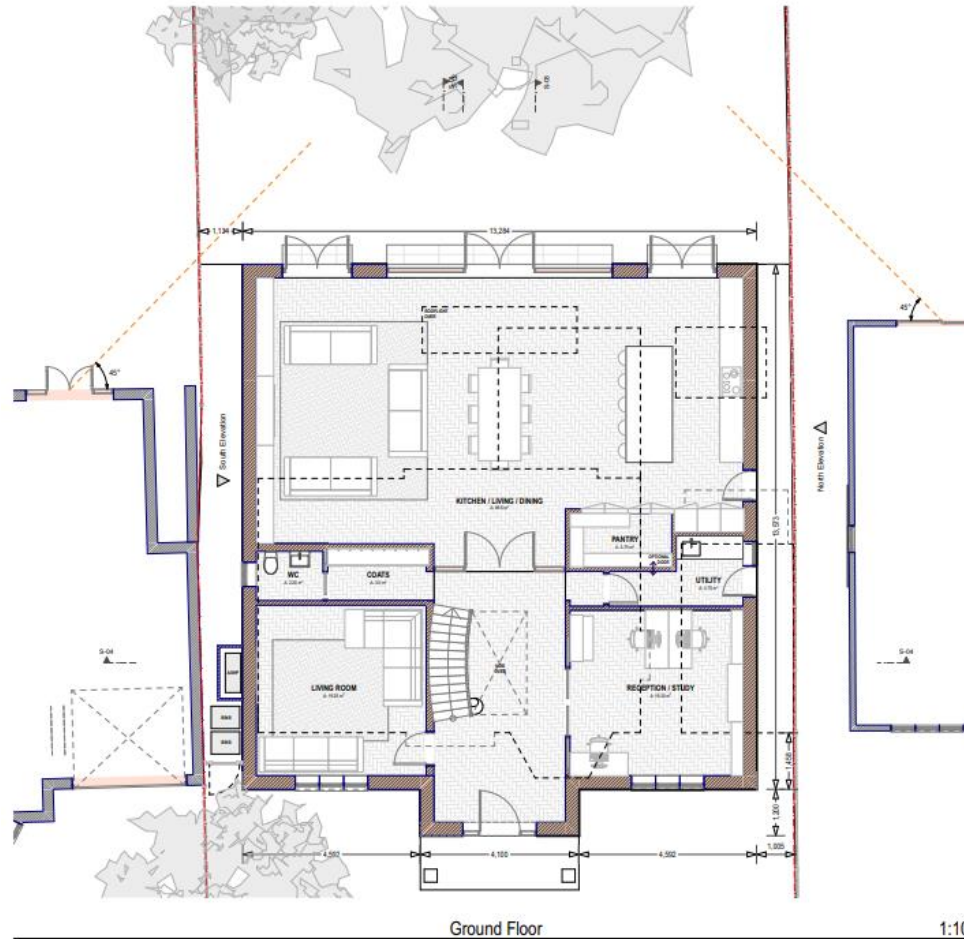
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## Proposed Ground Floor

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**Job Title**  
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 TW16 5HY

**Drawing Name**  
 Proposed Ground Floor  
 Plan

**Drawing Status**  
 PLANNING

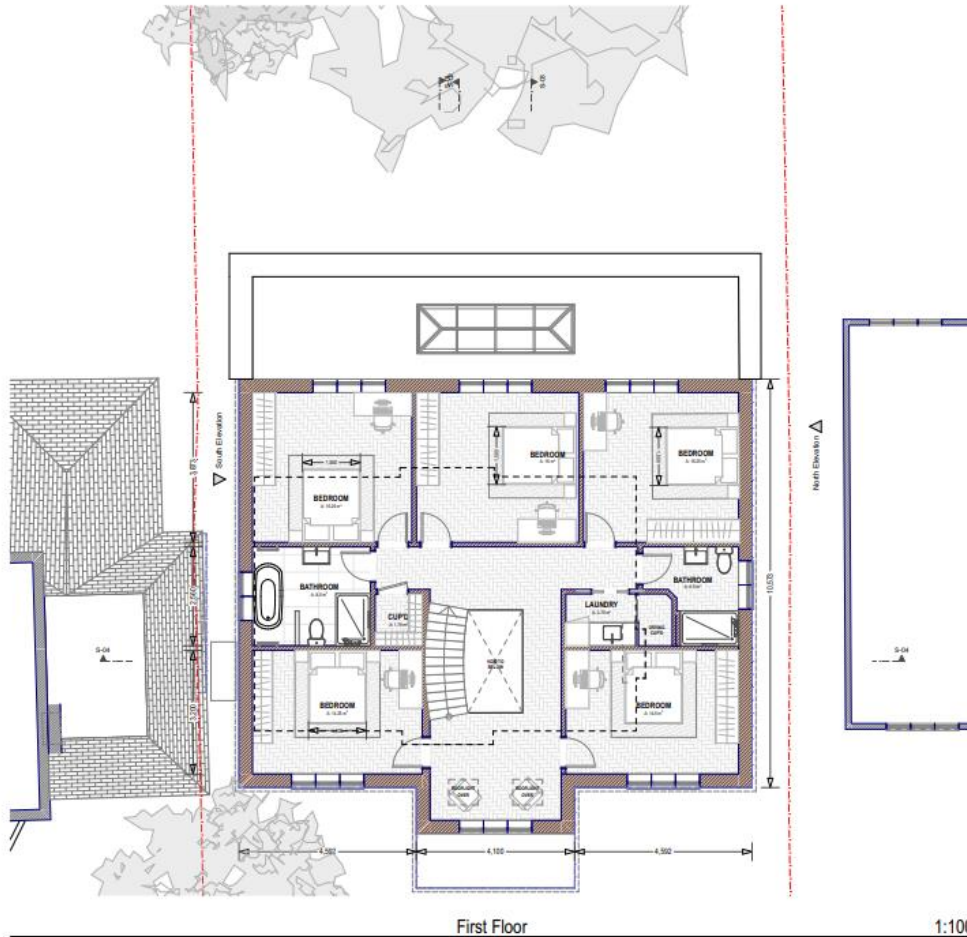
**Published by**  
 HAB Date 10/05/2024

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 SM Date 10/05/2024

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**Drawing no.** Revision  
 2023/18/PP02 C

**Proposed First Floor Plan**



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No encroachment is permitted over adjoining neighbours boundary without prior written agreement between both parties. True line of boundary and ownership to be established on site.

Neighbouring properties have not been surveyed.

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A	22.03.24	PLANNING	HAB
B	30.04.24	PLANNING	HAB
C	10.05.24	PLANNING	HAB

**SIMON MERRONY ARCHITECTS**  
 34 Thames Street  
 Sunbury-on-Thames  
 TW16 6AF

Job Title  
**35 The Avenue  
 Sunbury  
 TW16 5HY**

Drawing Name  
**Proposed First Floor Plan**

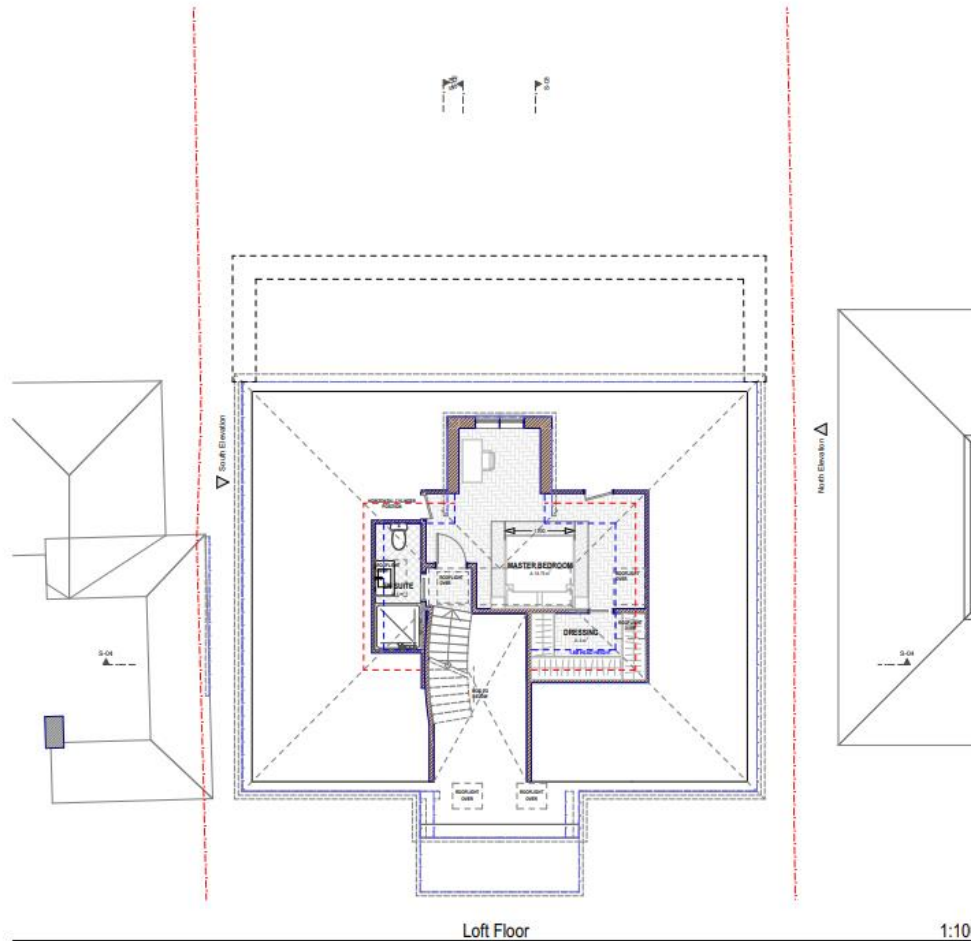
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**Proposed Loft Floor Plan**

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A	22.02.24	PLANNING	HAB
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C	18.05.24	PLANNING	HAB

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Drawing Name  
**Proposed Loft Floor Plan**

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# Planning Committee

## 18 September 2024



<b>Application No.</b>	24/00369/FUL
<b>Site Address</b>	35 The Avenue Sunbury-on-Thames TW16 5HY
<b>Applicant</b>	Mr and Mrs Ranjeet and Amrit Kaur Rana
<b>Proposal</b>	Erection of a replacement detached dwelling house to replace existing detached property and garage.
<b>Case Officer</b>	Vanya Popova
<b>Ward</b>	Sunbury East
<b>Called-in</b>	<p>This application has been called in by Councillor Grant for the following reasons:</p> <ul style="list-style-type: none"> <li>• Overdevelopment</li> <li>• Bulk and massing</li> <li>• Out of character</li> <li>• Adverse impact on the amenities of the immediate neighbouring properties</li> </ul>

<b>Application Dates</b>	Valid: 22.03.2024	Expiry: 17.05.2024	Target: Extension of time agreed to 20.09.2024.
<b>Executive Summary</b>	<p>The application site relates to a two storey detached dwelling situated on the western side of The Avenue in Sunbury-on-Thames.</p> <p>This planning application proposes the demolition of the existing two storey house and garage to allow for the erection of a replacement two storey house, with a room in the roof space, that includes the installation of 1 no. rear facing dormer.</p> <p>The application site is located within a residential area which contains a mix of two storey properties, most of which have previously been altered and extended. It is considered that the proposed design and appearance of the replacement dwelling would be in keeping with the general character of the surrounding area. It is further considered that the proposal would not have any significant adverse impacts upon the residential amenity of adjoining properties. The proposal would also be acceptable in terms of flooding and parking provision.</p> <p>The proposal is therefore considered to be acceptable.</p>		
<b>Recommended Decision</b>	Approve the application subject to the conditions as set out in paragraph 8 of this report.		

## MAIN REPORT

### 1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- SP1 (Location of Development)
  - SP6 (Maintaining and Improving the Environment)
  - EN1 (Design of New Development)
  - EN7 (Tree Protection)
  - EN8 (Protecting and Improving the Landscape and Biodiversity)
  - SP7 (Climate Change and Transport)
  - CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
  - CC2 (Sustainable Travel)
  - CC3 (Parking Provision)
- 1.2 Also relevant are the following Supplementary Planning Documents/Guidance:
- Supplementary Planning Document (SPD) on the Design of Residential Extensions and New Residential Development 2011
  - Supplementary Planning Guidance (SPG) on Parking Standards 2011
  - Supplementary Planning Document (SPD) on Climate Change, April 2024
- 1.3 The National Planning Policy Framework (NPPF) 2023 is also relevant. The revised draft NPPF was issued in July 2024 and carries limited weight for decision making purposes.
- 1.4 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.5 An Examination into the emerging Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved to request that the Planning Inspector pause the Examination for a period of three (3) months to allow time

for the new council to understand and review the policies and implications of the emerging Local Plan. After the three month pause the Council would decide what actions may be necessary before the Local Plan Examination should proceed.

- 1.6 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 Local Plan process forward.
- 1.7 On 14 September 2023, the Council considered a report following the deferral in June. The report listed three options; to continue with the local plan to include further work (especially on design codes), to request a further pause, or to withdraw the local plan. On the day of the meeting, a letter was received from the Housing Minister stating that the Housing Secretary was directing the Council "not to take any step to withdraw the plan from examination..." The Council resolved to extend the pause in the Examination timetable until the proposed changes to the NPPF had been published before determining the next steps.
- 1.8 On 22 September 2023, the Inspector agreed to a further pause to the Examination and requested that the Council continue to address the issues that he identified in the first week of the Examination, in particular flood risk and its potential implications in relation to the site allocation and delivery strategy of the plan. On 10 November 2023, the Environment Agency (EA) provided comments on Spelthorne's Level 1 and Level 2 Strategic Flood Risk Assessment (SFRA) seeking additional information, amendments and updates to the assessment.
- 1.9 Following the Environment & Sustainability Committee meeting on 29 February 2024, it was resolved to propose, to the Planning Inspector, modifications to the emerging Local Plan, including the removal of all Green Belt site allocations, with the exception of two allocations that meet the need for Gypsy, Traveller and Travelling Showpeople, the removal of site allocations at high risk of flooding and to move some higher flood risk sites to the later plan period (years 11-15), and the withdrawal the Staines Development Framework as a core document.
- 1.10 On 18 July 2024, Council considered a report into the resumption of the Local Plan Inquiry which had previously been agreed by the Corporate Policy and Resources Committee on 8 July 2024. The report set out the recent response from the Environment Agency, and the options for deciding whether or not Council agreed a request for further Main Modifications to the Local Plan in order to resume the Examination hearings and progress the Plan to adoption. Council agreed the option to progress the local plan and officers have now requested this from the Inspector.
- 1.11 The NPPF states at para 48:

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).

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.

1.12 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:

- ST1: Presumption in Favour of Sustainable Development
- ST2: Planning for the Borough
- PS2: Designing places and spaces
- PS3: Heritage, Conservation and Landscape
- H1: Homes for All
- E2: Biodiversity
- E4: Environmental Protection
- ID2: Sustainable Transport for New Development

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

## 2. Relevant Planning History

2.1 The site has the following planning history:

Ref. No.	Proposal	Decision and Date
24/00084/TPO	TPO293/2023- T1 (shown as T1 on the submitted plan)-Oak-crown reduce the lateral branch tips to within 8m of the trunk, removing 2-3m of their length and cutting back to suitable side branches with a final cut diameter not exceeding 100mm- Reduce height from 19m to 17m by pruning approximately 2-3m off	Grant TPO Consent 06.03.2023

	the branch tips and cutting back to suitable side branches.	
23/01320/TPO	TPO30SUN-T9 - 1 x Horse Chestnut to reduce height of crown by up to 2m to suitable growth points and reduce lateral branches no more than 1.5m, also lift crown by 1m. Total finished height of approx. 12m high with crown spread of 7m..	Grant TPO Consent 18.12.2023
PLAN S/FUL/74/224	Erection of a single-storey rear extension of 144 sq.ft. (13.37 sq.m.) to provide a new kitchen.	Grant Conditional 05.08.1974

### 3. Description of Current Proposal

#### The application site and surrounding area

- 3.1 The application site relates to a two storey detached dwelling situated on the western side of The Avenue in Sunbury-on-Thames. The northern and southern flank boundaries are bounded by existing residential detached two storey properties (Nos. 33 and 37 The Avenue), whereas the western rear boundary is adjacent to Sunbury Park, which is designated as a Site of Nature Conservation Importance (SNCI). Sunbury Park is located within the Lower Sunbury Conservation Area (CA) (the application site is not within the CA).
- 3.2 The Avenue runs from north to south for some 1300 metres in length, comprising predominately two storey detached houses in a variety of designs and styles. The character of this area has evolved over time with changes to individual properties, many of which have previously been extended or altered. However, there is some distinct character such as the dwellings occupying relatively deep plots and are characterised by mature landscaping within the front gardens (predominately Horse Chestnut trees which are subject to a Tree Preservation Order TPO30/SUN) that break up the mass and partially screens the dwellings within the street scene. The gaps between the dwellings vary considerably both at ground and first floor levels. Although, there is some established pattern for The Avenue, which is the common use of red/brown roof tiles. The built form of the area is generally houses which are set back from the road, with front gardens and parking areas to the front of the buildings. At roof level, mainly the use of hipped roofs provide a strong separation between the dwellings.
- 3.3 The existing plot contains a house with a detached garage to the side and a wooden shed behind including a single storey rear extension. In addition, it contains driveway that provides parking for two vehicles at the front. There is a mature Horse Chestnut tree at the front subjecting to a Tree Preservation Order (TPO30/SUN- T9). The Council has also recently protected an Oak tree at the rear under a Tree Preservation Order (TPO293/2023- T1).

## Proposal

- 3.4 This planning application seeks permission for the demolition of the existing two-storey detached house and garage and the erection of a replacement two-storey house with a room in the roof space that includes the installation of 1 no. rear facing dormer. The driveway parking within the front garden and the private garden area will remain in the same location as they currently are. The replacement dwelling would have an overall length at ground floor level of 13.5 metres (10.5 metres at two storey level), a width across the plot of 13.2 metres and a maximum height measuring 8.1 metres (1.1 metres ridge increase in comparison to the existing roof level) with the eaves reaching 5.2 metres. The replacement building is shown to set in from the northern and southern flank boundaries between 1 metre and 1.1 metres.



Front Elevation

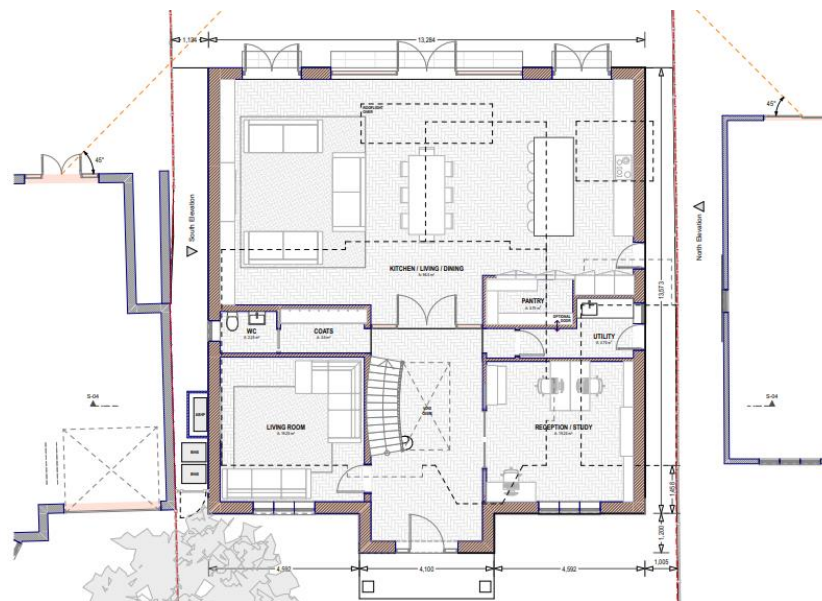
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Rear Elevation

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*Proposed Front and Rear Elevations*

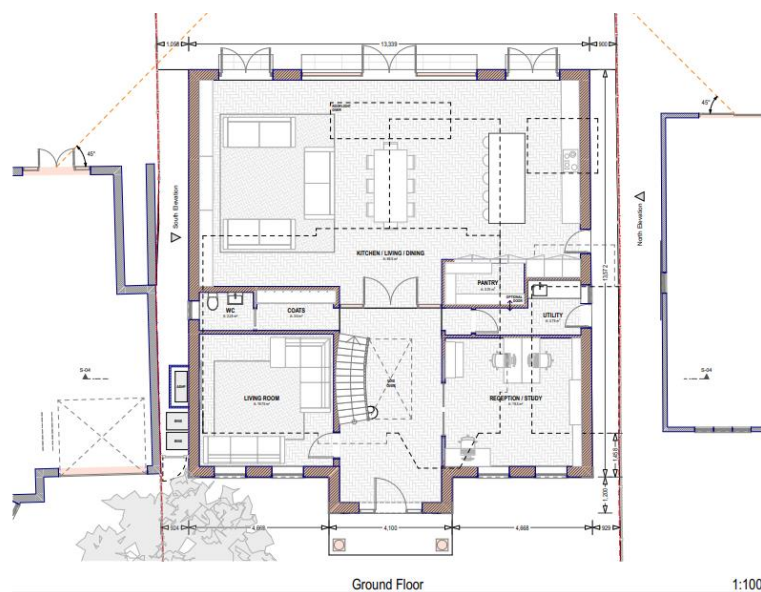


*Proposed Layout Plan*

- 3.5 The full set of proposed plans are provided as an Appendix.
- 3.6 It is worth noting that the current scheme has subjected to several amendments due to design concerns raised by the Local Planning Authority. Compared with the original plans, the bulk of the roof has been reduced along with the incorporation of only one dormer rather than the three rear dormers originally proposed. In addition, the latest plans show a minimum 1 metre set in distance from each flank boundary, together with changes to the openings and elevation detailing, including the proposed external materials.
- 3.7 The illustrations below outline the layout and front elevation of the original submission which has now been reduced.



*Original Proposed Front and Rear Elevations (now superseded)*



*Original Proposed Layout Plan (now superseded)*

#### 4. Consultations

The following table shows those bodies consulted and their response.

<b>Consultee</b>	<b>Comment</b>
<b>County Highway Authority</b>	No objections on highway grounds, subject to conditions and informatives.
<b>Surrey Wildlife Trust</b>	No objections in principle. However, considers that a Bat survey is necessary prior to determination of this application.
<b>Heritage Officer</b>	No objections to the proposal.
<b>Council Tree Officer</b>	No objections in principle, subject to pre-commencement conditions requiring additional information to ensure the TPO trees would not be significantly impacted by the proposal.
<b>Environment Health - Contamination</b>	No objections subject to conditions.
<b>Environmental Health- Noise</b>	No objections to the proposal.
<b>Sustainability Officer</b>	No objection.

#### 5. Public Consultation

5.1 A total of five properties were notified of the planning application.

5.2 The Council has received 29 letters of objection to the application, which also included received letters of objection from the Lower Sunbury Residents' Association (LOSRA).

5.3 Reasons for objecting include:

- Out of character
- Overbearing
- Over-development
- Bulk and height and massing
- Gaps between dwellings
- Parking/turning
- Impact on the TPO trees
- Landscaping
- Permitted development rights should be removed
- Needs to be designed to comply with Building Regulations Part M4(2): accessible and adaptable dwellings
- Loss of light
- Overlooking
- Loss of privacy
- Loss of outlook



- On-street parking stress
- Eyesore
- Impact on the biodiversity and wildlife
- Impact on the nearby conservation area
- Out of proportion house
- Visual impact
- Impact on building line
- Materials used
- Design issues
- Terracing effect
- Level of parking provision
- Location of the Air Source Heat pump
- Potentially used as a HMO (*Officer's note:- This proposal is for the erection of a replacement dwelling and should be assessed on this basis*)
- Highway safety issues

5.4 The Council has also received 18 letters of representation, which support the proposal. Reasons for supporting include:-

- Adds to the aesthetic of the area
- Adds value to the character
- Mixed area, fits in
- The value of properties will increase
- No changes to the traffic or parking
- Noise and disturbance will be as existing
- Objections are unfounded and misleading
- More sustainable and environmentally friendly
- Showed consideration of the trees which subject to TPO

## 6. Planning Issues

- Character and appearance.
- Residential amenity.
- Parking provision & highway impact.
- TPO trees
- Climate change
- Ecology
- Other matters

## 7. Planning Considerations

### Design & Appearance

7.1 At Part 12, on 'Achieving well-designed places', the NPPF 2023, places a strong emphasis on design and states that the creation of high-quality buildings and places is fundamental to what the planning and development

process should achieve, while not preventing or discouraging appropriate innovation. This remains unchanged in the draft NPPF.

- 7.2 The National Design Guide (NDG), *“Planning practice guidance for beautiful, enduring and successful places”*, produced by the former Ministry of Housing, Communities and Local Government (MHCLG) in 2021, sets out guidance for well-designed places. Paragraphs 43 and 44, note that well designed buildings do not need to copy what is already in existence but do need to integrate with the surroundings in a number of ways including physically, socially and visually:

*“Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including:*

- *the landscape character and how places or developments sit within the landscape, to influence the siting of new development and how natural features are retained or incorporated into it;*
- *patterns of built form, including local precedents for routes and spaces and the built form around them, to inform the layout, grain, form and scale – see Built form;*
- *the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of new development – see Identity.*
- *uses and facilities, including identifying local needs and demands that well-located new facilities may satisfy; and public spaces, including their characteristic landscape design and details, both hard and soft.*

*However, well-designed places do not need to copy their surroundings in every way. It is appropriate to introduce elements that reflect how we live today, to include innovation or change such as increased densities, and to incorporate new sustainable features or systems.”*

- 7.3 Policy EN1 of the Core Strategy and Policies Development Plan Document (CS&P DPD) states that the Council will require a high standard of design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land and achieving a satisfactory relationship to adjoining properties. The Council's Supplementary Planning Document 'Design of Residential Extensions and New Residential Development' (SPD) advises that that two storey developments should be 'set in' a minimum of 1 metre from the closest side boundary.

- 7.4 The submitted plans show that the proposed new building would be 1.1 metres higher than the adjacent two storey neighbouring properties to the north and south. The angle of the roof would slope in similar manner to the neighbouring properties. This is considered to be in keeping with the general height, and the design will be compatible with the mixed character of the

street scene within The Avenue. The proposed replacement dwelling would be set in between 1 metre and 1.1 metres from the northern and southern flank boundaries at first floor level. The proposed property would therefore maintain the general visual gaps from the side boundaries and the adjoining properties. This would comply with the Council's SPD design guidance of minimum separation distance from flank boundaries for new developments. The front elevation would contain a two-storey front gable element situated in the middle with similar eaves height as the rest of the building and would set down from the main roof. The two-storey front element with its single storey front canopy element would be keeping with the general building line in relation to this part of The Avenue. The proposed plans also show the provision of a rear facing dormer which is designed with pitched roof, setting up and in from the eaves, which are not considered to be over-dominant or out of proportion.

- 7.5 In terms of materials, the proposed façade will comprise red brickwork on the ground floor and render on the first floor. The side and rear elevations will be rendered. The roof will be faced with brown tiles. It is considered that the proposed materials and external treatment is in keeping with the character of the area.
- 7.6 The development as a whole incorporates traditional design features would be located within the prevailing building line, and would be set-in from its side boundaries. It is considered to be in proportion with the size of the plot. Importantly, the scale and bulk of the development has been reduced when compared to the originally submitted plans, along with amendments to the façade elements and external materials. The proposal shows changes to the roof angle of 30 degrees, lowering its ridge and reducing the bulk. As such, the proposed development as a whole would not appear cramped, and the scale and form of the proposal would sit comfortably within the wider established architectural character.
- 7.7 Furthermore, the proposal would have an acceptable impact visually when seen from the Sunbury Park. The Council's Heritage Officer was consulted and raised no objections to the proposal. For the reasons stated above it is considered that the proposal would have an acceptable impact upon the character of the area.
- 7.8 It is considered that the proposed design and appearance would be in keeping with the character of the surrounding area and complies with the requirements of Policy EN1 (a) and the Design SPD.

#### Residential Amenity

- 7.9 Policy EN1b of the CS & P DPD states that:

*“New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.”*

- 7.10 The Council's Supplementary Planning Document entitled 'Design of Residential Extensions and New Residential Development 2011' (SPD) provides guidance for applicants to demonstrate that proposed developments do not breach the 45 degree vertical and horizontal guide when measured from neighbouring ground floor habitable windows, and lead to unacceptable loss of light or over-bearing. The SPD is a guide, it is not a development plan policy and this is acknowledged at Paragraph 3.6 that 'most development would have some impact on neighbours. The aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed'.
- 7.11 The application site is immediately adjoined to the north and south by the two-storey detached properties (Nos. 33 and 37 The Avenue). The rear boundary is adjacent to the Sunbury Park. No 33 contains a part two storey, part single, storey rear extension along with an attached garage (near the boundary with No 35) which has also been extended at the front. In terms of No 37, the planning and building control records show a part two storey part single storey rear extension built in 1991 along with a single storey front garage extension and single storey rear extension built in 2007.
- 7.12 The proposed plans show the two storey element would line up with No 33 The Avenue's rear elevation of the existing part single storey rear element, whereas No 37's rear elevation would still project forward at the rear. The submitted plans have demonstrated that the proposed replacement dwelling would comply with the Council's 45 vertical and horizontal guide when measured from the middle from both neighbouring nearest ground floor rear openings. The proposed single storey rear element with flat roof would extend 3.2 metres and 1.5 metres at the rear beyond Nos 33 and 37 rear elevations respectively. The proposed single storey element would therefore respect the Council's 4 metres depth recommendation for single storey projections to detached properties.
- 7.13 The proposed plans indicate that the replacement dwelling would contain two first floor flank openings (one on each side). Given that both windows would serve bathrooms (non-habitable rooms), a condition has been recommended that these windows are obscured glazed and non-opening below 1.7 metres floor level.
- 7.14 It has been noted that there are neighbouring concerns in respect of potential overlooking and loss of privacy in regard to the proposed rear facing dormer. However, the proposed dormer will be located at the rear and the existing house currently contains first floor rear windows in the same place. Given that any views will be oblique and that a dormer element could potentially be installed under Permitted Development on the existing house, it is not considered that a refusal could be justified on the provision of a second floor rear window.
- 7.15 Therefore, it is considered that the proposal does not significantly overlook, overbear, cause a loss of sunlight or daylight or outlook and therefore respects the amenities of the adjoining neighbouring properties. Consequently, the proposal is considered to have an acceptable impact on the amenity of neighbouring residential properties, conforming to the Design SPD and Policy EN1.

## Parking & Highway Impact

- 7.16 The Spelthorne Borough Council's Parking Standards require 2.5 parking (rounded up to 3) spaces for 4 bedroom dwellings or larger (the proposed house has 6 bedrooms). The submitted layout plan indicates that the proposed replacement dwelling would incorporate 3 vehicle spaces, which would comply with the Council's minimum parking standards. There are restrictions for enlarging the driveway due to the presence of the protected Horse Chestnut tree. The Avenue is an unclassified road providing opportunities for on-street parking. It is considered that the proposal would have an acceptable impact on the parking provision. The County Highway Authority (CHA) has been consulted on this application in respect of highway safety, capacity and policy grounds and raises no objection subject to conditions to ensure that the parking facilities and access are provided.
- 7.17 The proposal is, therefore considered to be acceptable on highway and parking grounds.

## TPO trees

- 7.18 Policy EN7 of the CS & P DPD states that the Council needs to ensure appropriate measures to safeguard healthy trees of amenity value, giving to the protection of those known to be under threat. As already mentioned above, there are two trees (1 no. Horse Chestnut tree and 1 no. Oak tree) within the site which are subject to Tree Preservation Orders.
- 7.19 The applicant submitted a Tree Survey Arboricultural Impact Report as part of this submission, which was reviewed by the Council's Tree Officer. The subject report states that no trees will be removed to facilitate the development. It has been indicated that the Oak tree (T1) is to be pruned, but in accordance with the consent recently granted under 24/00084/TPO. Furthermore, the submitted report states the new building will have 3.3 metres clearance from the edge of the crown, following the agreed reduction to the back of the building. The Council's Tree Officer considers this to be an adequate clearance from the building so as not to cause an ongoing conflict, subject to tree protection measures being implemented prior to any works. Furthermore, an Arboricultural Method Statement detailing the location and position of all tree protection measures along with the submission of a detailed Construction Method Statement have been requested as conditions.
- 7.20 In regard to the Horse Chestnut tree at the front (TPO30/SUN-T9), the Council's Tree Officer acknowledged that the provided plan showed the tree protected in line with 'BS5837:2012 Trees in Relation to Construction' and if protected as shown, it is not considered that there will be a reason to refuse the application. The tree protection measures prevents access through the front boundary fence. In addition, the Council's Tree Officer acknowledged that the position of the house in relation to the Horse Chestnut has led to a minimal reduction of the parking area and they have supplied a plan showing the intended drive layout, which has not impacted on the tree. Any change to the driveway in the future would require a TPO application due to the impact on the Horse Chestnut.

## Climate Change

- 7.21 The Climate Change Supplementary Planning Document (SPD) was adopted by the Council in April 2024. It provides more detailed guidance to applicants on how to implement adopted policy SP7 from the Core Strategy 2009. Policy SP7 seeks to reduce climate change effects by:
- a) promoting inclusion for renewable energy, energy conservation and waste management in new and existing developments
  - b) development reduces the need to travel and encourages alternatives to car use
  - c) encourage non car-based travel,
  - d) promoting the efficient use and conservation of water resources,
  - e) promoting measures to reduce flooding and the risks from flooding,
  - f) supporting measures to enhance and manage Staines' role as a public transport interchange.
- 7.22 There are also three implementation policies; Policy CC1: Renewable Energy Conservation and sustainable Construction, Policy CC2: Sustainable Travel and Policy CC3: Parking provision. There are also other key documents supporting action on climate change; the NPPF 2023 chapter 14 "Meeting the challenge of climate change", the National Model Design Code and Spelthorne Borough Council's Climate Change Strategy 2022 – 2030.
- 7.23 A climate change checklist has been submitted with this application, in accordance with the new SPD requirements. This checklist shows that the applicant has considered the following factors:
- Energy:- ASHP installation, low temperature heating, building insulation measures, double / triple glazing, installation of smart meters/energy monitoring along with energy efficient appliances. In addition, consideration of building orientation, ventilation, windows and shading for both solar gain and cooling
  - Transport:- accessible and secure bicycle storage, space for working from home and existing dropped kerbs to retail level of footway/cycleway, and electric vehicle charging provision
  - Construction & Waste:- local construction materials, internal recycling storage with sufficient space and external for composting for easy access for collection. In addition, low carbon and/or recyclable construction materials
  - Water:- water use limits and smart metering, retained garden and permeable outdoor area and water-efficient appliances, drought tolerant plants used where applicable.
- 7.24 The applicant submitted an energy report that has considered Air Source Heat Pumps (ASHP) and direct hot water (DHW) along with energy efficiency fabric measures as a suitable solution for this proposal to provide improvements to the CO2 emissions. The Council's Sustainability Officer is satisfied that the requirements will be met as stipulated within the Council's CC1 policy.

- 7.25 Overall, the scheme performs well against the Council's SPD and climate change policies. The proposal is considered acceptable on climate change grounds as the applicant has given due consideration to some sustainability and climate change measures. Conditions have been recommended.

### Ecology

- 7.26 Policy EN8 of the CS and P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest.
- 7.27 The Surrey Wildlife Trust (SWT) was consulted, and noted that the site is located within a wider landscape suitable for foraging and commuting Bats, including being located in close proximity to the River Thames. Therefore, it was recommended that a Preliminary Bat Roost Assessment Survey should be submitted prior the determination of this application. Following this, the applicant submitted an Ecological report, which concluded that the existing house has a moderate bat roost suitability and the garage and shed structures with low bat roost suitability. Therefore, a full bat roost assessment was recommended by the applicant's ecologists, to comprise 2 no. dusk bat emergence surveys of the main house and 1 no. dusk bat emergence survey of the garage. These surveys were carried out during the bat survey season (May to August inclusive) and each survey was indicated that was separated by at least three weeks. The applicant submitted a "Summery Findings and Recommendation" of the full bat survey along with the proposed mitigation measures. It is anticipated that the copy of the full bat assessment will be submitted prior the Planning Committee meeting.
- 7.28 The summary letter concludes that two Soprano Pipistrelles were recorded emerging from the roof of No 35 The Avenue during the first dusk bat emergence survey carried out in June 2024, although there were no bats recorded emerging from the main house, detached garage or shed during the dusk bat emerging survey on the 9th July or 30th July 2024. Therefore, the summery concludes that the house was assessed as supporting two Soprano Pipistrelle day roosts, each used by one bat. There is negligible bat roost suitability for the shed and garage. The nearby Oak tree was assessed as having capacity to support single or low numbers of bats and/or low conservation status bat roosts only. As the proposal involves the demolition of the existing house, the applicant will need to separately apply for a licence from Natural England guided by a licensed bat worker. The summery letter also indicates that the full bat assessment provides mitigation measures and confirms once the mitigation measures are followed that there will be no adverse impact to the favourable conservation status of the bat species present, within their natural ranges. A condition has been recommended accordingly. Also, a condition is recommended for the provision of new bat and bird boxes. Subject to these conditions, the impact on ecology is considered acceptable.
- 7.29 For small sites (such as the application site) the mandatory (at least 10%) Biodiversity Net Gain has come into force in April 2024 under the

Environmental Act 2021. This application was submitted in March 2024 and this requirement, therefore, does not apply. However, the proposal relates to a replacement dwelling.

### Other Matters

- 7.30 The Council's Environmental Health Officer has raised no objection to the proposal on contamination, subject to conditions.
- 7.31 It has been noted that representations refer to the adverse impact upon the neighbouring amenity in terms of the location and likely noise impact of the Air Source Heat Pump (ASHP). The proposed plans show the ASHP is located in the gap between the new house and No 33 The Avenue's boundary (beyond that is the neighbouring garage at ground floor level). The Council's Environmental Health Officer has raised no objection to the ASHP on noise grounds. There is sufficient screening by the mass of the building that windows on the front and rear elevations will be sufficiently protected. Furthermore, the proposed plans indicate that the subject plant will be surrounded by acoustic fence. A noise condition and informative have been recommended to address the raised concerns.
- 7.32 The proposed house would comply with the Government's Nationally Described Technical Housing Standards (THS) (March 2015) for a 6 bedroom house. There will be no change to the existing private garden at the rear. The replacement dwelling is therefore considered to comply with, and exceed, the minimum amenity requirements for future occupiers.
- 7.33 The site lies within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded on flooding grounds. The principle of locating new residential development ('defined as 'a more vulnerable use') in the relatively low risk Flood Zone 1 is acceptable. The site currently contains a detached two storey house and proposal relates to a replacement dwelling and there is no risk to the future occupants of the site from flooding.
- 7.34 The Local Planning Authority has received a comment that as a minimum the dwelling must be designed to comply with Building Regulations Part M4(2): accessible and adaptable dwellings. It is acknowledged that H1 of the Pre-Submission Spelthorne Local Plan 2022 – 2037 refers to this, which currently carries limited weight in decision-making. Part M4(2) is an optional requirement and only applies where a planning condition is imposed. Planning conditions should be used in a way that is clearly seen to be fair, reasonable and practicable. Government advice states that it is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls. The comment has provided no justification for the use of part M4(2) and it is not considered that imposing a condition would meet the necessary tests in the NPPF. The Building Regulations state that in the Secretary of State's view, requirement M4(1) will be met when a new dwelling makes reasonable provision for most people, including wheelchair users, to approach and enter the dwelling and to access habitable rooms and sanitary facilities on the entrance storey.



### Financial Considerations

- 7.35 Under In S155 of the Housing and Planning Act 2016, Local Planning Authorities are 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 £39,988.82. 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

- 7.36 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:
- 7.37 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

- 7.38 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.39 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.
- 7.40 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.
- 7.41 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

7.42 Accordingly, the application is recommended for approval.

## **8.0 Recommendation**

GRANT planning permission subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans 2023/18/L01 Revision A, 2023/18/PE04 Revision A, 2023/18/PE08 Revision A, 2023/18/PE01 Revision A, 2023/18/PE05 Revision A, 2023/18/PE06 Revision A, 2023/18/PE07 Revision A, 2023/18/PE02 Revision A and 2023/18/PE03 Revision A Received on 22.03.2024, 2023/18/DAS01 Revision C, 2023/18/DAS02 Revision C, 2023/18/PP05 Revision C, 2023/18/PP09 Revision C, 2023/18/PP06 Revision C, 2023/18/PP07 Revision C, 2023/18/PP08 Revision C, 2023/18/PP02 Revision C, 2023/18/PP03 Revision C and 2023/18/PP04 Revision C Received on 10.05.2024, and 2023/18/PP01 Revision D Received on 31.05.2024.

**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 and surface material for parking area is 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. Prior to the commencement of development, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall include full details of the location and position of the tree protection measures and no dig areas, timescales of implementation, frequency of inspections carried out by an Arboricultural tree consultant and method of reporting information back to the Council's Tree Officer. The tree protection measures and inspection timescales shall be carried out strictly in accordance with the agreed Arboricultural Method Statement.

**Reason:-** To safeguard the health and condition of the nearby Tree

Preservation Order trees in the interest of the visual amenity of the area.

5. No development shall commence until a Construction Method Statement Plan, to include details of:

- Methods of foundation design
- Loading and unloading of plant and materials
- Storage of plant and materials
- Programme of works (including integrated with the Arboricultural Method Statement)

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during construction of the development.

**Reason:-** To safeguard the health and condition of the nearby Tree Preservation Order trees in the interest of the visual amenity of the area.

6. Prior to the occupation of development, a scheme to provide bird and bat boxes/bricks on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained.

**Reason:-** As part of the proposed mitigation measures for the interest of encouraging wildlife.

7. The proposed demolition and construction works shall be carried out strictly in accordance with the mitigation measures set out in the Recommendation section of the Full Bat Roost Assessment- Summary letter with Findings and Recommendations submitted on 02 September 2024, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:-** In the interest of preventing harm to wildlife.

8. Following construction of any groundwork and foundations, no construction of development above damp course level shall take place until a report is submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for the proposed building to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained.

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

9. No development shall take place until:-  
(i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the

Local Planning Authority.

(ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.

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

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

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

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

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

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

**NOTE**

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior planning permission of the Local Planning Authority.

**Reason:-** In the interests of the character of the area, the amenity of neighbouring and adjoining dwellings, and the nearby TPO trees.

12. 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 and cycles to be parked. Thereafter the parking area shall be retained and maintained for its designated purpose.

**Reason:-** In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National

13. Prior to the occupation of the development hereby permitted the first floor window(s) on the northern and southern elevation(s) shall be obscure glazed to a minimum of level 3 obscurity and be non-opening to a minimum height of 1.7 metres above internal floor level. 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.

- 14 The rated noise level from the Air Source Heat Pump (ASHP) hereby approved shall be at least 10 dB(A) below the background noise level at the nearest noise sensitive property as assessed using the guidance contained within the latest BS 4142 (2014).

**Reason:-** To safeguard the amenity of nearby residential properties.

- 15 The acoustic enclosure/screening surrounding the Air Source Heat Pump (ASHP) hereby approved shall be installed prior the building is occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

**Reason:-** To safeguard the amenity of nearby residential properties.

- 16 Prior to the occupation of the development hereby permitted, the sustainability measures proposed in the supporting Climate Change Checklist shall be incorporated into the design of the development and/or site layout as relevant. Thereafter the approved sustainability measure shall be retained and maintained.

**Reason:-** To ensure sustainability measures are taken into account in the development in accordance with policies SP7, CC1, CC2 and CC3 of the Spelthorne Core Strategy and Policies DPD 2009 and the Climate Change SPD, April 2024.

#### Informatives

1. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
2. Please note that this application is subject to the payment of Community Infrastructure Levy (CIL). Details of the charge, how it has been calculated and what happens next are set out in the CIL Liability Notice which will be sent separately.

For amended permissions, a new CIL Liability Notice will only be issued where there has been a change to the developments Gross Internal Area (GIA). Where there is no change in GIA, the CIL Liability Notice for the original permission applies.

In all cases, if you have not already done so an Assumption of Liability notice should be sent to the Council as soon as possible and before the commencement of development.

\*Please note, where planning permission is granted by way of general consent (including prior approval notifications), a Liability Notice will be generated following the submission of a Notice of Chargeable Development.

Before any works in respect of a CIL liable development is commenced, a Commencement Notice, or Notice of Chargeable Development in cases of general consent, must be submitted to the Council.

Non-compliance with the CIL Regulations will trigger enforcement action under the Part 9. Further information on CIL and the stages which need to be followed is available on the Council's website. [www.spelthorne.gov.uk/CIL](http://www.spelthorne.gov.uk/CIL). Further guidance can be found on the Government website on the following link - <https://www.gov.uk/guidance/community-infrastructure-levy>.

3. The Air Source Heat Pump (ASHP) should be installed in accordance with the following guidance <https://www.cieh.org/media/7538/heat-pumps-briefing-note-professional-advice-note.pdf>
4. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
  - (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
  - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
  - (c) Deliveries should only be received within the hours detailed in (a) above;
  - (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
  - (e) There should be no burning on site;
  - (f) Only minimal security lighting should be used outside the hours stated above; and
  - (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

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

5. The applicant is advised to contact the Natural England prior the demolition of the development to obtain a bat licence.
6. The applicant is advised that the essential requirements for an acceptable

communication plan forming part of a Method of Construction Statement are viewed as:

- (a) how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
- (b) how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
- (c) the arrangements that will be in place to ensure a reasonable telephone response during working hours;
- (d) the name and contact details of the site manager who will be able to deal with complaints; and
- (e) how those who are interested in or affected will be routinely advised regarding the progress of the work. Registration and operation of the site to the standards set by the Considerate Constructors Scheme (<http://www.ccscheme.org.uk/>) would help fulfil these requirements.

7. In accordance with Approved Document S of the Building Regulations, you will be required to install electric vehicle charging facilities.
8. 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.
9. 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.
10. The applicant should consider the use of e-bike and the installation of e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.
11. 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.

12. The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site, in order to comply with above referenced legislation and the recommendations in “BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby”.

13. The applicant should take action to ensure that development activities such as demolition and vegetation or site clearance are timed to avoid the bird nesting season of early March to August inclusive.

As suitable foraging and commuting habitat exists within and surrounding the site, measures should be taken to enhance the site for Badger and Hedgehog including:

- Ensuring the species can move across the landscape by creating suitably sized gaps into all close-boarded fencing
- Creating habitat connectivity across the landscape
- Creating a wild corner with minimal habitat management
- Incorporating hedgehog homes into the development.

In addition, any trenches left overnight, will need to be covered or provided with ramps to prevent mammals falling in and becoming trapped. If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.

14. Native species or species of known biodiversity benefit are recommended when planting new trees and shrubs. Preferably these should be of local provenance from seed collected, raised, and grown only in the UK, suitable for site conditions and complementary to the surrounding natural habitat. Planting should focus on nectar-rich flowers and/or berries as these can also be of considerable value to wildlife.



# Environment and Sustainability Committee



17 September 2024

<b>Title</b>	Response to government open consultation on changes to the National Planning Policy Framework (NPPF) and the planning system
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	Martin Horn, Senior Planning Officer (Strategic Planning)
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	N/A
<b>Corporate Priority</b>	Community Addressing Housing Need Environment.
<b>Recommendations</b>	<p><b>Committee is asked to:</b></p> <ol style="list-style-type: none"> <li>1. Approve the submission of Spelthorne BC’s response to the Government’s open consultation of changes to the National Planning Policy Framework (NPPF) and the planning system.</li> <li>2. Give delegated authority to the Group Head Place, Protection and Prosperity in consultation with the chair of E&amp;S committee to make any final amendments to the consultation response before it is submitted.</li> </ol>
<b>Reason for Recommendation</b>	The changes to the NPPF and the planning system as proposed by the Government is likely to have a great impact on how planning is conducted nationally, and this in turn will have impacts on the built environment of Spelthorne.

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>We have been consulted by government on changes to the planning system and its chief policy document the NPPF.</li> </ul>	<ul style="list-style-type: none"> <li>We want to feedback on the proposals to help shape the future of planning.</li> </ul>
This is what we want to do about it	These are the next steps

<ul style="list-style-type: none"> <li>We want to submit a response covering a proposal consisting of a wide range of matters, and to express our view on these proposals as a council.</li> </ul>	<ul style="list-style-type: none"> <li>Response to be formally submitted to government prior to the deadline of 11.45 pm on 24<sup>th</sup> September.</li> </ul>
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1.1 This report presents the proposed response to the consultation on the revised NPPF, and to seeks member approval for submission to government.

## 2. Key issues

2.1 The new Labour government has acted very quickly to set out some significant changes to the National Planning Policy Framework (NPPF) in order to “fix the foundations of our housing system”. It forms part of a more comprehensive package of measures which will come forward in the autumn with a Planning and Infrastructure Bill and a long-term housing strategy alongside the Spending Review. These changes may impact on the way we deliver services across the Council in the future.

2.2 **Appendix 1** is the letter which all Councils received from the Deputy Prime Minister Angela Raynor MP on 30th July 2024. It sets out very clearly the level of ambition and is an easy-to-read summary of the detailed technical changes that we are being consulted on. It will assist councillors in understanding the responses that we are proposing.

2.3 Below follows a summary of the key positions on the proposed changes that are set out within the full response:

2.4 **Planning for the homes we need:** proposed amendments to paragraph 1 and 60 of the NPPF clarifies that plans should as a starting point plan for an area’s entire housing need. This provides more clarity as to what amount of housing should be planned for, but the response is critical of the logic that increased housing targets automatically leads to increased housing delivery without addressing the conflicting incentives of planning authorities and for-profit developers.

2.5 **Design codes:** the response expresses a pragmatic view of both understanding the benefits of the proposed new focus for design codes to focus on smaller areas, whilst at the same time seeing the benefits of more strategically oriented area-wide design codes.

2.6 **Strategic planning:** the response questions the soundness of the approach of, in the short-term prior to strategic planning being fully implemented, sharing unmet needs with neighbouring planning authorities. The reality is that development need often functions on a different spatial level than authority boundaries. It is proposed that need should be shared within Housing Market Areas (for housing) and Functional Economic Market Areas (for commercial development).

2.7 **New standard method:** the response agrees that it does not constitute sound planning to assess housing need based on growth projections that are more than ten years old. It does, however, set out that the proposed new method of basing housing need on existing housing stock is coarse and does not take into account different rates of growth in different parts of the country. It also sets out that the 20% increase in housing numbers that Spelthorne would be facing as a result of the stock-derived method and the increased

affordability uplift would be an immense challenge for a constrained borough such as ours.

- 2.8 **Green belt release:** support is set out for a strategic approach to Green Belt release in favour of our current haphazard method but acknowledges that we do not yet have the full details on how the strategic planning tier will function. There has been no strategic review of the Green Belt since the mid-1900s, and a stronger focus on the actual function of the Green Belt and its purposes is preferable to the current consideration of if the land is Green Belt or not regardless of its quality.

### 3. **Options analysis and proposal**

#### Option 1 – agree the suggested response to government (recommended)

- 3.1 This will ensure government are fully aware of our views and is the only way we might be able to influence or change those areas which we feel need improving, changing or where there are omissions.

#### Option 2 – do not respond to the consultation

- 3.2 We will be passing up the opportunity to make our views known to government and would be failing in our public duty to represent the views of our residents and communities.

#### Option 3 – suggest revisions or amendments to the suggested response

- 3.3 It is open to the committee to decide if there are areas of the response that need more focus or where a more decisive comment needs to be given. There may also be areas which the revise NPPF does not cover which the committee wish to specifically draw to the attention of government.

### 4. **Financial management comments**

- 4.1 If fully implemented, the NPPF would allow the Council to recover higher fees for householder applications. This will help in reducing the shortfall between the planning application fee and the cost of the development management service. However, we will not reach full cost recovery.

### 5. **Risk management comments**

- 5.1 If we do not respond to the consultation we cannot be clear to our residents and communities what our views are, and cannot use it to lobby government to get amendments where required.

### 6. **Procurement comments**

- 6.1 There are no procurement implications arising from this report

### 7. **Legal comments**

- 7.1 There are no legal implications arising from this report

### 8. **Other considerations**

- 8.1 Depending on feedback, the government may or may not make any further amendments to the NPPF. If it remains substantially unaltered, then it will result in an increased housing requirement, and a greater prospect that we may be required to look at possible future grey and green belt release for future Local Plans.

### 9. **Equality and Diversity**

- 9.1 There are no equality and diversity implications arising from this report

## **10. Sustainability/Climate Change Implications**

10.1 The revised NPPF is looking to secure enhanced benefits for nature and public access, and Local Nature Recovery Strategies.

## **11. Timetable for implementation**

11.1 Response to be formally submitted to government prior to the deadline of 11.45 pm on 24<sup>th</sup> September. There is no date for the publication of the NPPF in its final form.

## **12. Contact**

12.1 Martin Horn, Senior Planning Officer – m.horn@spelthorne.gov.uk

**Please submit any material questions to the Committee Chair and Officer Contact by two days in advance of the meeting.**

**Background papers:** There are none.

### **Appendices:**

Appendix 1 – Letter from Deputy Prime Minister Angela Rayner MP

Appendix 2 – Draft SBC Response to Government consultation on NPPF amendments 2024



# Ministry of Housing, Communities & Local Government

**Rt Hon Angela Rayner MP**

*Deputy Prime Minister and Secretary of State for  
Housing, Communities & Local Government*  
2 Marsham Street  
London  
SW1P 4DF

**To:** all local authority Leaders in England  
**Cc:** all local authority Chief Executives in  
England

30 July 2024

## **Playing your part in building the homes we need**

Earlier today, I set out to the House of Commons the Government's plan to build the homes this country so desperately needs. Our plan is ambitious, it is radical, and I know it will not be without controversy – but as the Prime Minister said on the steps of Downing Street, our work is urgent, and in few areas is that urgency starker than in housing.

As the Leaders and Chief Executives of England's local authorities, you know how dire the situation has become and the depth of the housing crisis in which we find ourselves as a nation. You see it as you place record numbers of homeless children in temporary accommodation; as you grapple with waiting lists for social housing getting longer and longer; and as your younger residents are priced out of home ownership.

It is because of this I know that, like every member of the Government, you will feel not just a professional responsibility but a moral obligation to see more homes built. To take the tough choices necessary to fix the foundations of our housing system. And we will only succeed in this shared mission if we work together – because it falls to you and your authorities not only to plan for the houses we need, but also to deliver the affordable and social housing that can provide working families with a route to a secure home.

To that end, and in a spirit of collaboration and of shared endeavour, I wanted to set out the principal elements of our plan – including what you can expect of the Government, and what we are asking of you.

### *Universal coverage of local plans*

I believe strongly in the plan making system. It is the right way to plan for growth and environmental enhancement, ensuring local leaders and their communities come together to agree the future of their areas. Once in place, and kept up to date, local plans provide the stability and certainty that local people and developers want to see our planning system deliver. In the absence of a plan, development will come forward on a piecemeal basis, with much less public engagement and fewer guarantees that it is the best outcome for your communities.

That is why **our goal has to be for universal coverage of ambitious local plans as quickly as possible**. I would therefore like to draw your attention to the proposed timelines for plan-making set out in Chapter 12 of the National Planning Policy Framework (NPPF) consultation. My objective is to drive all plans to adoption as fast as possible, with the goal of achieving universal plan coverage in this Parliament, while making sure that these plans are sufficiently ambitious.

This will of course mean different things for different authorities.

- For **plans at examination** this means allowing them to continue, although where there is a significant gap between the plan and the new local housing need figure, we will expect authorities to begin a plan immediately in the new system.
- For **plans at an advanced stage of preparation** (Regulation 19), it means allowing them to continue to examination unless there is a significant gap between the plan and the new local housing need figure, in which case we propose to ask authorities to rework their plans to take account of the higher figure.
- **Areas at an earlier stage of plan development**, should prepare plans against the revised version of the National Planning Policy Framework and progress as quickly as possible.

I understand that will delay the adoption of some plans, but I want to balance keeping plans flowing to adoption with making sure they plan for sufficient housing. I also know that going back and increasing housing numbers will create additional work, which is why we will provide financial support to those authorities asked to do this. The Government is committed to taking action to ensure authorities have up-to-date local plans in place, supporting local democratic engagement with how, not if, necessary development should happen. On that basis, and while I hope the need will not arise, I will not hesitate to use my powers of intervention should it be necessary to drive progress – including taking over an authority’s plan making directly. The consultation we have published today sets out corresponding proposals to amend the local plan intervention criteria.

We will also empower Inspectors to be able to take the tough decisions they need to at examination, by being clear that they should not be devoting significant time and energy during an examination to ‘fix’ a deficient plan – in turn allowing Inspectors to focus on those plans that are capable of being found sound and can be adopted quickly.

### *Strategic planning*

We know however that whilst planning at the local authority level is critical, it’s not enough to deliver the growth we want to see. That is why the Government was clear in the Manifesto that housing need in England cannot be met without planning for growth on a larger than local scale, and that it will be necessary to introduce effective new mechanisms for cross-boundary strategic planning.

This will play a vital role in delivering sustainable growth and addressing key spatial issues – including meeting housing needs, delivering strategic infrastructure, building the economy, and

improving climate resilience. Strategic planning will also be important in planning for local growth and Local Nature Recovery Strategies.

We will therefore take the steps necessary to enable universal coverage of strategic planning within this Parliament, which we will formalise in legislation. This model will support elected Mayors in overseeing the development and agreement of Spatial Development Strategies (SDSs) for their areas. The Government will also explore the most effective arrangements for developing SDSs outside of mayoral areas, in order that we can achieve universal coverage in England, recognising that we will need to consider both the appropriate geographies to use to cover functional economic areas, and the right democratic mechanisms for securing agreement.

Across all areas, these arrangements will encourage partnership working but we are determined to ensure that, whatever the circumstances, SDSs can be concluded and adopted. The Government will work with local leaders and the wider sector to consult on, develop and test these arrangements in the months ahead before legislation is introduced, including consideration of the capacity and capabilities needed such as geospatial data and digital tools.

While this is the right approach in the medium-term, we do not want to wait where there are opportunities to make progress now. We are therefore also taking three immediate steps.

- First, in addition to the continued operation of the duty to cooperate in the current system, we are strengthening the position in the NPPF on cooperation between authorities, in order to ensure that the right engagement is occurring on the sharing of unmet housing need and other strategic issues where plans are being progressed in the short-term.
- Second, we will work in concert with Mayoral Combined Authorities to explore extending existing powers to develop an SDS.
- Third, we intend to identify priority groupings of other authorities where strategic planning – and in particular the sharing of housing need – would provide particular benefits, and engage directly with the authorities concerned to structure and support this cooperation, using powers of intervention as and where necessary.

### *Housing targets*

Underpinning plan making – at the strategic and local level – must be suitably ambitious housing targets. That is why we have confirmed today that we intend to **restore the standard method as the required approach for assessing housing needs and planning for homes**, and reverse the wider changes made to the NPPF in December 2023 that were detrimental to housing supply.

But simply going back to the previous position is not enough, because it failed to deliver enough homes. So, we are also consulting on **a new standard method** to ensure local plans are ambitious enough to support the Government's commitment to build 1.5 million new homes over the next five years. The new method sees a distribution that will drive growth in every corner of the country. This includes a stretching yet credible target for London, with what was previously unmet need in the capital effectively reallocated to see homes built in areas where they will be delivered. The new

method increases targets across all other regions relative to the existing one, and significantly boosts expectations across our city regions – with targets in Mayoral Combined Authority areas on average growing by more than 30%.

I want to be clear that local authorities will be **expected to make every effort to allocate land in line with their housing need as per the standard method**, noting it is possible to justify a lower housing requirement than the figure the method sets on the basis of local constraints on land and delivery, such as flood risk. Any such justification will need to be evidenced and explained through consultation and examination, and local authorities that cannot meet their development needs will have to demonstrate how they have worked with other nearby authorities to share that unmet need.

And we are also committed to making sure that **the right kind of homes are delivered through our planning system as quickly as possible**. That is why we are proposing to remove the prescriptive approach to affordable home ownership products, which can squeeze out Social and Affordable rent homes despite acute need. This will free authorities to secure more Social Rent homes, ensuring you get the homes you need in your local areas. We also want to promote the delivery of mixed use sites which can include a variety of ownership and rental tenures, including rented affordable housing and build to rent, and which provide a range of benefits – including creating diverse communities and supporting timely build out rates.

### *Green Belt and Grey Belt*

If targets tell us what needs to be built, the next step is to make sure we are building in the right places. The first port of call is rightly brownfield land, and we have proposed some changes today to support such development.

But brownfield land can only be part of the answer, which is why we are consulting on changes that would see councils **required to review boundaries and release Green Belt land where necessary to meet unmet housing or commercial need**.

I want to be clear that this Government is committed to protecting nature. That is why land safeguarded for environmental reasons will maintain its existing protections. But we know that large parts of the Green Belt have little ecological value and are inaccessible to the public, and that the development that happens under the existing framework can be haphazard – too often lacking the affordable homes and wider infrastructure that communities need. Meanwhile, low quality parts of the Green Belt, which we have termed ‘grey belt’ and which make little contribution to Green Belt purposes, like disused car parks and industrial estates, remain undeveloped.

We will therefore ask authorities to prioritise sustainable development on previously developed land and other low quality ‘grey belt’ sites, before looking to other sustainable locations for meeting this need. We want decisions on where to release land to remain locally led, as we believe that local authorities are in the best position to judge what land within current Green Belt boundaries will be most suitable for development. But we also want to ensure enough land is identified in the planning system to meet housing and commercial need, and so we have proposed a clear route to bringing forward schemes on ‘grey belt’ land outside the plan process where delivery falls short of need.



To make sure development on the Green Belt truly benefits your communities, we are also **establishing firm golden rules**, with a target of at least 50% of the homes onsite being affordable, and a requirement that all developments are supported by the infrastructure needed – including GP surgeries, schools and transport links - as well as greater provision of accessible green space.

### *Growth supporting infrastructure*

Building more homes is fundamental to unlocking economic growth, but we need to do so much more. That is why we are also proposing changes to make it **easier to build growth-supporting infrastructure** such as laboratories, gigafactories, data centres, electricity grid connections and the networks that support freight and logistics – and seeking views on whether we should include some of these types of projects in the Nationally Significant Infrastructure Projects regime.

Having ended the ban on onshore wind on our fourth day in office, we are also proposing to: boost the weight that planning policy gives to the benefits associated with **renewables**; bring larger scale onshore wind projects back into the Nationally Significant Infrastructure Projects regime; and change the threshold for solar development to reflect developments in solar technology. In addition, we are testing whether to bring a broader definition of water infrastructure into the scope of the Nationally Significant Infrastructure Projects regime.

And recognising the role that planning plays in the **broader needs of communities**, we are proposing a number of changes to: support new, expanded or upgraded public service infrastructure; take a vision-led approach to transport planning, challenging the now outdated default assumption of automatic traffic growth; promote healthy communities, in particular tackling the scourge of childhood obesity; and boost the provision of much needed facilities for early-years childcare and post-16 education.

### *Capacity and fees*

I recognise that delivering on the above ambition will demand much from you and your teams, and your capacity is strained. We want to **see planning services put on a more sustainable footing**, which is why we are consulting on whether to use the Planning and Infrastructure Bill to allow local authorities to set their own fees, better reflecting local costs and reducing financial pressures on local authority budgets.

While legislative change is important, we also do not want to wait to get extra resource into planning departments – which is why I am consulting on increasing planning fees for householder applications and other applications, that for too long have been well below cost recovery. We know that we are asking a lot more of local authorities, and we are clear that this will only be possible if we find a way to give more resource.

It is also important that you are supported in the critical role you play when the infrastructure needed to kickstart economic growth and make Britain a clean energy superpower is being consented under the Nationally Significant Infrastructure Projects regime. I am therefore consulting on whether to

make provision to allow host upper and lower tier (or unitary) authorities to recover costs for relevant services provided in relation to applications, and proposed applications, for development consent.

### *Social and affordable housing*

Overhauling our planning system is key to delivering the 1.5 million homes we have committed to build over the next five years – but it is not enough. We need to diversify supply, and I want to make sure that you have the tools and support needed to deliver quality affordable and social housing, reversing the continued decline in stock. This is vital to help you manage local pressures, including tackling and preventing homelessness.

Within the current Affordable Homes Programme (AHP), we know that particularly outside London, almost all of the funding for the 2021-2026 AHP is contractually committed. That is why I have confirmed that we will **press Homes England and the Greater London Authority (GLA) to maximise the number of Social Rent homes in allocating the remaining funding.**

The Government will also bring forward details of future Government investment in social and affordable housing at the Spending Review, so that social housing providers can plan for the future and help deliver **the biggest increase in affordable housebuilding in a generation.** We will work with Mayors and local areas to consider how funding can be used in their areas and support devolution and local growth.

In addition, I have confirmed that the Local Authority Housing Fund (LAHF) 3 will be going ahead, with £450 million provided to councils to acquire and create homes for families at risk of homelessness. This will create over 2,000 affordable homes for some of the most vulnerable families in society.

I recognise that councils and housing associations need support to build their capacity if they are to make a greater contribution to affordable housing supply. We will set out plans at the next fiscal event to **give councils and housing associations the rent stability they need** to be able to borrow and invest in both new and existing homes, while also ensuring that there are appropriate protections for both existing and future social housing tenants.

As we work to build more affordable homes, we also need to do better at maintaining our existing stock – which is why I have announced three updates on the Right to Buy scheme:

- First, we have started to review the increased Right to Buy discounts introduced in 2012, and we will bring forward secondary legislation to implement changes in the autumn;
- Second, we will review Right to Buy more widely, including looking at eligibility criteria and protections for new homes, bringing forward a consultation also in the autumn; and
- Third, we are increasing the flexibilities that apply to how councils can use their Right to Buy receipts.

With respect to the third point, from today we are removing the caps on the percentage of replacements delivered as acquisitions (which was previously 50%) and the percentage cost of a replacement home that can be funded using Right to Buy receipts (which was also previously 50%).

Councils will also now be able to combine Right to Buy receipts with section 106 contributions. These flexibilities will be in place for an initial 24 months, subject to review. My department will be writing to stock-holding local authorities with more details on the changes, and I would encourage you to make the best use of these flexibilities to maximise Right to Buy replacements and to achieve the right balance between acquisitions and new builds.

Finally, I would like to emphasise the importance of homes being decent, safe and warm. That is why this Government will introduce Awaab's Law into the social rented sector. We will set out more detail and bring forward the secondary legislation to implement this in due course. We also intend to bring forward more detail in the autumn on our plans to raise standards and strengthen residents' voices.

### *Next phase of reform*

The action we have announced today will get us building, but as I said to the House of Commons it represents only a downpayment on our ambitions.

As announced in the King's Speech, we will introduce a Planning and Infrastructure Bill later in the first session, which will: modernise planning committees by introducing a national scheme of delegation that focuses their efforts on the applications that really matter, and places more trust in skilled professional planners to do the rest; enable local authorities to put their planning departments on a sustainable footing; further reform compulsory purchase compensation rules to ensure that what is paid to landowners is fair but not excessive; streamline the delivery process for critical infrastructure; and provide any necessary legal underpinning to ensure we can use development to fund nature recovery where currently both are stalled.

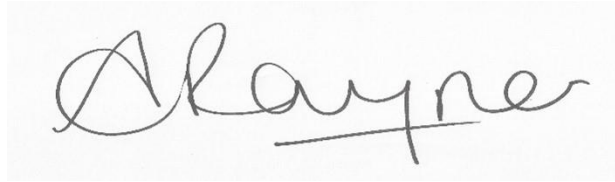
We will consult on the right approach to strategic planning, in particular how we structure arrangements outside of Mayoral Combined Authorities, considering both the right geographies and democratic mechanisms.

We will say more imminently about how we intend to deliver on our commitment to build a new generation of new towns. This will include large-scale new communities built on greenfield land and separated from other nearby settlements, but also a larger number of urban extensions and urban regeneration schemes that will work with the grain of development in any given area.

And because we know that the housing crisis cannot be fixed overnight, the Government will publish a long-term housing strategy, alongside the Spending Review, which the Chancellor announced yesterday.

We have a long way to go, but I hope today proves to be a major first step for all of us as we seek to put the housing crisis behind us. I look forward to working with you all, and am confident that together, we can achieve significant improvements that will benefit our citizens.

Yours sincerely,

A handwritten signature in black ink on a light grey background. The signature is written in a cursive style and reads "A Rayner".

**RT HON ANGELA RAYNER MP**

Deputy Prime Minister and Secretary of State for Housing, Communities & Local Government



Planning Committee

18 September 2024

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

**Appeals Started between 09 July 2024 – 04 September 2024**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
23/00070/FUL <b>Hazelwood Hazelwood Drive Sunbury-on-Thames</b>	16.07.2024	Hearing	APP/Z3635/W/24/3343497 Planning application for residential development comprising 67 units with the provision of landscaping, access, parking and associated works.
24/00269/RVC	10.07.2024	Written Representation	APP/Z3635/D/24/3345196

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
<b>Tower House Chertsey Road Shepperton</b>			Removal of condition 4 (permitted development rights) relating to planning permission PA/01/0224  As shown on the site location plan and supporting planning statement received 04.03.2024.
24/00155/FUL  <b>30 Nettlefold Place Sunbury-on-Thames TW16 6BD</b>	11.07.2024	Written Representation	APP/Z3635/W/24/3346327  Retention of replacement timber fencing to SW and W boundary and retention of enlarged amenity space including releveling of this area
24/00078/HOU  <b>Herne The Creek Sunbury-on-Thames</b>	23.08.2024	Written Representation	APP/Z3635/W/24/3346624  Retrospective application for retention of existing dormer (as shown on location plan rec'd 22.01.2024, and Herne 01/Dormer C rec'd 25.03.2024).
24/00232/HOU  <b>42 Lynegrove Avenue Ashford TW15 1ER</b>	12.07.2024	Fast Track Appeal	APP/Z3635/D/24/3346765  Erection of first floor side extension with partial garage conversion (as shown on loc plan, 42LG-001/3 rec'd 26.02.2024 and 42LG-001/2 rev 2, 42LG-001/4 rev 2 rec'd 11.03.2024).
24/00577/FUL	02.09.2024	Written Representation	APP/Z3635/W/24/3348201  Change of Use of Basement and Ground Floor from a vacant Bank to an Adult Gaming Centre (AGC)

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
<b>Barclays 39 Church Road Ashford</b>			As shown on drawing no's: Site location Plan; 39ChrAGC/FUL/24/01; 39ChrAGC/FUL/24/02; 39ChrAGC/FUL/24/03 received 08.05.2024

**Appeal Decisions Made between 09 July 2024 – 04 September 2024**

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
20/00210/ENF  <b>Land At The Boatyard Clarks Wharf Thames Street</b>	01.02.2023	Written Representation	APP/Z3635/C/23/3314071 Appeal against serving of an Enforcement Notice for without planning permission, the material change of use of the land from a sui generis use as a boatyard, to part boatyard and part residential use.	Appeal Dismissed	09.07.2024	Ground (d) appeal - No evidence has been put forward to suggest the residential use has gone on for more than 10 years so the appeal fails.  Ground (a) appeal - The boat's residential use is harmful to the amenities of neighbours and so is contrary to policy EN1.
23/00198/CLD  <b>4 Thetford Road Ashford TW15 3BW</b>	31.10.2023	Written Representation	APP/Z3635/X/23/3329073 Certificate of Lawfulness for an existing garage having been converted to a self-contained residential unit/flat since 2010 without interruption.	Appeal Dismissed	20.08.2024	The Inspector considered that the analysis of the evidence showed that there are significant periods when the flat was not occupied and no other supporting evidence was provided and overall, the Inspector found that the appellant's evidence was imprecise and ambiguous and did not show that, on the balance of probabilities, the flat was occupied without significant interruption for any four-year period.
22/00058/ENF	07.12.2023	Written Representation	APP/Z3635/C/23/3334551 Appeal against serving of an Enforcement Notice.	Appeal Dismissed	09.07.2024	The Inspector upheld the notice but corrected the allegation to remove the reference to a leisure plot. He



Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
<b>Land To The East Of Moor Lane Staines-upon-Thames</b>			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.			allows the retention of the mobile home. The horse box needs to be removed.  The effect of this is that the appellant does not need to do anything now to comply with the notice, other than remove the horse box.
23/00687/FUL  <b>Osmanstead Condor Road Laleham</b>	05.03.2024	Written Representation	APP/Z3635/W/23/3334656  The demolition of existing house to be replaced by five dwellings.  As shown on drawing numbers (all preceded by 712 CDA) ZZ ZZ DR A 00 0100 rev 01; ZZ 00 DR A 01 1000 rev 02; ZZ 00 DR A 01 0100 rev 02; ZZ 01 DR A 01 0101 rev 02; Z1 ZZ DR A 01 0200 rev 02; Z1 ZZ DR A 01 0201 rev 02; Z1 00 DR A 05 0100 rev 02; Z1 01 DR A 05 0101 rev 02; Z1 02 DR A 05 0102 rev 02; ZZ 03 DR A 05 0103 rev 01; Z1	Appeal Dismissed	21.08.2024	The Inspector considered that the main issues are the effect of the proposal on the character and appearance of the area and whether it would preserve or enhance the Laleham Conservation Area (LCA). The Inspector considered that the overall roof form and materials to be used, the scale and overall massing of the proposed buildings would appear more urban and developed, at odds with the village like appearance of the conservation area and would appear contextually incongruous and would fail to respond positively to its context and given its prominence would be of an inappropriate design that would harm the character, appearance and significance of the LCA and would fail to preserve or enhance it. The

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
			ZZ DR A 05 0200 rev 02; Z1 ZZ DR A 05 0201 rev 02; Z1 ZZ DR A 05 0202 rev 02; Z1 ZZ DR A 05 0203 rev 02; Z1 ZZ DR A 05 0204 rev 02; Z1 ZZ DR A 05 0205 rev 02; Z1 ZZ DR A 05 0206 rev 02; Z1 ZZ DR A 05 0207 rev 02; Z1 ZZ DR A 05 0208 rev 02 received 01.06.2023.			Inspector considered that this harm outweighed any public benefits of the proposal including a modest contribution to housing supply and concluded that the proposal would therefore be contrary to Policies EN1 and EN6 of the Spelthorne CS&P DPD and would not accord with the Framework which seeks to conserve and enhance the historic environment, ensuring new development is responsive to local history, culture and heritage.
23/00771/FUL  <b>Land Adjacent To 41 Chaplin Crescent Sunbury-on-Thames TW16 7JD</b>	27.03.2024	Written Representation	APP/Z3635/W/23/3335395  Demolition of existing garage and erection of bungalow with associated parking and amenity space.	Appeal Allowed	19.08.2024	The Inspector considered that the single storey nature of the dwelling, coupled with the corner location behind the existing garages, would obscure views of the proposal to glimpses only. Therefore, despite occupying a 'back land' location, its low-level stature would not appear as dominant or out of keeping.
23/01410/HOU  <b>4 Russington Road</b>	03.05.2024	Fast Track Appeal	APP/Z3635/D/24/3339668  Erection of double storey side and rear wrap around extension with front porch	Appeal Allowed	24.07.2024	The Inspector noted that there would be some appearance of terracing as the extension abuts the neighbouring dwelling and would result in some loss of the gap

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
<b>Shepperton TW17 8HN</b>			As shown on drawing numbers: Site location Plan; RRP01; RRP02; RRP03; RRP04; RRP05; RRP06 ELEVATIONS-PROPOSED ; RRP06 FIRST FLOOR PLAN - PROPOSED; RRP07 received 23.11.2024			between the properties. However, the Inspector concluded that in view of the previous extensions to neighbouring properties, the street scene will remain relatively unchanged, and any terracing effect would be minimal and the proposal would not cause harm to the character and appearance of the area. Therefore, it would comply with Policy EN1 of the Spelthorne CS&P DPD (2009) and the Design SPD (2011).
23/01467/HOU  <b>28 Hadrian Way Stanwell Staines-upon- Thames</b>	03.05.2024	Fast Track Appeal	APP/Z3635/D/24/3341314 Erection of single storey rear outbuilding as shown on drawing numbered 28HW/28062022/REV-B received on 29.11.2023	Appeal Dismissed	26.07.2024	The Inspector considers the main issues to be the character and appearance of the area; and the living conditions of the occupiers of 24  Hadrian Way with specific regard to outlook.  He notes that ' <i>...the land take and height of the proposed outbuilding would appear obvious in the street scene as one of authority and noticeable presence where one would normally expect, given the above context, to see something far</i>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						<p><i>more recessive against its host and primary building. In character terms, the building's overall scale would buck the trend and pleasant hierarchical pattern of building relationships, competing for dominance within the plot. These matters would detrimentally affect the consistency of the locality and thus harm the character and appearance of the area. ' Therefore, the proposal would conflict with Policy EN1 and the SPD on design.</i></p> <p>IN regard to the impact on the amenity of the neighbouring residential property, the Inspector notes that the outbuilding would be close to three metres in height. The rear elevation, abutting no. 24 would be a long, tall and continuous blank brick wall, without feature or visual interest, and would, '<i>...be oppressive to users of the garden of No 24 to the extent that it would present an overbearing effect that would lead to an unacceptably poor standard of outlook.'</i></p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						<p>Therefore, the proposal would conflict with Policy EN1 and the PPD which, amongst other things, seek to ensure that living conditions of properties are protected</p> <p>The Inspector goes on to note that he is aware of the history of the appeal site and specifically a dismissed appeal for a similar building, but considers '<i>...it is sufficiently clear that the changes that have been made to the scheme as it now stands have not gone sufficiently far to be acceptable.</i>'</p>
<p>24/00181/HOU</p> <p><b>122 Laleham Road Staines-upon-Thames TW18 2NP</b></p>	20.05.2024	Fast Track Appeal	APP/Z3635/D/24/3343853 Construction of a vehicle crossover	Appeal Dismissed	21.08.2024	<p>The Inspector considered that a parked vehicle on this frontage would possibly hang over the well-used pavement, with pedestrian safety implications. The cross over, particularly at this scale, would also add limitations to the scope and capacity for safe on-street parking.</p> <p>A further concern was regarding visibility along the highway from the site. The Inspectors assessment was that the proximity of above eyeline-height third-party-controlled</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						<p>obstructions to visibility, the narrow footway, parked cars abutting, and the curved alignment of the road all combine to create a situation where there would simply be inadequate visibility splays for a residential access onto this type of road.</p> <p>Overall, the Inspector concluded that</p> <p>the appeal scheme would run contrary to Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document (2009) which seeks to ensure suitable access and egress to the public highway and to protect highway safety.</p>
<p>24/00179/HOU</p> <p><b>22 Cecil Road Ashford TW15 1RJ</b></p>	17.06.2024	Fast Track Appeal	<p>APP/Z3635/D/24/3345780</p> <p>Erection of a single storey side and rear extension (following the demolition of existing side garage and side glass lean to).</p>	Appeal Allowed	25.07.2024	<p>The Planning Inspector noted that the depth and scale of properties in the vicinity vary, and whilst doubling the size of the existing property, he considered that the proposed single storey side/rear extension would not be disproportionate to the plot. Whilst being extensive extension, the Planning Inspector considered that the flat-roofed extension would not be overly prominent in the street</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Comments
						scene. Consequently, the appeal was allowed.
24/00232/HOU  <b>42 Lynegrove Avenue Ashford TW15 1ER</b>	12.07.2024	Fast Track Appeal	APP/Z3635/D/24/3346765 Erection of first floor side extension with partial garage conversion  (as shown on loc plan, 42LG-001/3 rec'd 26.02.2024 and 42LG-001/2 rev 2, 42LG-001/4 rev 2 rec'd 11.03.2024).	Appeal Dismissed	21.08.2024	The Inspector agreed that a first floor set-in is very much a characteristic of the avenue as a whole and the sense of space and visual gaps resulting from this make a valuable contribution to the quality of the streetscene. He considered that the proposal would markedly impinge upon this and would have a negative impact on visual amenity.

**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 Planning Inspectorate has now deemed that this case should be dealt with by Written Representation rather than a Hearing.
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 Planning Inspectorate has now deemed that this case should be dealt with by Written Representation rather than a Hearing.



Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
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 Planning Inspectorate has now deemed that this case should be dealt with by Written Representation rather than a Hearing.
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 Planning Inspectorate has now deemed that this case should be dealt with by Written Representation rather than a Hearing.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
<b>19/00015/ENF</b>  <b>Riverbank 1</b> <b>The Creek</b> <b>Sunbury On</b> <b>Thames</b>	07.06.2023	Public Inquiry 7-8 February 2024	APP/Z3635/C/23/3320593 APP/Z3635/C/23/3320594 APP/Z3635/C/23/3320595  Appeal against serving of an Enforcement Notice. Without planning permission the unlawful development of a new dwelling house, garage, boathouse, associated terracing and planters, steps, walls, pillars and hardstanding.	Part Allowed/Part Dismissed	21.06.2024	<p>The Inspector part allowed the appeal and the Enforcement Notice was upheld with variations.</p> <p>The appeal on grounds F and G was allowed. The Inspector removed the requirement to regrass the site. In addition, a small section of the perimeter wall located between the front entrance gate and the north-eastern boundary, which benefits from planning permission granted under reference 19/00758/FUL was removed from the Enforcement Notice plan. The Inspector also amended the compliance period from 4 months to 12 months.</p> <p>However, the Inspector dismissed the appeal on grounds A, B, C and D and</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>agreed with the LPA and made the following decision:</p> <p>1. Either:</p> <p>(a) alter the development so that it complies in all respects with the terms of planning permission 17/01464/FUL dated 18 April 2018 including the conditions subject to which that permission was granted;</p> <p>OR</p> <p>2. Carry out the following works:</p> <p>a. demolish the main dwelling house;</p> <p>b. demolish the garage;</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<p>c. demolish the associated terracing and planters;  d. demolish the steps;  e. demolish the walls, gates and pillars;  f. remove the hardstanding; and  g. remove all resultant materials for steps 1(b)-(a-f). 2;</p> <p>and</p> <p>3. demolish the boathouse and remove all resultant materials from its demolition.</p> <p>In addition, the appellant's application for an award of costs against the LPA was also dismissed, with the Inspector commenting;</p> <p><i>"I find that the Council acted reasonably in respect of the</i></p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
						<i>appeals, which is reflected in the ultimate outcome of the appeal decision."</i>
23/00121/OUT  <b>Land East Of Vicarage Road Sunbury-on-Thames TW16 7LB</b>	28.05.2024	Public Inquiry	APP/Z3635/W/24/3342657  A Hybrid planning application for an Integrated Retirement Community to consist of:  a) Full planning application incorporating 38 extra care and 28 close care units (Use Class C2) with an on-site village centre to include a  medical facility. Means of access off Vicarage Road, associated infrastructure, landscape buffer and open space.  b) Outline planning application for a care home (up to 60 beds) and up to 98 extra care units (Use Class C2),			The Public Inquiry has been scheduled to take place in the Council Chambers on the following dates:  18 – 20 September 2024  and  30 September – 4 October 2024

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspector's Comments
			landscaping and open space, parking, infrastructure, and internal access roads (all matters reserved).			
23/00070/FUL  <b>Hazelwood Hazelwood Drive Sunbury- on-Thames</b>	16.07.2024	Hearing	APP/Z3635/W/24/3343497  Planning application for residential development comprising 67 units with the provision of landscaping, access, parking and associated works.			The Public Inquiry has been scheduled to take place in the Council Chambers on the following dates:  22 – 23 October 2024

## 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>
23/00388/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 Show people (Sui Generis)	<b>Ashford Corporation Ltd</b>	<b>Paul Tomson / Kelly Walker</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>
24/00276/FUL	Open Field Behind Manor Farm 126 Charlton Road Shepperton	Change of use of 5 acres of open area of field from grazing, schooling and training of horses to a mix of grazing, schooling and training of horses and cross country course with jumps for horses.	<b>Wayne Michaels</b>	<b>Kelly Walker</b>
24/00790/FUL	Hitchcock And King Station Yard Stanwell Road Ashford TW15 3DT	Erection of a self-storage building (Use Class B8) with associated access, landscaping, parking and circulation space.	<b>Mr Philip Offer</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  
03/09/2024



**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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