

Please reply to:

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Date: 05 September 2025

Notice of meeting

Planning Committee

Date: Wednesday, 17 September 2025

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

To the members of the Planning Committee

Councillors:

M. Gibson (Chair)

D.L. Geraci (Vice-Chair)

C. Bateson

S.N. Beatty

M. Beecher

M. Buck

T. Burrell

R. Chandler

D.C. Clarke

K. Howkins

M.J. Lee

L. E. Nichols

K.E. Rutherford

P.N. Woodward

Substitute Members: Councillors J. Button, S.M. Doran, K.M. Grant, N. Islam and S.C. Mooney

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

To confirm the minutes of the meetings held on 20 and 27 August as a correct record.

Minutes to follow

3. Disclosures of Interest Under the Member's Code of Conduct

To receive any disclosures of interest from councillors under the Members' Code of Conduct.

4. Declarations of interest under the Council's Planning Code

To receive any declarations of interest from councillors under the Planning Code including contact with applicants/objectors.

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.

5. Planning application 24/01112/FUL - Land North-East of Eco Park, Charlton Lane, Shepperton, TW17 8QA

5 - 44

Ward

Halliford and Sunbury West

Proposal

The construction and operation of a Battery Energy Storage System of up to 100 megawatts electrical output with a total capacity of circa 200 megawatt hours, associated site access and partial cable route, with associated work

Recommendation

The application is recommended for approval subject to the conditions set out in paragraph 8.3 of the report.

6. Planning application 25/00710/FUL - 299 Feltham Hill Road, Ashford

45 - 68

Ward

Ashford Common

Proposal

Proposed roof extension with ridge height increase and 2 no. side-facing dormers to facilitate a change of use from a single dwelling (Use Class C3) to a house in multiple occupancy for 7 occupants ((HMO) – Sui Generis)

Recommendation

Approve the application subject to conditions as set out in the Recommendation Section of the report.

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| 7. | Planning Application 25/00806/RVC - 18 Wellington Road, Ashford, TW15 3RJ | 69 - 88 |
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Ward

Ashford Town

Proposal

Variation of Condition 3 (Approved Plans) relating to planning permission 24/01542/FUL for roof alterations and extensions to create habitable roof space, with insertion of 1 no. front facing dormer and 1 no. rear facing dormer, erection of a single storey side extension and a single storey rear extension. Change to fenestration and extension of dropped kerb. All to facilitate the subdivision of the property into 2 no. flats (1 no. 2 bed and 1 no. 3 bed) with associated parking and amenity space. Changes to single storey side extension to reduce set in from boundary (retrospective).

Recommendation

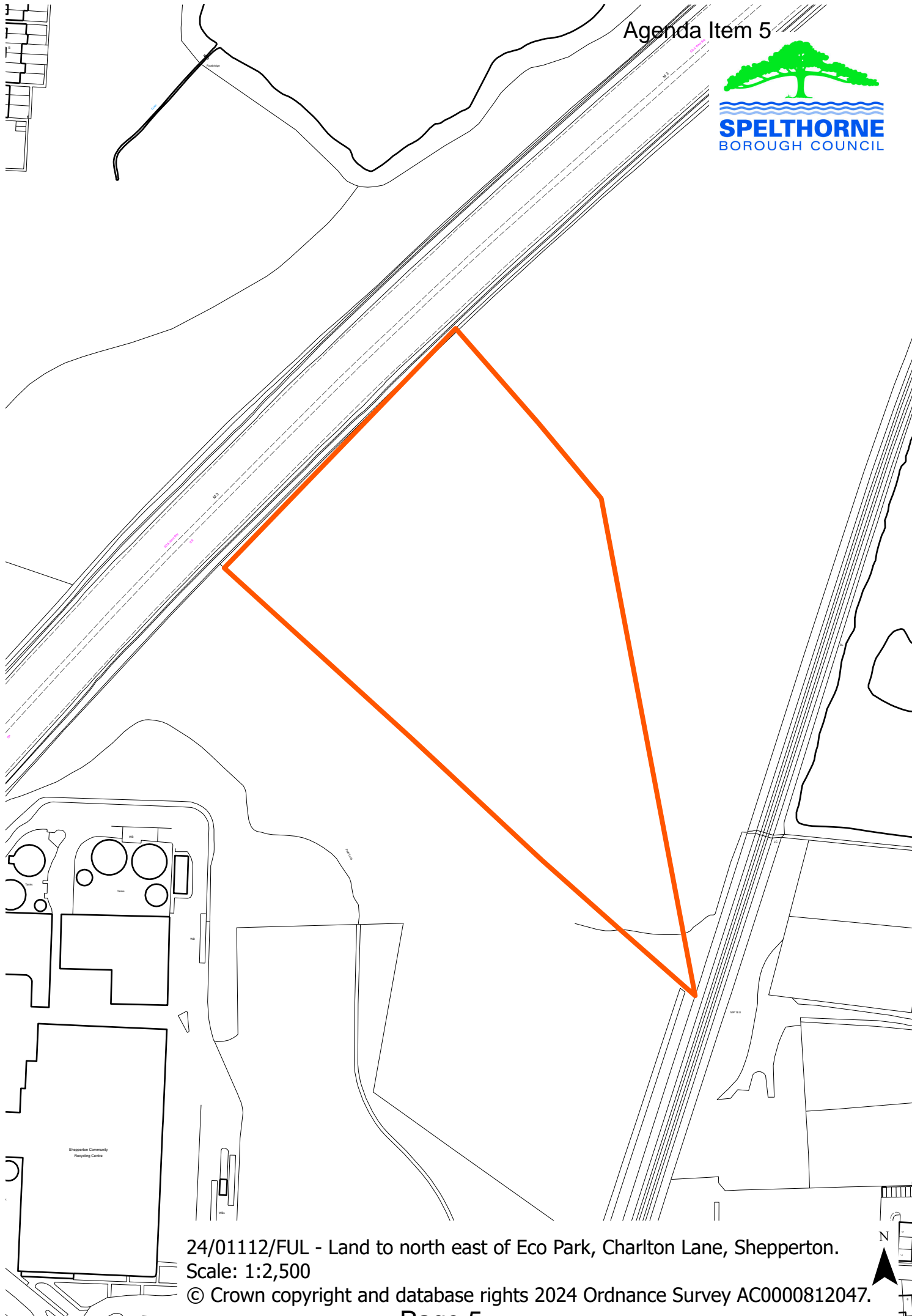
Approve the application subject to conditions as set out in Paragraph 8 (Recommendation) of the Report.

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| 8. | Planning Appeals Report | 89 - 100 |
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To note details of the Planning Appeals submitted and decisions received between 08 August 2025 and 03 September 2025.

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| 9. | Glossary of Terms and Abbreviations | 101 - 106 |
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24/01112/FUL - Land to north east of Eco Park, Charlton Lane, Shepperton.
Scale: 1:2,500

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Planning Committee

17 September 2025



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|--------------------------|---|--------------------|---|
| Application No. | 24/01112/FUL | | |
| Site Address | Land North-East of Eco Park, Charlton Lane, Shepperton, TW17 8QA | | |
| Applicant | Sunbury BESS Ltd | | |
| Proposal | The construction of and operation of a Battery Energy Storage System of up to 100 megawatts electrical output with a total capacity of circa 200 megawatt hours, associated site access and partial cable route, with associated work. | | |
| Officer | Matthew Clapham | | |
| Ward | Halliford and Sunbury West | | |
| Call in details | This planning application has been referred to the Planning Committee to make a decision by the Planning Development Manager under Standing Order Part 3 section (b), 2. | | |
| Application Dates | Valid: 12/09/2024 | Expiry: 12/12/2024 | Target: Extension of Time agreed 19/09/2025 |
| Executive Summary | <p>The proposed development comprises the construction of and operation of a Battery Energy Storage System ('BESS') of up to 100 Megawatts (MW) electrical output with a total capacity of circa 200 megawatt hours, together with associated site access and partial cable route and associated works on land north of Charlton Lane, Shepperton. The proposed development will take energy from the electricity grid when the demand is low or supply is high and feed this back into the grid when demand is higher or supply is lower, thus operating in either 'energy charge', 'energy storage' or 'energy discharge' modes, providing support balancing services to the National Grid.</p> <p>The proposed site covers an area of approximately 3.58 hectares ('ha'). The site comprises a landfilled former gravel workings site which has since been restored and is located on open land to the north of Charlton Lane in Shepperton. The site is part of a triangular belt of land between the M3 motorway and a railway line and is designated as Green Belt. Access to the site follows the existing track from Charlton Lane.</p> <p>This planning application proposes the erection of 50 battery container units each being 12.2m in length; 2.44m in width and 3.19m in height and each comprising an industrial lithium-ion battery complete with a battery management system and mechanical ventilation. There will also be 25 transformers which are to be connected to each battery within the</p> | | |

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| <p>proposed BESS area. In addition, grid compliance equipment; switchgear housing; site security (including fencing; CCTV/security cameras; maintenance (intermittent) lighting columns; and landscaping and biodiversity enhancement adjoining the proposed BESS area.</p> <p>Careful consideration has been given to the benefits of the proposal in meeting national and local policies with regard to aiding the transition to the delivery of renewable and low carbon energy to mitigate climate change and to aid the transition to increased dependency on renewable energy. This has been accorded substantial weight in support of the proposal.</p> <p>The proposal is considered to represent ‘inappropriate development’ within the Green Belt. It would result in a harmful loss of openness of the Green Belt and would conflict with two of the purposes of the Green Belt through failing to assist in safeguarding the countryside from encroachment and to check the unrestricted sprawl of large built-up areas. However, the changes to Government policy, clearly supporting the provision of facilities such as a BESS to support the delivery of low carbon and renewable energy, when considering the planning and Green Belt balance are considered to outweigh the harm to the Green Belt.</p> <p>Furthermore, the Council has itself declared a Climate Emergency. In addition, a significant amount of appeal decisions have recently demonstrated the shift in policy towards the acceptability of the provision of such facilities.</p> <p>The reduction in the size of the proposed BESS from that already submitted is also considered to have reduce the concerns raised regarding the harm to the character and appearance of this area of land as, when combined with the proposed landscaping, the wider benefits of the provision of a BESS facility are considered to outweigh any harm from the proposal.</p> <p>The Environment Agency have removed their objection regarding flooding and drainage matters.</p> <p>Notwithstanding the significant concerns raised regarding fire hazards and health and safety issues, it is not considered that there is sufficient evidence to justify refusal on these grounds, as no objection has been raised by the Surrey Fire and Rescue Service, nor the Health and Safety Executive. Moreover, it is considered that the proposal would not adversely impact upon the residential amenity of the surrounding properties nor result in any landscaping or biodiversity concerns.</p> <p>It is concluded that the environmental benefits of the proposal in aiding the transition to the delivery of renewable and low carbon energy to mitigate climate change and to aid the transition to increased dependency on renewable energy outweigh the harm to the openness of the Green Belt and the harm to the character and appearance of this rural area. It is considered that these cumulative benefits that would arise from the proposal amount to the very special circumstances which clearly outweigh the harm to the Green Belt and any other harm and therefore the proposal</p> |
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| | is considered acceptable. |
| Recommended Decision | The application is recommended for approval subject to the conditions set out in paragraph 8.3 below. |

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)
 - LO1 (Flooding)
 - SP6 (Maintaining and Improving the Environment)
 - EN1 (Design of New Development)
 - EN3 (Air Quality)
 - EN8 (Protecting and Improving the Landscape and Biodiversity)
 - EN11 (Development and Noise)
 - EN 14 (Hazardous Development)
 - EN15 (Development on Land Affected by Contamination)
 - SP7 (Climate Change and Transport)
 - CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
 - CC2 (Sustainable Travel)
- 1.2 Saved Local Plan Policy GB1 (Development Proposals in the Green Belt) is also relevant.
- 1.3 The National Planning Policy Framework (NPPF) December 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, it was paused to allow time for the new council to understand and review the policies and implications of the emerging Local Plan and to address the issues that were 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.

1.6 On 12 December 2024, the Planning Inspectorate confirmed that the Local Plan examination would resume on the 27 January 2025. This has now taken place and the Examination closed on 18 February 2025. Adoption of the Local Plan by Council could be by November 2025 subject to the plan being found sound by the Inspector and public consultation undertaken on the Main Modifications <https://spelthornelocalplan.info/evidence-base/>

1.7 The relevant Emerging Local Plan policies are: -

- ST1: Presumption in Favour of Sustainable Development
- ST2: Planning for the Borough
- PS1: Responding to the climate emergency
- PS2: Designing places and spaces
- PS3: Heritage, Conservation and Landscape
- SP4: Green Belt
- E1: Green and Blue Infrastructure
- E2: Biodiversity
- E3: Managing Flood Risk
- E4: Environmental Protection

1.7 The Overarching National Policy Statement (NPS) for Energy (EN-1), Department for Energy Security and Net Zero, November 2023 sets out national policy for the delivery of energy infrastructure.

1.8 The PPG Renewable and low carbon energy, 2023 provides renewable and low carbon energy guidance and identifies the planning considerations.

1.9 The NPPF policy 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).

1.10 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.

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

1.12 Also relevant are the following Supplementary Planning Documents/Guidance:

- SPD on Flooding 2012
- SPD on Climate Change 2024

2. Relevant Planning History

| Ref. No. | Proposal | Decision and Date |
|----------------|---|--|
| 24/00017/FUL | The construction of and operation of a Battery Energy Storage System of up to 200 megawatts electrical output, associated site access and cable route with connection point at the existing National Grid/SSE 132 kV Laleham GSP (Grid Supply Point), with associated work. | Withdrawn 19.06.24 |
| SP18/01299/SCC | Enlargement of an existing bund, creation of two additional smaller bunds, realignment and resurfacing of third-party access track, and associated landscaping. | Surrey County Council Approval 07.03.19 |
| SP10/0947 | Development of a Waste Management Eco Park, comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping; and the diversion of Public Footpath 70. | Surrey County Council Approval 09.03.12 |
| SP10/0883 | Permanent retention of the existing waste management facility, comprising a community recycling centre, materials recycling facility with bulking bays, a waste transfer station with associated infrastructure, an improved access onto Charlton Lane and an acoustic fence adjacent to Iydyne Cottage | Surrey County Council Approval 25.02.2011 |
| 04/01212/FUL | Development of the site to create an equestrian centre. Erection of stable block, hay and machinery storage barn and portable building to act as a changing, refreshment and | Refused 14.04.2005 |

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| | first aid facility. Creation of 2 no. all weather riding areas and a car park. | |
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3. Description of Current Proposal

- 3.1 The site covers an area of approximately 3.58 hectares. The site comprises landfilled former gravel workings and is located on open land to the north of Charlton Lane in Shepperton.
- 3.2 The site, which has now been restored, is part of a triangular belt of land between the M3 motorway and a railway line and is designated as Green Belt. Access to the site follows the existing track from Charlton Lane.
- 3.3 The proposed development comprises the construction of and operation of a Battery Energy Storage System ('BESS') of circa 100 Megawatts hours (MWh) electrical capacity, associated site access and partial cable route with associated work on land north of Charlton Lane, Shepperton. The proposed development will take energy from the electricity grid when either the demand is low or the supply is high and feed this back into the grid when demand is higher or supply is lower, thus operating in either 'energy charge', 'energy storage' or 'energy discharge' modes, providing support balancing services to the National Grid.
- 3.4 This planning application proposes the erection of 50 container units 12.2m in length; 2.44m in width and 3.19m in height, each comprising industrial lithium-ion batteries complete with a battery management system and mechanical ventilation. In addition, the following equipment is proposed:
- 25 transformers which are to be connected to each battery within the proposed BESS area;
 - Underground electrical cabling and electrical connection corridor;
 - Grid compliance equipment;
 - Switchgear housing;
 - Site security (including fencing; CCTV) / security cameras;
 - Maintenance (intermittent) lighting columns;
 - Water Tanks;
 - Landscaping and biodiversity enhancement adjoining the proposed BESS area;
 - Site preparation;
 - Provision of site access;

- Provision of site drainage; and
 - Landscaping and Biodiversity Management
- 3.5 The site of the BESS itself is located within the Metropolitan Green Belt. Access to the site is to the south from Charlton Lane off the entrance/exit to the Eco Park whilst another access point is to be created to the northwest under the M3 motorway.
- 3.6 The BESS would comprise a variety of buildings and structures set within a compound secured by 2.4m high palisade fence. The submitted plans indicate that the 50 battery container units would form 6 rows across the site with the transformers located alongside.
- 3.7 This proposal was due to be presented to the Planning Committee at the meeting on the 10th December 2024. However, the matter was deferred at the request of the applicant who requested an opportunity to address the concerns raised and in particular, to address the objection raised by the Environment Agency. The Council also note that the updated National Planning Policy Framework was due at that time and it was considered reasonable to accept the request to defer the application. The proposal has been amended to halve the size of the facility from a 200 megawatt facility to a 100 megawatt facility with associated reductions in the capacity / output and the site area and the amount of equipment and plant.
- 3.8 Copies of the proposed site layout and elevations are provided as an Appendix.

4 Consultations

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

Statutory Consultees

| Consultee | Comment |
|--|-------------------------------------|
| County Highway Authority | No objection subject to a condition |
| Lead Local Flood Authority (Surrey County Council) | No objection subject to conditions |
| Environment Agency | No objection subject to conditions |
| Surrey County Council Rights of Way | No objection |

Non-Statutory Consultees

| Consultee | Comment |
|-----------------------------------|---|
| Health and Safety Executive (HSE) | The HSE has confirmed that it is not located in an area where there are safety concerns |

| | |
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| | and state that it is not in an area of interest to the HSE |
| Health and Safety Executive (Fire safety) | No objection |
| Surrey County Council Fire and Rescue | No objection |
| Sustainability Officer | No comments. |
| Cadent Gas | No objection |
| National Grid | No objection |
| Surrey County Council Waste and Minerals | No objection |
| Network Rail | No objection |
| Arboricultural Officer | No objection |
| Surrey Wildlife Trust | No objection subject to conditions |
| Surrey County Council Archaeology | No objection, recommended a condition |
| Environmental Health (Contaminated land) | No objection, recommended conditions |
| Environmental Health (Noise) | No objection subject to condition |
| Environmental Health (Air Quality) | No objections – recommended conditions including submission of an Air Quality Assessment |

5. Public Consultation

- 5.1 The NPPF seeks to encourage pre-application engagement and front loading and advises that “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.” The Council’s own Statement of Community Involvement states that the “Council will encourage applicants and developers to undertake pre-application consultation and discuss their proposals with their neighbours or the community before submitting their formal application.”
- 5.2 The applicant submitted a Statement of Community Involvement as submitted with the revised application. A meeting has taken place between the applicants and representatives of three Local Residents Associations, Charlton Village, Shepperton and the Lower Sunbury Residents Association (LOSRA).
- 5.3 Following receipt of the planning application, 361 properties were notified of the planning application. Statutory site and press notices were displayed, as the proposal constitutes a major application and is a departure from the

development plan. A total of 160 letters of representation have been received objecting to the application. Three letters of support were also received.

5.4 Following the submission of amended drawings the application was re-advertised and a further 40 letters of objection were received raising the same concerns and not considering that the reduction in size of the facility reduced the impacts.

5.5 Reasons for objecting include: -

- Green Belt
- Character and appearance of the area
- Health and Safety concerns
- Fire Hazard
- Contamination
- Need and justification for the facility
- Lack of local benefits
- Noise and disturbance during construction
- Too much industrialisation of this area
- Too much development on top of Eco Park
- Impact on wildlife and Biodiversity
- Residents already but up with rodents, odours
- Noise, dust, pollution dangers to human health
- Unsuitable in this location / other sites not considered
- Access safety
- Proximity to schools and houses
- Outlook, visual impacts
- Flooding and drainage concerns

5.6 Reasons for support were for the benefits of the proposal with regard to climate change.

6. Planning Issues

- Green Belt
- Character and Appearance
- Climate Change
- Parking/Highway issues
- Flooding and Drainage
- Health and Safety
- Biodiversity/Landscaping and Ecology

7. Planning Considerations

Green Belt

7.1 The National Planning Policy Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 153 states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.

- 7.2 At paragraph 143, the NPPF sets out the five purposes of the Green Belt. These are:
- To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns from merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.3 Paragraphs 154 and 155 set out various exceptions as to what constitutes 'Inappropriate Development' and Paragraph 160 reinforces this with regard to renewable energy projects. The proposal is not a development for renewable energy production, rather its stated aim is to contribute to the transition to renewable energy by allowing the storage of energy for use at peak times or when unforeseen demand is put on the network. Renewable energy sources are highly variable due to their weather dependency and this storage facility allows the storage of electricity generated by renewable forms of energy when the weather is suitable for energy generation for times when the weather or time of day is not suitable to generate electricity.
- 7.4 The Council's Local Plan Policy GB1 was saved from the 2001 Local Plan and pre-dates the NPPF. However, the policy is broadly consistent with the NPPF and is afforded significant weight. Saved Policy GB1 does not allow for any development in the Green Belt unless it is one of a number of appropriate uses set out in the policy. This differs from the more recent NPPF, which allows exceptions to inappropriate development, where the identified harm to the Green Belt and any other harm is clearly outweighed by other considerations, which constitute 'very special circumstances'.
- 7.5 The site is located within the Green Belt and unallocated in the adopted local plan and therefore should be considered in this context. The application site is considered to be strongly performing in Green Belt terms based on the Council's Strategic Green Belt Assessment (2018). As such, it is not considered that the site may be considered as 'Grey Belt'.

Inappropriate development

- 7.6 The BESS would constitute 50 container units 12.27m in length; 2.44 in width and 2.94m in height, each comprising an industrial lithium-ion battery complete with a battery management system and mechanical ventilation, together with 25 transformers which are to be connected to each battery within the proposed BESS Area and various other associated equipment, structures and works as set out in paragraph 3.3 above. Consequently, the proposed development would not fall within any of the exceptions listed in paragraphs 154 NPPF.
- 7.7 Paragraph 155 of the revised NPPF (2024) relates to 'Grey Belt' and the applicant has asserted that the application site should be considered as such, and that the proposal represents 'appropriate development' as there is demonstrable unmet need for the type of development proposed. The

Council's Green Belt Assessment produced as part of the 'emerging' Local Plan states that the application site is overall 'strongly performing' in Green Belt terms. Notwithstanding this, it is noted that the assessment does mark the sub area where the application site as only being moderately performing in terms of restricting urban sprawl and preventing neighbouring towns from merging. However, the NPPF (paragraph 155) states that a development may be appropriate where it would utilise grey belt land and would **not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.** (Officer emphasis). The Green Belt assessment clearly states that 'Overall, the sub-area plays a fundamental role with respect to the wider Green Belt Local Area, and its release would harm the performance and integrity of the wider strategic Green Belt'. This is considered to demonstrate that the application site does not meet the criteria for Grey Belt land as set out in the NPPF.

- 7.8 Therefore, it is considered that the proposal would be inappropriate development in the Green Belt and is consequently harmful. Substantial weight should be given to this harm, and very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

Openness

- 7.9 Openness is an essential characteristic of the Green Belt that has both visual and spatial qualities. The site currently consists of an open area of land covered by grass and some trees and is not immediately enclosed, with limited fencing securing parts of the site and the railway line. However, the site is largely open to views from the public domain including the public footpaths which run to the south and east of the site together with vantage points along Charlton Lane where the pavement rises to go over the bridge over the M3 motorway. As such, in visual terms there will be a reduction in openness. The height of the proposed structures would make the proposal highly visible from the public footpaths, the railway line and surrounding bridges and pavements along Charlton Lane and would alter the rural appearance of the site itself and would act to draw the eye to the compound. This would result in a considerable change from an open field into an industrial style setting and would harm the openness of the Green Belt.
- 7.10 The addition of the amount of equipment as set out in paragraph 7.6 above, including the 2.4m high fence, lighting and CCTV columns and the battery units and transformers themselves which are 2.94m in height is considered to have a significant and adverse impact upon the openness of the Green Belt in spatial terms. The compound housing the battery units and transformers and the adjoining compound results in numerous utilitarian structures within the currently relatively open grassland and would introduce relatively significant additional volumetric massing in spatial terms to the openness.
- 7.11 To mitigate this, some landscaping is proposed and in view of the current appearance of the site, this landscaping would not appear out of character. It is noted that the additional landscaping as proposed in the Landscape and Visual Appraisal (LVA) to provide partially screening would take up to 10 years to effectively screen the compound, once the landscaping matures, the

proposal would have a limited visual envelope and the effect on the openness would be localised, so moderating harm to the openness.

- 7.12 Nevertheless, the proposal is considered to result in significant harm to the openness of the Green Belt and conflicts with Paragraph 13 of the national Planning Policy Framework and Policy GB1 of the 'Saved' Local Plan (2001)

Purposes of the Green Belt

- 7.13 The level and scale of development is such that it is considered to conflict with two essential purposes of the Green Belt outlined in the NPPF, namely a) to check the unrestricted sprawl of large built up areas and c) to assist in safeguarding the countryside from encroachment. The proposal would introduce a range of industrial plant of a purely functional appearance within a fenced compound into an area of countryside that in this part of the overall site is devoid of built form.
- 7.14 Therefore, the proposal would conflict with two of the Green Belt purposes in failing to check the unrestricted sprawl of large built-up areas and to assist in safeguarding the countryside from encroachment. This carries significant weight in regard to the impacts upon the purposes of including land within the Green Belt.

Character and Appearance of the Area

- 7.15 Policy EN1 a) of the Spelthorne Core Strategy and Policies Development Plan Document (2009) (CS&P DPD) states that new development should respect and make a positive contribution to the street scene and the character of the area in which they are situated.
- 7.16 Section 12 of the NPPF refers to design – Achieving well-designed places and in particular that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.17 It is recognised that the proposal is located to the north of the Surrey County Council Eco-Park development which dominates the immediate area, although it is noted that this forms part of the Surrey County Council Waste Strategy and was built on an existing refuse facility. It also provides disposal of waste and recycling facilities for a number of Boroughs within Surrey, including Elmbridge, and its form is the exception in this area which is characterised by open grassed land with some trees and shrubs and has a topography that is generally flat. The Landscape Visual Appraisal (LVA) submitted with the application does propose some additional planting that would in part screen the proposed BESS from public views and would partially mitigate the effect on the character and appearance of the area. This landscaping, with the expanse of open land continuing in the surroundings of the site, the open character would remain the dominant influence of the area. The 40 year 'temporary' period, albeit a long term permission, would allow the land to be remediated after this period.

- 7.18 Notwithstanding this mitigation, the site subject to this application is open Green Belt land covered with grass, trees and shrubs and is relatively visible from the two public footpaths that run to the east and south of the site and other parts of the public domain. As such, the proposal would result in the erosion of an open area of land and would result in moderate harm to the character and appearance of the area. that would be detrimental to the visual amenity of the area. As such, this is given moderate weight in assessing this proposal. As such, the proposal is contrary with Policy EN1a) of the CS&P DPD, which amongst other matters, seeks to ensure that developments make a positive contribution to the character and appearance of the area.

Climate Change

- 7.19 The Core Strategy and Policies DPD sets out at policy CC1 the approach to renewable energy, energy conservation and sustainable construction. This Policy states that the Council will seek to minimise the impact of climate change and reduce the impact of development in contributing to climate change by: a) promoting the inclusion of provision for renewable energy, energy conservation and waste management facilities in both new and existing developments, b) ensuring development is located in a way that reduces the need to travel and encourages alternatives to car use, and its design and layout takes account of climate change and c) supporting initiatives, including travel plans, to encourage non car-based travel.
- 7.20 Policy PS1 of the emerging Local Plan, 'Responding to the climate emergency', states that all development must respond to the climate emergency by a number of measures including the Council's intention to accelerate its efforts by introducing greener buildings, transportation, greener investments and increasing renewable energy and to plan for a low-carbon future in which carbon emissions and other greenhouse gases are reduced and we tackle and adapt to the new climatic norms. The Council declared a climate change emergency in October 2020. In addition, the Council worked with the Surrey boroughs and districts and Surrey County Council to produce the Surrey Greener Futures Climate Change Strategy (2020 – 2050) and Climate Change Delivery Plan 2021.
- 7.21 The Overarching National Policy Statement (NPS) for Energy (EN-1), Department for Energy Security and Net Zero, November 2023 sets out national policy for the delivery of energy infrastructure. Whilst a BESS does not produce renewable energy itself, it does store energy, including that of low carbon. The NPS recognises that electricity storage is one source which will help deliver the nation's energy objectives and will provide increased flexibility to store energy when there is excess supply and release it when needed. The NPS forecasts that by 2035, all the nation's electricity will need to come from low carbon sources, subject to security in supply.
- 7.22 The PPG on Renewable and Low Carbon Energy recognises that "electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low

carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity.

- 7.23 The National Grid is working to deliver carbon free operation with the ultimate goal of reaching net zero by 2050. Consequently, BESS play an important role in the national energy infrastructure system and this carries very substantial weight in support the proposal.

Highways

- 7.24 Policy CC2 states that the Council will seek to secure more sustainable travel patterns by only permitting traffic generating development where it is, or can be made compatible with the transport infrastructure in the area taking into account highway safety.
- 7.25 National Highways has not raised any objections subject to conditions and are satisfied that the proposal would not adversely impact upon the operation of the M3.
- 7.26 The County Highway Authority (CHA) has not raised any concerns or requirements. The CHA *'noted the concerns raised by residents in terms of increased traffic concerns. However, the proposed maximum number of daily trips during the development is 8 two-way trips during the initial stages of development, 4 two-way trips for the remainder of development and 2 two-way trips per month once the site is operational, it is the CHA's position that granting the application would not have a material impact on the safety and operation of the adjoining public highway. Given the above, it is the CHA's position that no objections on highway safety or capacity grounds would be raised'*. Therefore, the proposal is considered acceptable in terms of highway matters.
- 7.27 Therefore having regard to the comments from National Highways and the CHA, it is considered that the proposal would be acceptable in terms of impact on highway safety and would not conflict with Policy CC2 of the Spelthorne Core Strategy and Policies Development Plan Document (2009)

Flooding and drainage

- 7.28 Policy LO1 e) of the CS&P DPD states that the Council will seek to reduce flood risks and its adverse effects on people and property in Spelthorne by supporting appropriate comprehensive flood risk management measures within the Borough which are agreed with the Environment Agency.
- 7.29 The Environment Agency originally raised an objection to the proposal over concerns regarding the *Infiltration drainage of surface water mobilising contaminants within the landfill material*. However, following the submission of additional details and reports, the Environment Agency have removed their objection. Stating that *'the developer has outlined a clear and productive staged approach to ultimately devise an acceptable drainage strategy in order to protect groundwater..*

- 7.30 The Surrey County Council Sustainable Drainage Team acting as the Lead Local Flood Authority (LLFA) has not raised an objection subject to conditions. Due to the removal of the objection from the Environment Agency, the proposal is considered acceptable in regard to infiltration drainage of surface water.
- 7.31 Therefore, the proposal is considered acceptable in regard to flooding and drainage matters and complies with policy LO1 of the CS&P DPD.

The impact upon the residential amenity of adjoining properties

- 7.32 Policy EN1 b) of the Spelthorne Core Strategy and Policies Development Plan Document (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.
- 7.33 The nearest residential properties to the proposed development are those in Charlton Village to the north-west (approximately 220 metres) and Upper Halliford to the south-east (approximately 260 metres). The nearest large built-up area is Sunbury-on-Thames located approximately 1km to the north-east of the site. The site is bounded by the M3 motorway to the north-west (beyond which are fields and residential properties off Charlton Road forming Charlton Village, Charlton Lane Waste Management Eco Park to the southwest (beyond which is Charlton Lane and the Sunbury Golf Course, a former landfill site), and the Shepperton to London Waterloo railway line to the south-east beyond which are residential properties in Hawthorn Way. This street forms part of Upper Halliford. There are further properties in Birch Green to the north-east.
- 7.34 In terms of noise, Policy EN11 of the CS&P DPD states that the Council will seek to minimise the adverse impact of noise by requiring developments to include measures to reduce noise to an acceptable level. The Council's Environmental Health Officer has previously raised no objection subject to the imposition of a condition requiring details of noise mitigation measures (e.g. acoustic fencing) to be submitted to and approved by the Local Planning Authority. However, any noise issues from the equipment should be considered in the wider context. There is significant background noise from the M3 motorway in particular, together with intermittent noise from the railway line, the Eco Park and flights from Heathrow Airport.
- 7.35 The proposed lighting on the site is in the form of 3m high lighting columns. These lights will only be operational for security reasons when movement is identified by sensors inside the compound, or at times when routine or emergency maintenance is being carried out. In view of existing background lighting and the limited use of lighting on site, no concerns are raised regarding light pollution. The Council's Environmental Health Officer has not objected due to the lack of detailed information on any significant lighting being used.
- 7.36 Due to the separation distances involved and the size of the structures proposed at the BESS it is not considered that there would be any adverse

impacts upon local residents in terms of any loss of light, loss of privacy or overbearing impact.

- 7.37 Therefore, the proposal is considered to comply with Policy EN1b) and EN11 of the CS&P DPD and no adverse impacts upon residential amenity to adjoining properties is considered to arise.

Health and Safety / Fire Hazards

- 7.38 Careful consideration has been given to concerns regarding health and safety and in particular fire concerns resulting from the use of Lithium batteries on the site. These concerns have been raised by a significant number of third party representations. Reference has been made to a documented incident of a BESS fire in the UK, when a battery system container at a BESS site in Liverpool caught fire and others elsewhere. The application has been accompanied by an Outline Safety Management Plan, which details initial appraisal of risks and also a strategy to mitigate any risks during the lifetime of the BESS.
- 7.39 It is of importance to note that neither the Health and Safety Executive, the Health and Safety Executive (Fire) or the Surrey County Council Fire and Rescue advisors have raised any objections to the proposals. It is also noted that BESS sites can be also designed with safety features, such as fire suppression systems, to ensure their safety. In this instance, after discussions with the relevant authorities, access from both the north and south has been provided for emergency vehicles in the event of a fire or other incident at the site and a number of water tanks would be provided on site.
- 7.40 With regard to fire, the site is some distance from the nearest residential properties and therefore the risk of a fire affecting neighbouring residential areas is considered minimal. Notwithstanding the incidents of fires involving Lithium batteries, there is no compelling evidence to demonstrate that this facility would be hazardous. In the unlikely event of a fire, it is considered that the facility would be readily accessible by a fire tender and there is no clear evidence, as illustrated by the lack of objections from the relevant authorities, that this facility would be especially vulnerable to the risk of fire.
- 7.41 Also, concerns have been raised that the proposed BESS could affect the health of local residents through chemicals used in the facility. However, there is also no clear evidence that such a facility would contain hazardous chemicals, likely to impact residents, or that it would result in harm to the local population or users of the adjoining public footpaths.
- 7.42 Policy EN14 states that the Council will refuse permission for any proposal likely to significantly increase the risks associated with any particular hazardous installation or impose conditions where necessary to avoid increased risk.
- 7.43 The PPG on Renewable and low carbon energy advises that “*when planning applications for the development of battery energy storage systems of 1 MWh or over, and excluding where battery energy storage systems are associated with a residential dwelling, are submitted to a local planning authority, the*

local planning authority are encouraged to consult with their local fire and rescue service as part of the formal period of public consultation prior to deciding the planning application. This is to ensure that the fire and rescue service are given the opportunity to provide their views on the application to identify the potential mitigations which could be put in place in the event of an incident, and so these views can be taken into account when determining the application". The PPG also refers to the guidance on BESS in the National Fire Chiefs Council for grid scale (typically 1 MW or larger) BESS in open air environments, using lithium-ion batteries. This proposal falls within this category. The guidance is very detailed and technical.

- 7.44 Surrey Fire & Rescue Service was consulted on this application and has advised that it appears to demonstrate compliance with the Fire Safety Order in respect of means of warning and escape in case of fire. The Service comments further that the premises may be inspected in due course in accordance with Surrey Fire and Rescue Service's risk-based inspection programme and the information in the Building Regulations and Fire Safety Statutory Consultation notes referred to in the response should be considered prior to the start of works. The scheme has been examined by a Fire Safety Inspecting Officer and it appears to demonstrate compliance with the Building Regulations 2010. The response make a number of notes on Building Regulations and Fire Safety Statutory Consultation, which should be considered prior to the start of works: Fire Risk Assessment, Fire Safety Information, Goodwill advice and Automatic Water and Fire Suppression Systems.
- 7.45 Given the clear advice given to the LPA by the Health and Safety Executive, the Health and Safety Executive (Fire) and the Surrey County Council Fire and Rescue, there are no planning reasons to prevent this development on fire safety grounds. Therefore, the proposal complies with Policy EN14 of the CS&P DPD.

Biodiversity/Ecology and Landscaping

- 7.46 Policy EN8 of the CS&P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, where possible, contributes to an improvement in the landscape and biodiversity.
- 7.47 The site is not located within any specific area of ecological or biodiversity designation. The Queen Mary Reservoir which is located west of the proposed BESS facility is designated as a Site of Nature Conservation Importance (SNCI), as is an area to the northwest of the facility on the other side of the M3 - Land East Of Charlton Village (north of M3).
- 7.48 A Screening Opinion was made regarding the need for an Environmental Impact Assessment (EIA) and it was determined that an EIA is not required.
- 7.49 The applicant has submitted a Landscape and Visual Appraisal and a Landscape Strategy Plan which sets out various proposals for landscaping and planting that firstly will help to mitigate the visual impacts of the proposal upon the Green Belt and the open character of the area and secondly to

provide enhancements that it proposes will improve the biodiversity of the site and local area. This has been updated from the previous withdrawn scheme.

- 7.50 The proposal would result in the loss of a number of existing trees and shrubs together with grassland. However, the Council's Arboricultural Officer has not raised any concerns regarding the loss of any landscaping and is satisfied with the scope of the Landscaping Strategy Plan. The proposal has also increased the level of planting around the site in order to provide greater screening of the facility when viewed from the public domain.
- 7.51 The Surrey Wildlife Trust (SWT) has not raised an objection to the proposals and did not object to the previous application. It is also noted that Natural England has not objected. As stated previously, the site itself is not located within an SNCI. A screening opinion was undertaken and determined that an EIA is not required for this proposal. The 10% Biodiversity Net Gain requirement will be met by both on site methods and the provision of off site benefits which is covered by separate BNG legislation. As such, the proposal complies with policy EN8 of the CS&P DPD.

Air Quality

- 7.52 Policy EN3 of the CS&P DPD states that the Council will seek to improve the air quality of the Borough and minimise harm from poor air quality by requiring an air quality assessment to be submitted for developments of this type. The applicant has submitted further information in the form of an Air Quality Assessment (AQA) following initial comments from the Council's Environmental Health Officer (EHO) who, whilst not raising a specific objection did request further detail and recommended suggested conditions and informatives. The proposal therefore complies with Policy EN3 of the CS&P DPD.

Contaminated land

- 7.53 The applicant has submitted a contaminated land assessment in accordance with the requirements of Policy EN15 of the CS&P DPD which requires that proposals for development on land affected by contamination are accompanied by an assessment of risk from contamination. This has been reviewed by the Council's Environmental Health Officer (EHO), who recommended conditions in accordance with para. 189 of the NPPF and Council Policy EN15.

Archaeology

- 7.54 'Saved' Local Plan policy BE26 requires that developments of this size are accompanied by an agreed scheme of archaeological assessment. The Surrey County Council Archaeological Officer has confirmed that the submitted 'assessment has demonstrated that deposits across at least the greater proportion of the site have previously been destroyed by mineral extraction but that there remains a potential for archaeological remains to survive within the parts of the site where no quarrying is recorded and that mitigation for impact of those areas would be reasonable. This office is in agreement with these findings'. Consequently, the officer has recommended

that a condition is applied should permission be granted in order to mitigate the impacts of development.

Other Considerations

- 7.55 The applicant accepts that the proposal represents inappropriate development and has submitted a specific Very Special Circumstances Report (VSCR) to support the proposal and a further addendum. Of particular relevance is that 'The UK Government has committed to meeting a legally binding target of net-zero carbon emissions by 2050 and a related political target of 2035 for a net zero electricity system. Spelthorne Borough Council have subsequently declared a climate emergency'. This revised application includes an additional VSCR that provides further justification as to why this particular site is required as no suitable alternative sites are available. The assessment is set out below:
- 7.56 The applicant's VSCR specifically lists six justifications which are considered in turn:
1. The need for renewable energy generation and its role in meeting the challenge of climate change

Applicant's points

- 7.57 The applicant has stated that 'there is a significant and quantifiable need for the deployment of battery storage and the role it plays in supporting renewable energy generation, which is being driven by government at local and national level in the UK.' This is supported by various government publications and statements including the UK governments commitment to decarbonise the UK's electricity system by 2035 and the 'Net Zero Strategy, Build Back Greener' which sets out a vision to end the country's contribution to climate change and reverse the decline in the natural environment.
- 7.58 The applicant re-affirms that in order to meet these targets, a major investment in proven technologies is required in order to meet the economic, social and environmental dimensions of sustainable development set out in the NPPF which in itself is supported by the Government's Energy White Paper and the National Policy Statement EN-1. (NPS). The NPS states that 'storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated'.
- 7.59 In the VSCR the applicant also reiterates the benefits of battery storage in assisting the National Grid in balancing the electricity transmission network brought about by fluctuating power generation and surges and dips in consumption, confirming that the 'BESS has the capacity to hold the power and release it into the grid as and when is required'. The VSCR also notes that the BESS does not emit carbon dioxide as it does not generate electricity but only stores it for use when required. Various other appeal decisions for proposals elsewhere in the country are referred to.

Officer's Response

- 7.60 The Council recognises the policy support for the delivery of renewable and low carbon energy and associated infrastructure to mitigate climate change. However, the proposal is not a renewable energy project, although it would provide enhanced energy resilience in the National Grid. As such, while the energy to be stored in the proposed BESS would be generated by both renewable and non-renewable energy, it could, over time, provide greater support for renewable energy production.
- 7.61 These benefits and proposals of this type are supported by Government policy and this is given significant weight in assessing this proposal in relation to the harm to the Green Belt and any other harm. In considering the justification above, the NPPF lends general support for initiatives to support low carbon and decentralised energy networks. Paragraph 161 states that ‘The planning system should support the transition to a low carbon future in a changing climate..... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure’.
- 7.62 The updated National Planning Policy Framework (December 2024) also confirms in paragraph 163 ‘ The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts’.
- 7.63 Paragraph 168 of the NPPF states that ‘When determining planning applications for renewable and low carbon development, local planning authorities should: (a) not require applicants to demonstrate the overall need for renewable or low carbon energy’ and added in the updated NPPF (December 2024)’ and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future’;
- 7.64. In December 2024, the Government also published the Clean Power 2030 Action Plan which includes a plan to increase the current 4.5 GW of battery storage capacity in Great Britain to 23-27 GW of battery storage by 2030 to support clean power. It states that ‘The government expects the majority of this increase to come from grid-scale batteries, with small-scale batteries also making a contribution’.. The UK Energy White Paper, Powering Our Net Zero Future (2020) is also relevant as it sets out and describes the costs of inaction.
- 7.65 National Planning Policy in support of these types of developments is afforded significant weight. Furthermore, as noted in paragraph 7.23 the role that this development contributes to the national energy infrastructure system in relation to climate change carries very substantial weight.

2. The requirement for the BESS in this location and the lack of alternative sites

Applicant’s Points

- 7.66 The applicant has confirmed that the site was chosen due to its close proximity to the Laleham Grid Supply point which is located 2.8km away from the proposed site which is at the end of viability in terms of the efficiency in providing the overall financial viability of the proposal due to the cost of laying cables long distances.

The key criteria in selecting the site were set out as follows:

- Separation from residential areas and settlements, including sensitive uses such as schools and hospitals;
- Site area required for the Proposed Development;
- Current suitability of the Site for the Proposed Development (former Quarry Land);
- Existing visual screening provided by the M3 Motorway, Charlton Lane Waste Management and Eco Park and trees and hedgerows around the perimeter of the Site;
- Ease of access to the site for construction and HGV's (no amendments are required to the public highway to facilitate the Proposed Development; and
- Lack of environmental constraints (e.g., ecological/landscape designations, heritage assets, flood risk, etc.).

- 7.67 A search area was also identified showing the area 3km away from the Laleham GSP, the point of connection.

- 7.68 The updated VSCR provides eight other sites, six within Spelthorne; one within Hounslow and one within Runnymede Borough that were considered and discounted. All of these sites were also located in the Green Belt. As stated in paragraph 7.43 above, there is a requirement to connect to the Laleham GSP so the search area was centred on a 3km radius around this point. In this area the majority of land is within the Green Belt. Those undeveloped areas outside of the Green Belt were discounted due to their important community uses and close proximity to residential receptors.

Area 1 – Land East of Staines. This site, forming Shortwood Common and Hengrove Farm in part was discounted due to the constraints on the site, namely Common Land, archaeology, SSSI's, public footpaths and proximity to Bronzefield Prison, a School and an allotment.

Area 2 – Land at London Road. This site, including Ashford Sports Club in Short Lane was discounted due to Archaeology and proximity to residential receptors and a children's play area

Area 3 – Land at Bedfont Lakes. This site was discounted as it included a Site of Nature Conservation Importance and a Local Nature Reserve together with its close proximity to residential receptors and HMP Feltham.

Area 4 – Land north of Shepperton, either side of New Road, including Shepperton Car Boot site. This site was discounted due to close proximity to residential receptors on the southern and western boundaries and its location within Flood Zone 3.

Area 5 – Land South of B376 Shepperton Road, including agricultural land at Laleham Farm and the former Littleton Lane minerals site. This site was discounted due to its location within Flood Risk Zones and proximity to Grade II* Laleham Abbey.

Area 6 - Land Nouth of B376 Shepperton Road, including agricultural land at Laleham Nurseries and land west of Shepperton Studios. This site was discounted due to its location within Flood Risk Zones.

Area 7 – Land north of Laleham, including land off Worple Road and Laleham Road including Staines and Laleham Hockey Club. This site was discounted due to its location within Flood Risk Zones and residential receptors and public footpaths.

Area 8 – Land at Penton Hook (Runnymede). This site was discounted due to it being located within Thames Basin Heaths protection area and close proximity to residential caravans.

Officer's Response

- 7.69 While acknowledging that there is need for such energy supply facilities to meet national and local need, particularly with the current uncertainty over energy supplies, only limited evidence has been provided to justify why the proposal should be located in this location. The applicant has submitted a justification as to why this site was selected and this is partly due to the proximity to the Laleham GSP which at 2.8km away is on the limit of the distance for which a proposal of this nature is viable. Alternative sites have been considered, as set out above. It is acknowledged that a suitable site in this semi-urban location is difficult to identify. However, this proposed site equally with many of the alternative options has public footpaths running across the site and is in relatively close proximity to residential receptors. Therefore, there is only limited evidence to confirm that the BESS could not be provided in a less harmful location elsewhere in the locality or wider area.

3. Support for the rural economy;

Applicant's points

- 7.70 The applicant notes that the proposal has the potential to support economic growth through the creation of jobs associated with ongoing maintenance of the BESS as well as indirect jobs associated with its construction and decommissioning. The VSCR also states that BESS sites contribute to a more reliable, affordable and sustainable energy supply in rural areas and that significant weight should be attached.

Officer's response

- 7.71 The applicant suggests that the proposal will provide benefits in the form of new jobs both from the operation of the BESS facility and through the construction and decommissioning. These benefits are considered to be very limited with the site being subject to only occasional maintenance when in

operation and the actual construction and commissioning is likely to involve specialist contractors which are not necessarily to be from the locality. The benefits to the local economy are therefore given only limited weight.

- 7.72 The applicant has stated that BESS sites assist the National Grid in balancing the electricity transmission network. No evidence has been provided to support the assertion that they, or this site in particular, would contribute to a more reliable, affordable and sustainable energy supply. In addition, since it relates to the national grid, the specific reference to rural areas must be irrelevant. Therefore, no weight can be afforded to this consideration.

4. Wider environmental benefits including planned biodiversity net gain

Applicant's points

- 7.73 The VSCR asserts that the existing site is considered to be of limited ecological value and the proposal will result in a number of biodiversity enhancements as set out in the Landscape Strategy Plan will result in a Biodiversity Net Gain.

Officer's response

- 7.74 The applicant has stated that the site is considered to have limited ecological value and that the proposed Landscape Strategy Plan will result in Biodiversity Net Gain (BNG). The Surrey Wildlife Trust has not objected to this application. Furthermore, whilst noting the benefits of aiding the constant supply of energy to the National Grid, the BESS is about storage rather than energy creation through renewables with no sustainable energy production forming part of the proposal. Therefore, it is considered that there is no more than a limited landscape effect if mitigation measures through the use of landscaping as set out in the Landscape Strategy Plan are taken into account and as such is given moderate weight in assessing this proposal.

5. The temporary and reversible nature of the proposal

Applicant's points

- 7.75 The applicant confirms that the development would be temporary, for a period of 40 years after which the site would be decommissioned and returned back to its current use. Therefore, the impact on the Green Belt is temporary and fully reversible avoiding any long term impacts. The applicant has presented an appeal decision on a comparable proposal and the applicant considers that moderate weight should be given to the consideration of very special circumstances.

Officer's response

- 7.76 It is proposed that the BESS would be in place for a period of 40 years. Whilst this is long term, it can nonetheless be considered a temporary period. The Planning Policy Guidance (PPG) confirms that the duration of development

and its remediability can be taken into account when considering the potential impact of development on the openness of the Green Belt. The temporary nature of the proposal is accorded moderate weight.

6. Community benefits

- 7.77 The applicant does not elaborate on the community benefits in the VSCR. There are considered to be limited benefits in economic terms and as the BESS will feed into the National Grid directly there is no substantive evidence that the proposals will benefit the local community rather than it supporting the national supply of power and therefore these benefits are accorded limited weight.

Equalities Act 2010

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

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The question in every case is whether the decision maker has in substance had due regard to the relevant statutory need, to see whether the duty has been performed.

- 7.79 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.
- 7.80 The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs. It is considered that proposal is acceptable in regard to the equalities act.

Human Rights Act 1998

- 7.81 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.82 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.

- 7.83 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.
- 7.84 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.

Financial Considerations

- 7.85 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. In consideration of S155 of the Housing and Planning Act 2016, the proposal is not a CIL chargeable development and will not generate a CIL Payment.. The proposal will generate business rates but not generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Conclusion

- 7.86 The proposed development represents inappropriate development within the Green Belt which, by definition, substantially harms the Green Belt. The spatial and visual effects combined would result in the significant loss of openness, whilst the proposal would result in the unrestricted sprawl of large built-up areas and the encroachment into the countryside, which also carries significant weight. The proposal would also cause moderate harm to the character and appearance of the area.
- 7.87 The applicant has submitted a Very Special Circumstances Report to justify the proposal and has highlighted national policies supporting such proposals which carry significant weight in assessing the proposal. It is considered that the contribution that the proposal would make to mitigate climate change and help regulate electricity flows within the wider supply network carry very substantial weight. Further moderate weight is given to the landscaping and biodiversity benefits of the proposal together with its temporary nature.

7.88 In conclusion, it is considered that the cumulative benefits that would arise from the proposal amount to the very special circumstances which clearly outweigh the harm to the Green Belt and any other harm and therefore the proposal is considered acceptable.

7.89 Therefore, the application is recommended for approval.

8. Recommendation

8.1 The options available to the Planning Committee for decision making are:

- To approve the application as set out in this report. This option is recommended. The report analyses in some detail the reasons why the application is considered to be acceptable in planning terms.
- To approve the application subject to additional /amended conditions and informatives. This option is not recommended, the conditions and informatives are set out below. The Planning Committee should be minded of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects* ([National Planning Policy Framework](#)).
- To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable and there are [no material planning reasons](#) to refuse the proposal.

8.2 The application is recommended for approval, subject to conditions and informatives below.

8.3 **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: EDG113-GC-DD-02 REV1-230713; EDG113-GA-DE-07 REV1-231220; EDG113-GA-DE-02 REV3-20240508 ; EDG113-GA-DE-03 REV1-230712; EDG113-GC-DD-03 REV1 – 230713; EDG113-GA-DE-04 REV1-230712 EDG113-GA-DE-05 REV1-231024; EDG113-GA-DE-06 REV1-231220; EDG113-GA-PP-02 REV3-20240829; EDG113-GA-SL-01 REV8-20240829 received 12.09.2024 EDG001-PL-02 REV 03 and EDG001-PL-01 REV 03 received 02.06.2025

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

3. The permission hereby granted shall expire 40 years and 6 months from the date when electrical power is first exported from the development to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after power is first exported to the grid.

Reason:-.In the interests of the visual amenities of the locality in accordance with Policy EN1 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

4. If the development hereby permitted fails to produce electricity for supply to the grid for a continuous period of two years and there is no realistic prospect of the development becoming operational again without repairs, a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months of the end of that 2 year period for the remedy, repair or removal of the development. Where repairs or replacements are required, the scheme shall include a proposed programme of remedial works. Where removal of the development is required, the scheme shall include the same details required under Condition 5 of this permission, for the decommissioning of the site. The relevant scheme shall thereafter be implemented in accordance with the approved details and timetable.

Reason:-.In the interests of the visual amenities of the locality in accordance with Policy EN1 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

5. Not later than 12 months before the expiry of this permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall make provision for the removal of the development and the subsequent restoration of the site. The scheme shall include details of: the extent of equipment and foundation removal and the site restoration to be carried out; the management and timing of any works; a traffic management plan to address likely traffic impact issues during the decommissioning period; an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitats and tree features on the site; location of material laydown areas; full details of the removal of the equipment, associated buildings and plant, any trackways and subsurface cabling and all associated works of ground restoration including trench backfilling; full details of all other works to restore the land to allow for agricultural production following the removal of structures from the site; a programme of implementation. The approved scheme shall be implemented and then proceed fully in accordance with the agreed details in accordance with the decommissioning programme.

Reason:-.In the interests of the visual amenities of the locality in accordance with Policy EN1 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

6. The development hereby permitted shall not commence until details of the final design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The final solution should follow

the principles set out in the approved drainage strategy. 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) Where infiltration is proposed confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- b) Hydraulic calculations to demonstrate 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.
- c) Construction drawings for all drainage elements including cross sections and detailed drainage layout plan.
- d) An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.
- e) Details of drainage management responsibilities and maintenance regimes for all drainage elements.
- f) Details of how surface water will be managed during construction including measures to protect on site and downstream systems prior to the final drainage system being 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

7. Prior to the first occupation of the development, a verification report 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), confirming any defects have been rectified. Provide the details of any management company. Provide an 'As-Built' drainage layout and state the national grid reference of key drainage elements.

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

8. No development shall take place until

- i) 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.
- ii) 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 nearby 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. In accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

9. Details of a scheme of both soft and hard landscaping works shall be submitted to and approved by the Local Planning Authority prior to the installation of the battery storage units hereby approved. The approved scheme of tree and shrub planting shall be carried out prior to first occupation of the operation of the battery energy storage development. 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 planting 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:- (a) 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.

10. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason:- The site lies in an area of archaeological potential. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

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

Reason:- In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to meet the objectives of the NPPF (2024) and to satisfy policies CC2 and CC3 of Spelthorne Borough

12. Prior to the installation of any external lighting details including type, size, location, intensity, direction and timing of illumination of the proposed external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter at all times be maintained and operated in strict accordance with the approved details.

Reason:-.To safeguard the amenity of neighbouring residential properties and in the interest of Biodiversity in accordance with Policies EN1 and EN8 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

13. Before use of the development commences, a noise-mitigation scheme shall be submitted in writing and approved in writing by the local planning authority detailing measures that will be implemented to ensure that the rated level of sound from the plant (operating at capacity) hereby approved shall be at least 10 dB(A) below the background noise level at the nearest/any sound-sensitive premises. All measurements shall be made in accordance with the methodology of BS 4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Reason:-.To safeguard the privacy of the adjoining properties in accordance with policies EN1 and EN11 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

14. Prior to the commencement of development, a scheme for fire containment and suppression measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the commencement of the use of the development and maintained at all times thereafter.

Reason:-.To safeguard the privacy of the adjoining properties in accordance with policy EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

15. Any development should be carried out in accordance with the method of working outlined in section 6.2.10 to 6.2.13 of the updated Ecological Appraisal report (October 2024)..

Reason:-.To safeguard the Biodiversity of the area in accordance with Policy EN8 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

16. 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 use is first implemented. 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.

17. No development shall commence until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall provide details of any site preparatory works and construction activities demonstrating that (a) any waste generated by construction, demolition and excavation activities is limited to the minimum quantity necessary; (b) opportunities for re-use and recycling of construction, demolition and excavation waste on the application site are maximised; and (c) sufficient on-site facilities to manage waste (storage, reuse and recycling) arising during the operation of the development of an appropriate type and scale will be provided and maintained for the duration of the development.

Reason:-.To comply with Policy 4 of the Surrey Waste Local Plan 2020.

18. Prior to the commencement of any excavation works and landscaping works, geotechnical submissions, in accordance with Design Manual for Roads and Bridges (DMRB) standard CD622 shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways).

Reason:- To mitigate the risk to the geotechnical assets and ensure the stability of the M3 embankments adjacent to the permitted development and to protect the integrity of the Trunk Road geotechnical asset in accordance with DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development.

19. Prior to the commencement of development, details of the pipeline crossing and depths in relation to the existing ditch and ground profiles shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways).

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

20. Prior to the commencement of directional drilling under the M3;

- details and plans of how the process will be implemented and monitored shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways).

- Details of ground movement monitoring, CCTV defect surveys and investigation of the pipework shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways).

Reason: In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road assets in

accordance with DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development.

21. Prior to the commencement of development, an Air Quality Assessment (AQA), prepared in accordance with best practice guidance shall be submitted to and approved in writing by the local planning authority.

Reason: To manage and prevent further deterioration of existing quality air across the borough in accordance with NPPF.

22. Prior to the commencement of the development, a, a Dust Management Plan (DMP), based on an AQDRA (Air Quality and Dust Risk Assessment), and a detailed method statement shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following the following:

- a) As relevant to the development, a drawing showing details of (1) site entrance(s) & exit(s); (2) details of site hoarding, (3) details of wheel washing methods (a dedicated system with rumble grids and the waster suppressors) (4) hardstanding locations (5) water point and (6) all the receptors and environmental monitoring points (as relevant to the development).
- b) Details of consultation and complaint management with local businesses and neighbours as well as a detailed and acceptable communication plan
- c) mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light, and odour and an Outline air quality Safety Management Plan

All works shall be carried out in accordance with the approved statement thereafter.

Reason: To protect neighbouring residential occupiers from potential adverse environmental impacts associated with the construction of this development, and to ensure that the development is undertaken to minimise any such adverse impacts

23. Before the development is commence:- Details of ventilation system adopted for the development shall be submitted for the approval of the Local Planning Authority. The submission should include the location of the air intakes and the complete specification and maintenance regime for the equipment, which must be established and in place before the development commence. The equipment shall thereafter be retained and maintained in accordance with the approved details.”

Reason: To manage and prevent deterioration of indoor air quality and reduce carbon dioxide emissions while maintaining climate control.

INFORMATIVES TO APPLICANT

1 Access by the Fire Brigade Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices

or from County Hall. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings. There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

2. BIODIVERSITY NET GAIN - PRE-COMMENCEMENT REQUIREMENT

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be Spelthorne Borough Council. There are statutory exemptions which mean that the biodiversity gain condition does not always apply and these are set out in The Biodiversity Gain Requirements Exemptions Regulations 2024.

This permission will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply

3. 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

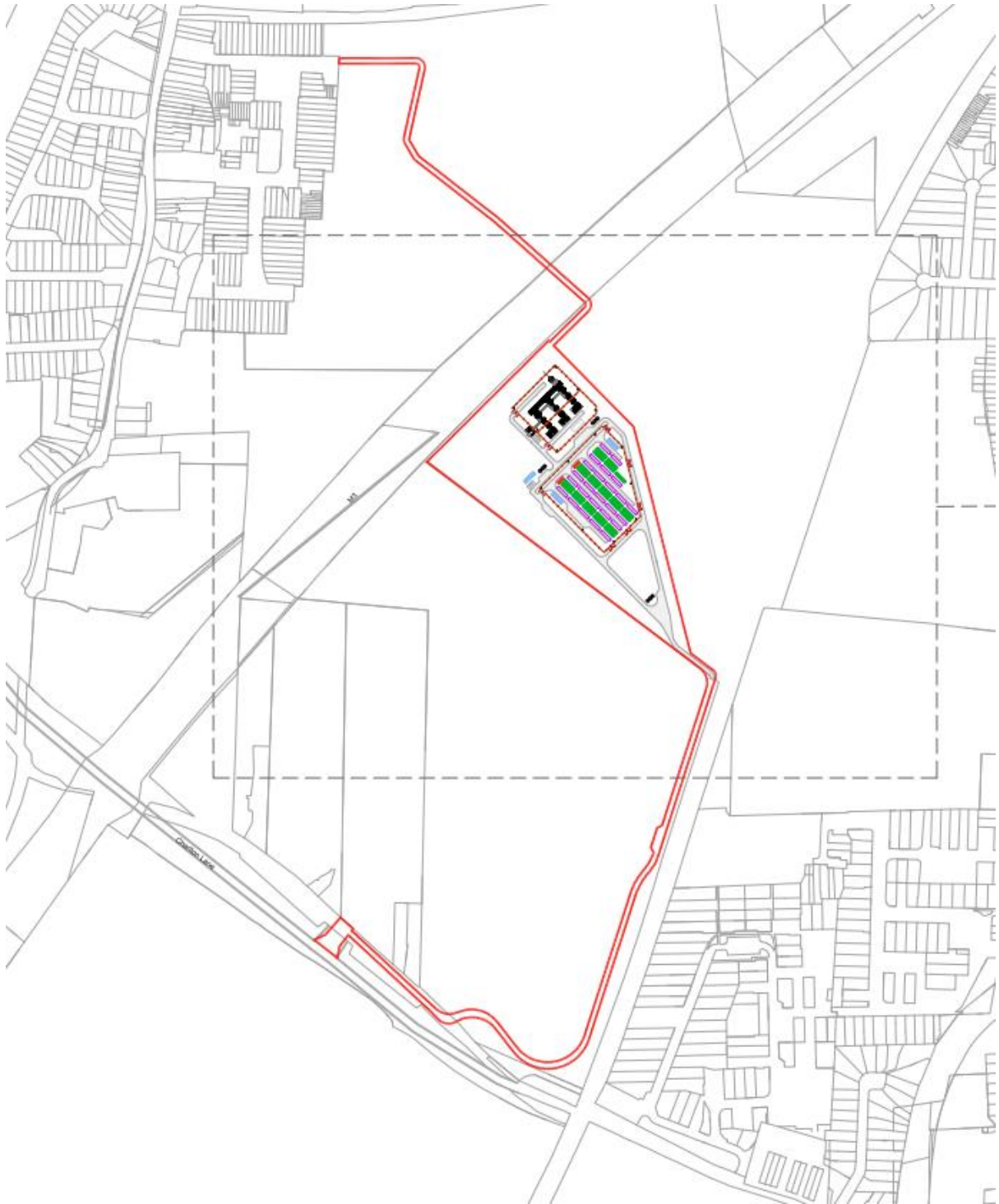
the Considerate Constructors Scheme (www.ccscheme.org.uk/index.php/site-registration).

4. The applicant is advised that the design of the development should give sufficient consideration and incorporates appropriate mitigation to prevent unacceptable amenity impacts to sensitive receptors and/or occupiers from existing and future mineral workings and waste management facilities in the vicinity as per the 'agent of change principle' set out in the National Planning Policy Framework 2024

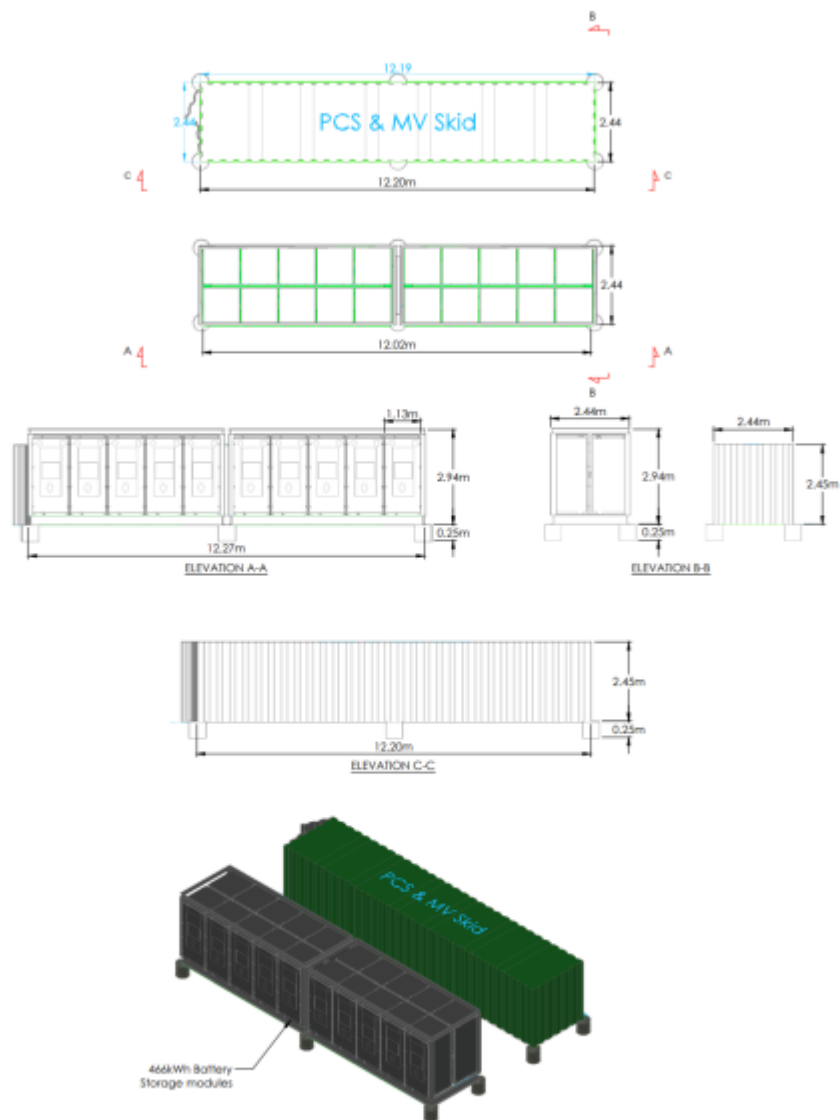
5. This development involves work to the public highway (strategic road network) that can only be undertaken within the scope of a legal Agreement between the applicant and National Highways (as the strategic highway company appointed by the Secretary of State for Transport). Planning permission itself does not permit these works. It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to National Highways). Works to the public highway will normally require an agreement, under Section 278 of the Highways Act, with National Highways. Any new access to the SRN (completely new or materially altered) also requires specific consent from National Highways under S175B of the Highways Act 1980. Advice on this matter can be obtained from the Spatial Planning Team, National Highways, Bridge House, Walnut Tree Close, Guildford, Surrey, GU1 4LZ. Email PlanningSE@nationalhighways.co.uk Tel 0300 123 5000

6. Thermal runaway can lead to fire, explosion and release of toxic gases or water run-off. Therefore, the design must comply with Health and safety in grid scale electrical energy storage systems guidance

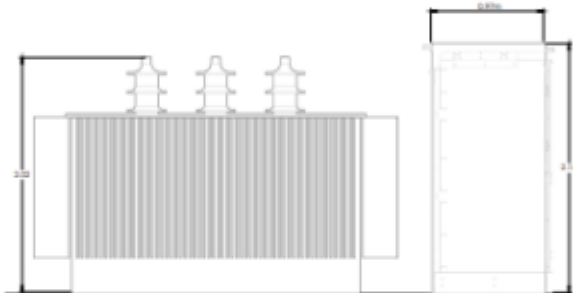
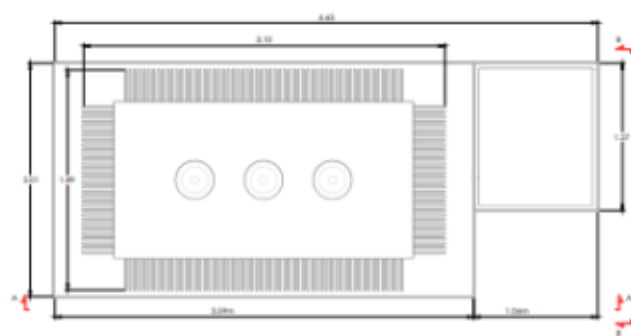
7. The leakage of emerging materials used in battery manufacture is still not thoroughly studied, and the elucidation of pollutive effects in environmental elements such as soil, groundwater, and atmosphere are an ongoing topic of interest for research. All issues related to Health and safety, Radiation and traffic must be addressed prior to implementation. The developer should be made aware that improper or careless processing and disposal of spent batteries leads to contamination of the soil, water and air.



ELEVATIONS – BATTERIES AND CONTAINERS



ELEVATIONS - TRANSFORMERS

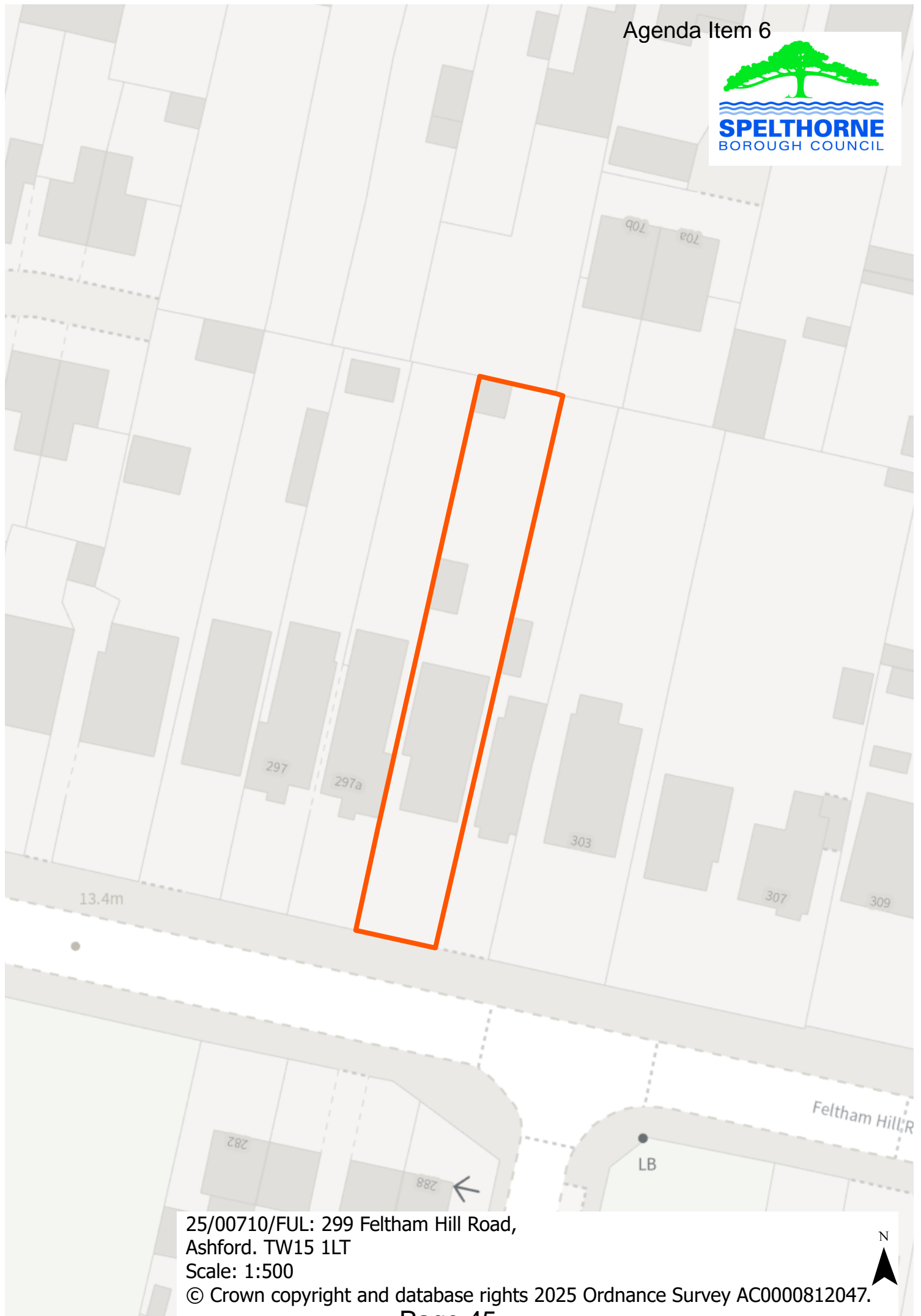


ELEVATION A-A



ELEVATION B-B

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25/00710/FUL: 299 Feltham Hill Road,
Ashford. TW15 1LT

Scale: 1:500

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Planning Committee

17 September 2025



| | |
|------------------------|---|
| Application No. | 25/00710/FUL |
| Site Address | 299 Feltham Hill Road, Ashford |
| Applicant | Mr Daniel Moore |
| Proposal | Proposed roof extension with ridge height increase and 2 no. side-facing dormers to facilitate a change of use from a single dwelling (Use Class C3) to a house in multiple occupancy for 7 occupants (HMO) - Sui Generis). |
| Case Officer | Susanna Angell |
| Ward | Ashford Common |
| Called-in | Cllr Rutherford has 'called in' the application due to concerns about inadequate internal communal space and external amenity space. |

| | | | |
|--------------------------|--|--------------------|--|
| Application Dates | Valid: 30.05.2025 | Expiry: 20.09.2025 | Target: Extension of time agreed to 20.09.2025 |
| Executive Summary | <p>The application property is a six bedroom detached bungalow with accommodation in the roof space. There is an outbuilding located in the rear garden. The site is located on the northern side of Feltham Hill Road surrounded by residential properties. There are no relevant planning constraints.</p> <p>According to Schedule 2, Part 3, Class L of the General Permitted Development Order (2015), the property could be used as a House in Multiple Occupation (HMO) for six residents without planning permission. The current proposal requires planning permission as it proposes an HMO for up to seven occupants, resulting in one additional resident than what could be carried out without the need for planning permission.</p> <p>Therefore, the issue is whether the change of use to an HMO for seven residents, would result in an intensity of use which would cause detriment to the amenity of neighbouring properties by reason of the additional one person, over and above that for six residents (which can be carried out without permission).</p> <p>The proposal also comprises a roof extension with a ridge height increase and dormers in both side elevations. The proposed roof extension is considered acceptable in design and would not appear out of character in the street scene. It would also have an acceptable</p> | | |

| | |
|-----------------------------|--|
| | <p>relationship with neighbouring properties.</p> <p>The ground floor layout would provide a kitchen and communal living area. There is also an outbuilding for communal use and large rear garden. It is considered that this would provide an adequate level of amenity for future occupiers.</p> <p>The proposal is not considered to amount to an intensity of use that would lead to a harmful impact on the amenity of neighbouring residential properties.</p> <p>There are no objections on transportation matters. The County Highways Authority raises no objection to the proposal and the level of parking is considered to be adequate.</p> <p>The proposal is therefore considered to be acceptable.</p> |
| Recommended Decision | Approve the application subject to conditions as set out in the Recommendation section. |

MAIN REPORT

1. Development Plan

- 1.1 The following policies in the Council's [Core Strategy and Policies DPD \(CS&P DPD\) 2009](#) are considered relevant to this proposal:

- SP6 (Maintaining and Improving the Environment)
- EN1 (Design of New Development)
- EN11 (Development and Noise)
- HO1 (Providing for New Housing Development)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)

- 1.2 Also relevant is the following Supplementary Planning Document:

- SPD on the Design of Residential Extensions and New Residential Development 2011.

- 1.3 The policies contained within the [National Planning Policy Framework](#) (NPPF) (December 2024) are 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, it was paused to allow time for the new council to understand and review the policies and implications of the emerging Local Plan and to address the issues that were 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.
- 1.6 On 12 December 2024, the Planning Inspectorate confirmed that the Local Plan examination would resume on the 27 January 2025. This has now taken place and the Examination closed on 18 February 2025. Adoption of the Local Plan by Council could be by November 2025 subject to the plan being found sound by the Inspector and public consultation undertaken on the Main Modifications (<https://spelthornelocalplan.info/evidence-base/>).
- 1.7 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.
- 1.8 The National Planning Policy Framework (NPPF) policy states at para 49 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).
- 1.9 Section 38(6) the Planning and Compulsory Purchase Act 2004 (https://www.legislation.gov.uk/ukpga/2004/5/pdfs/ukpga_20040005_en.pdf) 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.
- 1.10 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:

| | | |
|--------------|---|---------------------------------|
| 25/00587/HOU | New roof with increased ridge height and erection of two side dormers to form additional rooms. | Grant Conditional 17.07.2025 |
| 25/00623/CPD | Certificate of lawfulness for proposed relocation of existing entrance door to side extension. | Grant 02.07.2025 |
| 25/00631/FUL | Proposed roof extension with ridge height increase and 2 no. side-facing dormers to allow conversion of the existing dwelling house into two residential flats with associated parking and amenity space. Conversion of existing garage to gym/home office. | Grant Conditional 18.07.2025 |

3. Description of Current Proposal

- 3.1 The application property is situated on the northern side of Feltham Hill Road. The site is located on a residential road. Many of the plots on the northern side are large with deep front gardens and substantial rear amenity space. The majority of properties are detached with varying architectural styles.
- 3.2 The existing property is a detached bungalow which has been previously extended into the roof with a side facing flat roofed dormer. It has also been extended to the rear at single storey. The dwelling has 6 bedrooms on the ground floor and in the roof. There is also a large enclosed rear garden with an outbuilding. The site is laid to hardstanding to the front to provide off street parking.
- 3.3 This application seeks permission for a ridge height increase and 2 no. side facing dormers to facilitate a change of use from a dwelling (Use Class C3) to a House of Multiple Occupation (HMO) (Sui Generis) with shared living facilities for 7 occupants. The proposed roof extension would allow greater accommodation in the roof. The extended property would comprise larger bedrooms, a kitchen, and communal living area. The proposal would provide 3 off-street parking spaces. The garage would be converted into a communal gym and home office for the occupants.
- 3.4 It is relevant to note that the Council has previously approved a planning application at the site to raise the ridge height, install two side facing dormers and convert the extended property into two flats. The appearance of the roof extension has previously been approved as part of that application (25/00631/FUL).

4. Consultations

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

Statutory Consultees

| Consultee | Comment |
|-----------|---------|
|-----------|---------|

| | |
|--------------------------|---|
| County Highway Authority | No objection subject to conditions and informatives |
|--------------------------|---|

Non-Statutory Consultees

| Consultee | Comment |
|------------------------------------|--|
| Environment Health – Contamination | No objection subject to dust/asbestos informative. |
| Environmental Health Officer (HMO) | No objection |

5. Public Consultation

5.1 The Council has received seven letters of representation (two from the same property) objecting to the proposal on the following grounds:

- Concerns about anti-social behaviour from occupants
- Concerns about landlords not managing properties properly
- Experiencing anti-social behaviour from existing nearby HMO's including noise and litter.
- HMO accommodation has a detrimental impact on the social environment.
- Parking and road safety issues
- A seven bed HMO would be excessive intensification
- Roof design is bulky and incongruous, disrupting the uniformity of the street
- Loss of family housing stock
- Conflict with emerging HMO policy {Officer note – there is no specific HMO policy}

6. Planning Issues

- Principle
- Design
- Residential amenity.
- Parking & highways.

7. Planning Considerations

Principle

7.1 With regard to the principle of the proposed change of use of the property to an HMO, the Use Classes Order defines Use Class C3 as a dwelling house (whether or not as a sole or main residence). (a) by a single person or people living together as a family, (b) by not more than six residents living together as a single household (other than a use of within Class C4). Class C4 is classified as a house in multiple occupation that is used by not more than six residents. Under the Government's 'Permitted Development Order', planning permission is not required to move from Use Class C3 to C4 and vice versa (i.e. from a family dwelling to a six person HMO).

- 7.2 Policy H01 relating to the provision of new housing states that the Council will ensure provision is made for housing by encouraging housing development, including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose taking into account other policy objectives.
- 7.3 Consequently, the property could be used as an HMO for six residents without requiring planning permission. There is no 'in principle' planning objection to the use as an HMO for six persons. Therefore, the question which needs to be addressed is whether the use change from a small HMO of no more than six residents to an HMO for seven residents (one additional person) is acceptable in planning terms. The existing property is a dwelling house in a residential area. The use as an HMO is a residential use and is considered acceptable.
- 7.4 The site is located within a predominantly residential area characterised by detached and semi-detached properties. Following the implementation of the proposed extension, the property will have 7 bedrooms with ensuites, a kitchen, a communal living area and an outbuilding to be converted to a gym and home office, which the occupants will have access to. There is a substantial private rear garden and parking to the front of the property for three vehicles.

Design

- 7.5 As noted above the application proposes a roof extension comprising a ridge height increase and two no. side facing dormers to facilitate its change of use to an HMO for 7 occupants. It is relevant to note the Council has recently approved an application at the site for a roof extension with ridge height increase, and two no. side-facing dormers to allow conversion of the existing dwelling house into two residential flats (25/00631/FUL). The design of the approved roof extension is identical to that proposed in the current application.
- 7.6 Policy EN1 of the CS&P DPD states that developments 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.
- 7.7 The application property is located between two separate two-storey dwellings. Although the proposal comprises an increase in ridge height (from 5.2m to 6.2m's) and a taller eaves height (increasing from 2.8m to 3.8m's), due to the taller properties either side and the set-in from the boundaries it is not considered that it would appear significantly out of character within the street scene.
- 7.8 The Council's Supplementary Planning Document on Design (SPD) states that 'well designed dormers should be:
- 'a. be located centrally or symmetrically on a roof,
 - b. be set-in a minimum of 1 metre from the roof edge, down 0.5 metres from the ridge and up 1 metre from the eaves,

- c. incorporate a roof which is compatible with the main roof,
- d. not be over-dominant or out of proportion’.

7.9 The dormers would have sloping roofs and measure 11m in length. However, they would be set-in 2.6m from the sides of the roof and 0.5m up from the eaves. The proposal would also include an increase in ridge height of 1m. Within this extended roofline it is not considered that the dormers would be appear significantly out of proportion. The dormers would also sufficiently comply with the guidance in the SPD. Overall, it is not considered that Council could sustain an objection on the grounds of their appearance (as with the previously approved scheme (25/00631/FUL) which is identical in appearance. This aspect is therefore considered to accord with Policy EN1.

Amenity of future occupants

- 7.10 With regard to the amenity of future occupants, it is reasonable to expect that they should have access to good standard of communal accommodation in which to prepare food, dine and mix with fellow residents. The NPPF requires spaces that promote health and well-being, with a high standard of amenity for future users (Para 135). Social interaction is important for mental health and well-being inclusive communities (Paragraph 96).
- 7.11 Each bedroom would comply the Government’s nationally described Technical Housing Standards (March 2015) and would have sufficient windows for outlook and light. Each room also has a separate en-suite. The proposal provides communal living areas including a kitchen and lounge. The occupants would have access to the rear garden, as well as use of the outbuilding.
- 7.12 Although the Council does not have minimum requirements for garden sizes for HMOs, the SPD minimum size of a garden for a three or more bedroom semi-detached or detached dwellings home is 70 sq. m. The proposed garden is well in excess of this (approximately 256sq m), and is therefore considered to be acceptable.
- 7.13 The quality of the communal space provided within the development is considered sufficient and would provide an acceptable living environment for its future residents.

Amenity of neighbouring properties

- 7.14 The Policy EN1(b) of the Core Strategy & Policies DPD (CS & P DPD) states that the Council will require proposals for new development to demonstrate that they will 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.
- 7.15 With regards to impact of the proposed roof extension on the amenity of neighbouring properties, the property to the west (No. 297A) is a two-storey detached dwelling. The main two-storey section has ground and first floor windows facing onto the site, but these are obscure glazed.

- 7.16 Although as noted above, the proposal would increase the overall height of the building to 6.3m's and increase the eaves to 3.8m's, the side elevation is set in 1.5m from the boundary. The main sitting out area serving this property is to the rear of the rear single storey extension, some distance away. It is therefore not considered that the proposal would result in significant loss of light or overbearing impact.
- 7.17 The windows in the dormer are secondary windows to a bedroom, the landing and a bathroom. They would be required by condition to be obscure glazed and non-opening 1.7m above internal floor level in order to ensure no loss of privacy would occur.
- 7.18 The neighbouring property to the east (No.301) is also a two-storey dwelling with a single storey extension to the rear. The property has an entrance porch and one window facing towards the site (which is obscure glazed). The proposed roof extension would not infringe a 45-degree line taken from the rear of the property and as a result it is considered that the relationship with this area is acceptable.
- 7.19 The windows proposed at ground floor level serve secondary bedroom windows, ensuites and the kitchen. It is recommended that the ensuite windows and secondary bedroom window are conditioned to be obscure glazed and non-opening 1.7m above internal floor level to ensure no loss of privacy would occur.
- 7.20 An existing outbuilding is also proposed to be converted into a communal gym/bathroom and home office. The proposed use is considered acceptable. The Council will attach a condition requiring that the outbuilding is used for the proposed use and not as any form of separate living accommodation, in order to safeguard the amenity of neighbouring properties.
- 7.21 Policy EN11 sets out the Council's approach to minimise the impact of noise by reducing noise levels from noise generating activities and locating noise sensitive development away from sources of high noise.
- 7.22 The proposal provides good sized bedrooms and shared communal spaces, including a substantial garden and off-street parking. Therefore, it is considered that the number of occupants would be able to be sufficiently accommodated in the subject property. The property is located along a residential road. The subject property adjoins other residential properties. The site is located in a relatively sustainable location, within walking distance of bus stops. As noted above, an HMO for six people can be created under 'Permitted Development' and the proposal is for one additional resident. Consequently, it is not considered to have a significant impact on neighbouring residential amenity that would justify refusal.
- 7.23 The concerns raised in representations about anti-social behaviour from residents in existing HMOs in the vicinity is acknowledged. However, it is not possible to refuse the application on the basis of how residents could potentially act in the future. This is not a planning matter.

Parking Provision and Highway Impact

- 7.24 Policy CC3 states that the Council will require appropriate provision to make for off-street parking in development proposals in accordance with its maximum parking standards. In considering the level of provision the Council will have regard to the anticipated demand for parking arising from the use proposed, or other uses to which the development may be put without needing planning permission.
- 7.25 Policy CC2 states that the Council will seek to secure more sustainable travel patterns by only permitting traffic generating development where it is, or can be made compatible with the transport infrastructure in the area taking into account highway safety.
- 7.26 The Council's Parking Standards do not have any specific guidelines on HMOs. Similarly, Surrey County Council's Vehicle, Cycle and Electric vehicle parking guidance for New Development (Nov 2021) does not provide any specific parking standards for HMOs for Sui Generis uses, and it states that individual assessment/justification is required. In this particular case, it is considered that an HMO for seven occupants is likely to have the potential to generate greater parking demand than the existing use as a large residential dwelling which requires 2.5 spaces. However, it is considered that the proposed provision of three car parking spaces would be adequate for a scheme of this size and in this location. There is also a Permitted Development fall back of a six bed HMO, whereby parking provision cannot be considered.
- 7.27 The National Planning Policy Framework states that development should only be prevented on highways grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impact on the road network would be severe. For any objection to be valid, the authority must demonstrate the harm that the development would result in.
- 7.28 The applicant has submitted amended plans addressing the County Highway Authority's (CHA's) comments regarding the parking layout and the CHA now considers it to be acceptable. The CHA has not raised objection to the application regarding number of parking spaces and does not expect that the number of vehicles seeking to park close to the property would increase significantly over and above the existing use.
- 7.29 The CHA considers that the site is in a sufficiently sustainable location that car dependency would be minimised for the residents. For example, there are bus stops a short walk away from the site. The local shopping area of Woodlands Parade is a short walk away. In addition, the CHA considers that on average, HMO residents are less likely to own cars than residents of other types of dwelling. Furthermore, any increase in on-street parking in the area would not present highway safety concerns as it is generally the case that on-street parking slows traffic down, which would reduce the chances and outcomes of Road Traffic Incidents (RTIs). Overall therefore, the CHA considers such parking pressure is unlikely to lead to an increased risk to highway safety.
- 7.30 It is considered that the parking provision at the site would be acceptable in this sustainable location, and the CHA does not consider the development is likely to result in material harm in respect of highway safety or capacity.

Therefore, having regard to the CHA's comments, it is considered that the proposal would be acceptable in terms of impact on highway safety and the proposed parking provision would not conflict with Policy CC2 or Policy CC3 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).

Financial Considerations

- 7.31 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.
- 7.32 The proposed roof extension is not a CIL chargeable development as the proposed roof extension is less than 100sqm in floor area. It would also not generate a New Homes Bonus.

Biodiversity

- 7.33 Policy EN8 of the CS&P DPD states that the Council will seek to protect and improve landscape and biodiversity in the borough. It is relevant to note that the application is not subject to the National Biodiversity Net Gain requirements as it involves a roof extension and a change of use and therefore has no impact on habitat.

Waste and recycling

- 7.34 The proposal makes provision for refuse and recycling storage at the front of the property.
- 7.35 The Council has consulted the Group Head Neighbourhood Services who has advised that 2x 240l bins would not be enough for 7 occupants of one property. The applicant has submitted amended plans increasing the provision of bins from 4 to 6.
- 7.36 The Council will only provide standard domestic waste collection (one 240L general waste and one 240L recycling bin) regardless of HMO size, with any additional capacity required for this property needing to be arranged privately by the owner through commercial contractors before occupation.
- 7.37 A condition will be attached to ensure adequate provision is maintained and that collection arrangements remain satisfactory.

Climate change

- 7.38 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.

- 7.39 There are also three implementation policies; Policy CC1: Renewable Energy Conservation and sustainable Construction, Policy CC2: Sustainable Travel and Policy CC3: Parking provision.
- 7.40 There are also other key documents supporting action on climate change; the NPPF 2024 chapter 14 "Meeting the challenge of climate change, flooding and coastal change", the National Model Design Code and Spelthorne Borough Council's Climate Change Strategy 2022 – 2030.
- 7.41 A Climate Change checklist has been submitted, and it is considered that the proposal sufficiently complies with the requirements of Policy CC1 of the CS & P DPD.

Equalities Act 2010

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

'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

- 7.43 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.44 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.
- 7.45 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

- 7.46 It is considered that the proposed extension would not appear out of character within the street scene would have an acceptable impact on the amenity of neighbouring residential properties. The proposed change of use would not have a significant impact on the amenities of neighbouring properties that would justify refusal. The proposed addition of one further resident in this detached property, compared to the Permitted Development allowance for an HMO of six people, is not considered materially harmful to justify refusal. The bedrooms and communal space including outbuilding, as well as the substantial garden, provides a development which is of a sufficient size for future occupants, and it is considered that the parking provision is acceptable in this location. Accordingly, the application is recommended for approval.

8. Recommendation

- 8.1 The options available to the Planning Committee for decision making are:

- To approve the application as set out in this report. This option is recommended. The report analyses in some detail the reasons why the application is considered to be acceptable in planning terms.
- To approve the application subject to additional /amended conditions and informatives. This option is not recommended, the conditions and informatives are set out below. The Planning Committee should be minded of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects* ([*National Planning Policy Framework*](#)).
- To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable and there are [no material planning reasons](#) to refuse the proposal.

- 8.2 The application is recommended for approval, subject to conditions and informatives below.

- 8.3 **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 PR-L002 C, P001 C, P002 C, P004 C, E001 C, E002 C, E003 C, E004 C, S001 C and S002 C rec'd 17.07.2025 and EX – L003, P001, P002, P004, E001, E002, E003, E004, S001, S002 rec'd 28.05.2025.
PR-L002 Rev F – rec'd 28.08.2025

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

3. The occupation of the House in Multiple Occupation (HMO) hereby permitted shall be limited to a maximum of 7 residents at any time.

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

4. Prior to the occupation of the development hereby approved details of the facilities for the secure parking of bicycles within the development site shall be submitted for approval by the Local Planning Authority. Thereafter the said approved facilities shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The above condition is required in recognition of Section 9 (Promoting Sustainable Transport) of the NPPF.

5. Prior to the occupation of the development hereby permitted the 2 no. eastern facing ground floor windows serving Unit 2 and windows in the eastern facing dormer 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 amenity of neighbouring property.

6. Prior to the occupation of the development hereby permitted the windows in the western facing dormer 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 amenity of the neighbouring property.

7. That no further openings of any kind be formed in the western or eastern elevation(s) of the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenity of neighbouring properties.

8. No external materials shall be installed until details of the materials to be used for the roof and external surfaces of the building(s) 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 safeguard the visual amenity of the area

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with drawing no. PR-L002 Rev F hereby approved 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

10. The development hereby approved shall not be occupied unless and until each of the car 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 a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The above condition is required in order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

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

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

12. The converted garage hereby approved shall only be used as a home office and communal gym and shall not be used for any primary living accommodation.

Reason: To safeguard the amenity of neighbouring properties.

Informatives

1. In accordance with Approved Document S of the Building Regulations, you will be required to install electric vehicle charging facilities.
2. The property will not receive any more bins than the standard household allocation of 1 x 240 rubbish and 1 x 240 recycling, emptied on a fortnightly basis.

Any additional capacity or collections required for the tenants to manage their waste (as two bins are insufficient for 8 inhabitants) would be the responsibility of the landlord to seek/arrange on a commercial basis.
3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs
4. 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) 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.
5. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage

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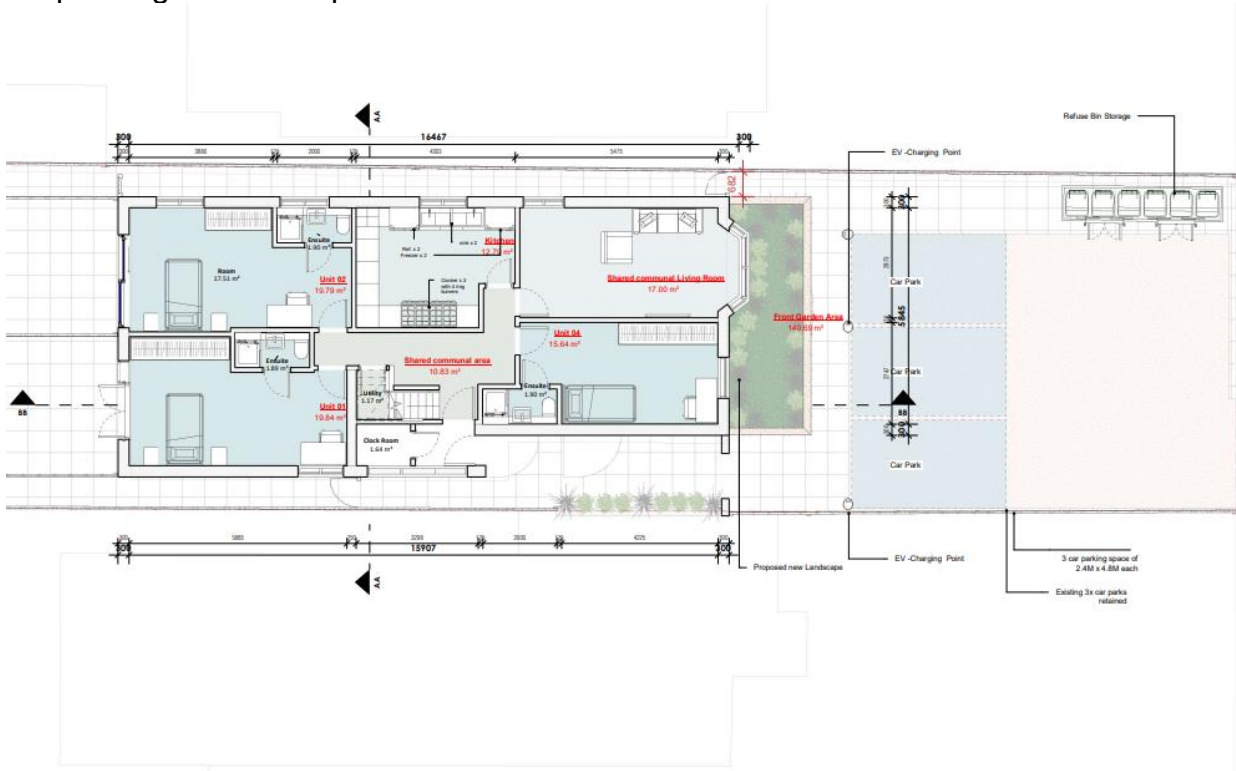
[illegible]

The floor plan shows a rectangular building with a central corridor and several rooms. The overall dimensions are 15907 mm by 6970 mm. The rooms and their areas are:

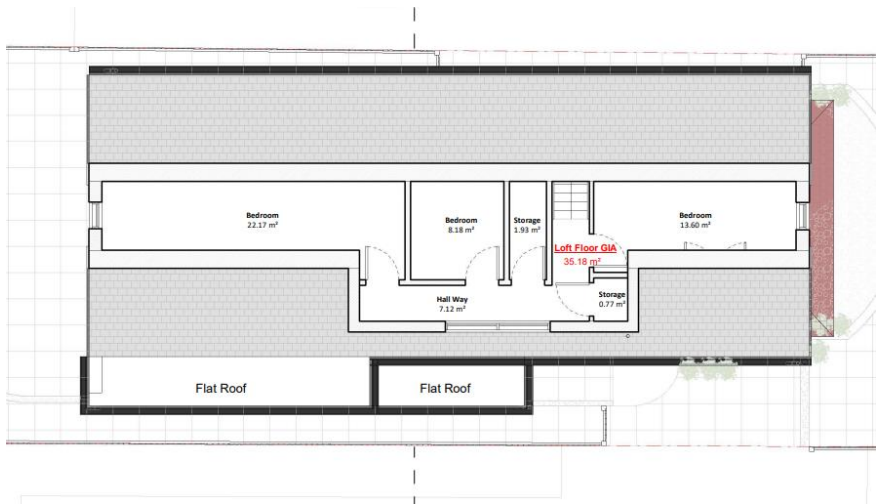
- Living Room: 22.98 m²
- Kitchen/Dining: 28.93 m²
- Bathroom: 4.15 m²
- Bedroom: 6.46 m²
- Bedroom: 12.20 m²
- Bathroom: 6.43 m²
- Hall Way: 14.23 m²
- Storage / Utility: 3.24 m²

The total area is 104.55 m². The plan includes a north arrow pointing upwards and a scale bar at the bottom. The building is surrounded by a paved area with some landscaping.

Proposed ground floor plan



Existing loft plan



Existing rear elevation



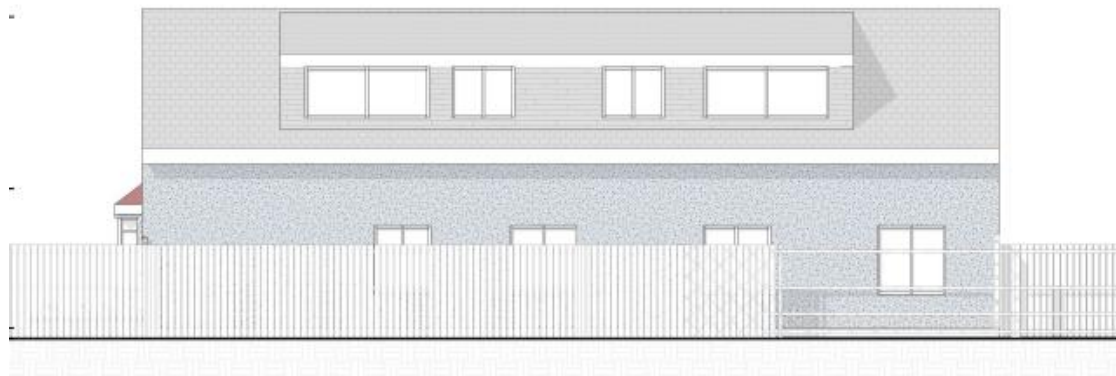
Proposed rear elevation



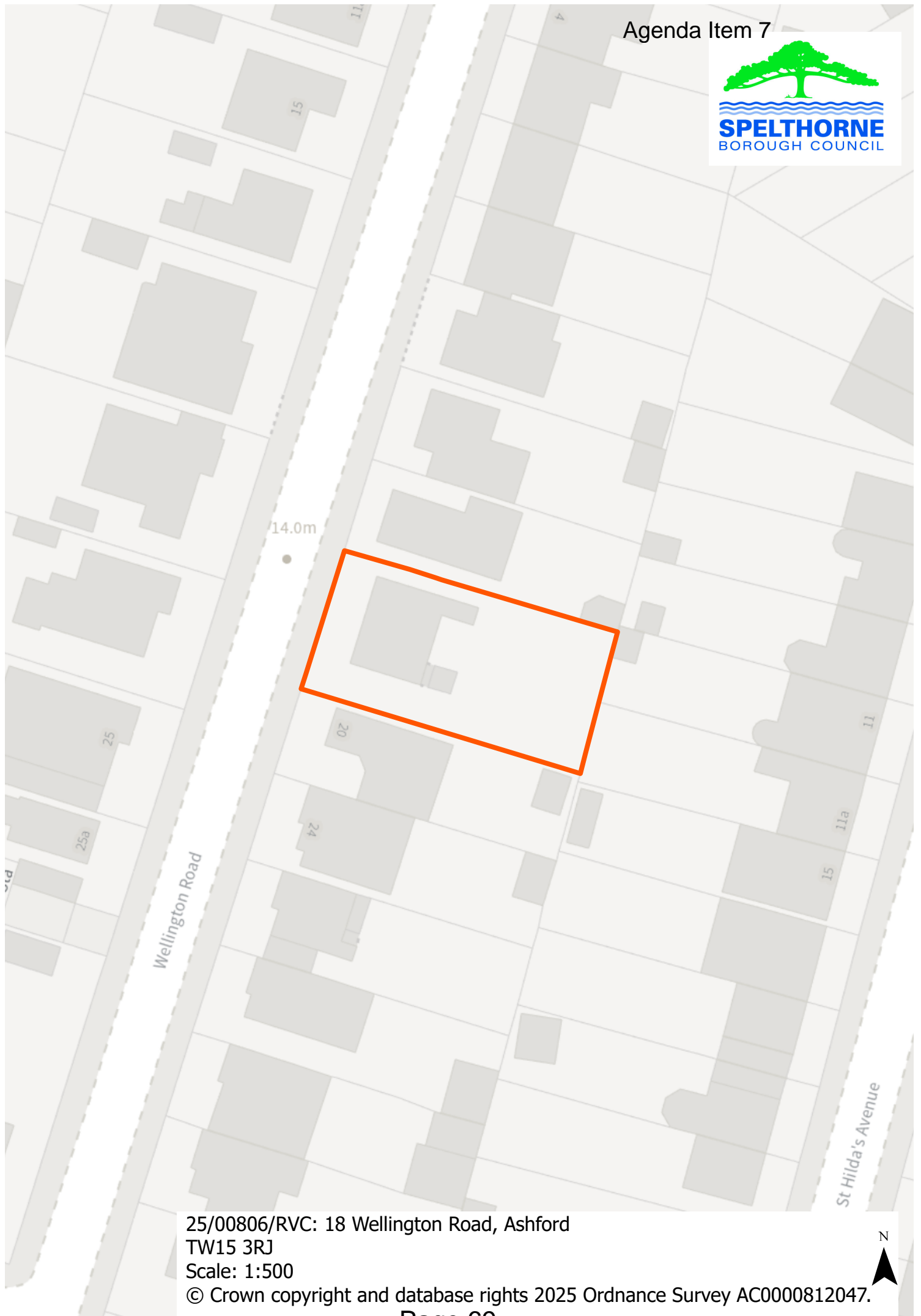
Proposed side elevation 1



Proposed side elevation 2



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25/00806/RVC: 18 Wellington Road, Ashford

TW15 3RJ

Scale: 1:500

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Planning Committee

17 September 2025



| | |
|------------------------|--|
| Application No. | 25/00806/RVC |
| Site Address | 18 Wellington Road Ashford TW15 3RJ |
| Applicant | Mr Daniel Moore |
| Proposal | Variation to Condition 3 (Approved Plans) relating to planning permission 24/01542/FUL for roof alterations and extensions to create habitable roof space, with insertion of 1 no. front facing dormer and 1 no. rear facing dormer, erection of single storey side extension and a single storey rear extension. Changes to fenestration and extension of dropped kerb. All to facilitate the subdivision of the property into 2 no. flats. (1 no. 2 bed and 1 no. 3 bed) with associated parking and amenity space. Changes to single storey side extension to reduce set in from boundary (retrospective) |
| Case Officer | Emily Archibald |
| Ward | Ashford Town |
| Called-in | The application has been called in by Councillor Neall on grounds of the impact to neighbouring properties, notably the loss of light to No. 20 Wellington Road's flank windows. |

| | | | |
|--------------------------|--|-------------------|---|
| Application Dates | Valid:19.06.2025 | Expiry:14.08.2025 | Target: Extension of time agreed until 19.09.2025 |
| Executive Summary | <p>The property was recently granted permission for roof alterations and extensions to create habitable roof space, with insertion of 1 no. front facing dormer and 1 no. rear facing dormer, erection of single storey side extension and a single storey rear extension. Changes to fenestration and extension of dropped kerb. All to facilitate the subdivision of the property into 2 no. flats, with associated parking and amenity space. (ref. 24/01542/FUL)</p> <p>The work relating to this permission is substantially complete. The single storey side extension as built, however, is not in accordance with the approved plans. The side extension has been built 0.65 metres (65cm) wider. The application under consideration has been submitted to retrospectively regularise this and is the only part of the original proposal under consideration with this application.</p> <p>The changes to the side extension from that previously approved, are</p> | | |

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| | considered to have an acceptable impact on design and character of the area and the amenity of neighbouring dwellings. Therefore, the application is recommended for approval. |
| Recommended Decision | Approve the application subject to conditions as set out in Paragraph 8 (Recommendation) of the 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:
 - EN1 Design of New Development
- 1.2 Also relevant are the following Supplementary Planning Documents/Guidance:
 - SPD on the Design of Residential Extensions and New Residential Development 2011
- 1.3 The policies contained within the National Planning Policy Framework (NPPF) (December 2024) are 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, it was paused to allow time for the new council to understand and review the policies and implications of the emerging Local Plan and to address the issues that were 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.
- 1.6 On 12 December 2024, the Planning Inspectorate confirmed that the Local Plan examination would resume on the 27 January 2025. This has now taken place and the Examination closed on 18 February 2025. Adoption of the Local Plan by Council could be by November 2025 subject to the plan being found sound by the Inspector and public consultation undertaken on the Main Modifications (<https://spelthornelocalplan.info/evidence-base/>).
- 1.7 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.

- 1.8 The National Planning Policy Framework (NPPF) policy states at para 49 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).
- 1.9 Section 38(6) the Planning and Compulsory Purchase Act 2004 (https://www.legislation.gov.uk/ukpga/2004/5/pdfs/ukpga_20040005_en.pdf) 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.
- 1.10 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:

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| 24/01283/PDH | Prior Approval Notification for a single storey rear extension extending 8 metres beyond the rear wall of the original house, with a maximum height of 3 metres and a height of 3 metres to the eaves | Granted 10.12.2024 |
| 24/01287/CPD | Certificate of Lawfulness for the proposed development of a single storey side/rear extension, extending beyond the rear elevation by 3 metres. | Granted 17.12.2024 |
| 24/01542/FUL | Roof alterations and extensions to create habitable roof space, with insertion of 1 no. front facing dormer and 1 no. rear facing dormer, erection of single storey side extension and a single storey rear extension. Changes to fenestration and extension of dropped kerb. All to facilitate the subdivision of the property into 2 no. flats. (1no. 2 bed and 1 no. 3 bed) with associated parking and amenity space. | Granted 27.03.2025 |

| | | |
|--------------|---|-----------------------|
| 25/00805/FUL | Roof alterations and extensions including front and rear hip to gable extensions, extension over existing side extension, and extending the roof to the rear, with the insertion of 1 no. front facing dormer and 1 no. rear facing dormer, to create habitable roof space. Changes to fenestration and extension of dropped kerb. All to facilitate the conversion of a C3 dwellinghouse into a 10 person HMO (Sui-Generis) with associated parking and amenities. | Refused 12.08.2025 |
|--------------|---|-----------------------|

3. Description of Current Proposal

- 3.1 The applicant seeks to vary condition 3 (approved plans) of permission 24/01542/FUL to substitute with amended ones. This application was for roof alterations and extensions to create habitable roof space, with insertion of 1 no. front facing dormer and 1 no. rear facing dormer, erection of single storey side extension and a single storey rear extension. Changes to fenestration and extension of dropped kerb. All to facilitate the subdivision of the property into 2 no. flats. (1 no. 2 bed and 1 no. 3 bed) with associated parking and amenity space. The applicant intends to replace the approved plans of the FUL application with those submitted in this 'Section 73' application.
- 3.2 Section 73 of the Town and Country Planning Act 1990 allows for the removal or variation of conditions (RVC) associated with a planning permission. It enables applicants to develop land without complying with previously imposed conditions, subject to the Local Planning Authority's discretion and subject to the following: -
- The application must relate to the conditions of the original planning permission, and it cannot change the description of the development.
 - There is no statutory limit on the degree of change permissible under Section 73, but it must relate to the conditions.
 - The original planning permission remains valid, and the new permission is considered a new, independent permission.
- 3.3 The amendment to the approved plans relates solely to the single storey side extension which has been built 0.65 (65cm) metres closer to the boundary. This results in wider ground floor bedrooms to those shown on the approved floor plans. It is, therefore, only this element of the original permission which is under assessment with this planning application. It is also important to note that, although retrospective, this has no relevance to the decision-making process.
- 3.4 The main planning considerations are the impact of the proposal on the design and character of the area and the impact on the amenity of neighbouring dwellings.

4. Consultations

- 4.1 Although the same consultations were carried out as with the previous FUL planning application, the part of the proposal under consideration with this application is only the wider side extension and as such this part of the proposal does not require any consultations. It is important to note, however, any previously imposed conditions will be imposed if permission is granted.

5. Public Consultation

- 5.1 A total of 7 neighbouring properties were notified of the planning application.

- 5.2 A total of 11 letters of representation have been received objecting to the proposal on the following grounds:

- Lack of parking & highway safety concerns
- Changes to the overall design and appearance of property
- Visual and architectural harm and out of character appearance
- Incrementally increasing the size/design of original building
- Side extension too close to boundary
- Parking too close to building
- Larger footprint than what had been originally approved
- Other concerns relating to HMO use (not relevant to this application)
- Built extension is not as per plans from 24/01542/FUL
- Section 73 Applications should not involve 'significant changes'

- 5.3 It is important to note that many of the letters of objection relate solely to the HMO application, (ref. 25/00805/FUL). This is a separate application, which has now been refused. Moreover, some letters refer to other parts of the development under 24/01542/FUL. This application is purely assessing the additional 0.65 (65cm) of single storey side extension.

- 5.4 Of the 11 letters received, there are however, 2 no. letters of objection which explicitly relate to the side extension which is under consideration with this application.

6. Planning Issues

- 6.1 The main planning considerations for this application are the impact of the proposed development on design and the character of the area, and the impact upon the amenities of neighbouring properties.

- 6.2 The following issues will be discussed:

- Design and appearance
- Amenity of neighbouring properties

7. Planning Considerations

Design and appearance

- 7.1 The applicant has substantially completed works relating to 24/01542/FUL. However, the single storey side extension has been built closer to the side boundary than shown on the approved plan. The extension is set-in 0.45 metres (45cm) from the flank boundary, though towards the front, the set in is slightly reduced to 0.35 (35cm) due to the boundary line not being exactly parallel with the flank wall of the development. The extension will retain the same depth but will be 0.65m (65cm) wider. It is only this part of the original application that is different from the approved plans and therefore only the increase in width of the single storey side element that is under consideration with this application.
- 7.2 Policy EN1 of the Core Strategy and Policies Development Plan Document (CS&P DPD) states that the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity, and they should also respect and make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
- 7.3 The approved plans showed a side extension coming towards No. 20 Wellington Road which included a loft conversion and extension above. This was set in from the side boundary by 1.1 metres. The proposed, and as built, side extension is some 0.65 metres (65 cm) wider than approved, thus coming closer to the side boundary. It has a flat roof, as approved, creating a stepped element where it connects to the roof extension above. It would be visible from the street scene; however, the additional width of 0.65 metres (65 cm) is not considered to make the proposal appear overly prominent, notwithstanding that it would reduce the gap between the buildings at ground floor level. It is proposed to be built of materials to match and given it is single storey with a maximum height of 2.9 metres, the extension is considered to respect the character and proportions of the host dwelling, also not appearing dominant. It is not considered that this extension will cause significant harm to the wider character of the area and street scene, given the fact Wellington Road is characterised by various types of side extensions. It is therefore considered that the proposal would not result in significant harm to the character or appearance of the host dwelling or the wider area, and as such it would not be reasonable to refuse planning permission on design grounds.
- 7.4 The proposal is, therefore, considered to have an acceptable impact on design and the character of the area and would be in accordance with policy EN1 and the NPPF on design grounds.

Amenity

- 7.5 It is important to note that the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) acknowledges that most development will have some impact on

neighbours. However, the aim should be to ensure that neighbouring amenity is not significantly harmed. The Councils Core Strategy also goes on to note, at Policy EN1, that proposals should aim to 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.

- 7.6 In terms of the impacts to neighbouring properties, the extra 0.65 metres (65 cm) width will have an acceptable impact on No. 16 which sits to the north of the property, mostly shielded by the existing dwelling.
- 7.7 In terms of the impact to No. 20 which sits to the south of the application site, the ground floor side extension has been built 0.65 metres (65 cm) closer to this property, with a set-in of 0.45 metres (45cm) from the boundary. Towards the front of the extension, the set-in is 0.35 metres (35cm). No. 20 has three ground floor flank windows facing the application site; one of which serves a bathroom which is not a habitable room, the second serves a kitchen which has secondary windows to the rear, and the final serves a bedroom with no other windows. The bedroom window should be duly considered in terms of potential loss of light, as this is the only window serving a habitable room which also has no secondary windows.
- 7.8 It is not considered that the additional width will detrimentally impact the amenities of No. 20. The proposal is set in some 0.45m from the side boundary and No. 20 is also set in from the side boundary. As such a separation distance of 1.25 metres (1.15 metres towards the front) remains between the side of the development and No. 20. Given this gap, along with the single storey nature of the development and height limited to 2.9 metres, this relationship is considered to be acceptable. Whilst the increased width marginally reduces the separation distance from No. 20, at ground floor level, the development does not cross the 45-degree vertical guide as set out in the SPD on design. This guide is associated with two-storey development, however, it has been applied in this case to demonstrate the acceptability of the relationship between the subject extension and No. 20's flank bedroom window. Therefore, the proposal is not considered to result in a significantly harmful impact upon the amenities of No. 20, by way of loss of light, overbearing impact, or loss of outlook.
- 7.9 Additionally, with no flank windows proposed on the side extension, the impact upon the privacy of No. 20 would be acceptable.
- 7.10 The proposal is not considered to have any further impacts on properties to the rear. The side extension remains the same depth and extends to the side only, which is not considered to adversely impact properties on St Hildas Avenue, particularly with a separation distance of over 30 metres. The relationship with the properties to the rear remains unchanged.
- 7.11 It should also be noted that a Certificate of Lawfulness has been granted for a single storey side extension, which was shown to be built up to the boundary, which represents a 'fall-back' position.

- 7.12 The increase of 0.65 metres (65 cm) in width to the side extension would not result in any significant adverse impacts upon the amenities of neighbouring properties, including No. 20 adjacent. The built development does not give rise to unacceptable issues of loss of light, overbearing impact, loss of outlook or loss of privacy. A degree of impact is acknowledged; however, it is not considered that this will be significant and does not justify refusal of permission. Therefore, it is concluded that the proposal is in accordance with Policy EN1 of the CS & P DPD.

Other Matters

- 7.13 The Local Planning Authority (LPA) acknowledges residents' concerns about how this application has come about. Residents are worried that the applicant is incrementally increasing the property and that they are not being transparent in doing so. It is important to note that the LPA is required to judge each application on its own merits. Whilst various other applications at the site, have been submitted, the application before the Planning Committee must be determined on its own merits.

Equalities Act 2010

- 7.14 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.15 The question in every case is whether the decision maker has in substance had due regard to the relevant statutory need, to see whether the duty has been performed.
- 7.16 The Council's obligation is to have due regard to the need to achieve these goals in making its decisions. Due regard means to have such regard as is appropriate in all the circumstances.
- 7.17 The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs. It is considered that it would be possible for individuals with disabilities to access the development.

Human Rights Act 1998

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

- 7.19 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

8. Recommendation

- 8.1 The options available to the Planning Committee for decision making are:

- To APPROVE the application as set out in the report.
This option is recommended. The report analyses, in detail, the reasons as to why the application is considered acceptable in planning terms.
- To APPROVE the application subject to additional/amended conditions and informatives.
This option is not recommended. The recommended conditions and informatives are set out below. The Planning Committee should be aware of paragraph 57 of the NPPF which states that: *- planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.*
- To REFUSE the application.
This option is not recommended. The report assess why Officers consider the application to be acceptable on planning grounds, and there are no [material planning reasons](#) on which the proposal can be refused on.

- 8.2 The application is recommended for APPROVAL subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: PR-L003, REV A, PR-P001 REV A, PR-P002 REV A, PR-P004 REV A, PR-E001 REV A, PR-E002 REV A, PR-E003, REV A, PR-E004 REV A, PR-D001 REV A, PR-D002 REV A, PR-L002 REV A, PR-S001 REV A, PR-S002 REV A, all received 02.09.2025.

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

2. The extension hereby permitted shall be carried out in facing materials to match those of the existing building in colour and texture.

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.

3. Before the first occupation of any part of the development, a landscape plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape plan shall be carried out as approved.

REASON: To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

4. The development should provide the following refuse facilities:

- 2 x 240 rubbish bins
- 2 x 240 recycling bins
- 2 x green kerbside food waste bins
- 2 x grey indoor food caddies

These facilities should be provided prior to the occupation of the flats.

REASON: For the amenity of future occupants.

5. 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 no more than 2 vehicles to be parked. Thereafter the parking area shall be retained and maintained for its designated purpose.

REASON: The condition is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy Framework 2024 and policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

6. The development hereby approved shall not be first occupied unless and until facilities for the secure, lit and covered parking of at least 6 bicycles and the provision of a charging point with timer for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

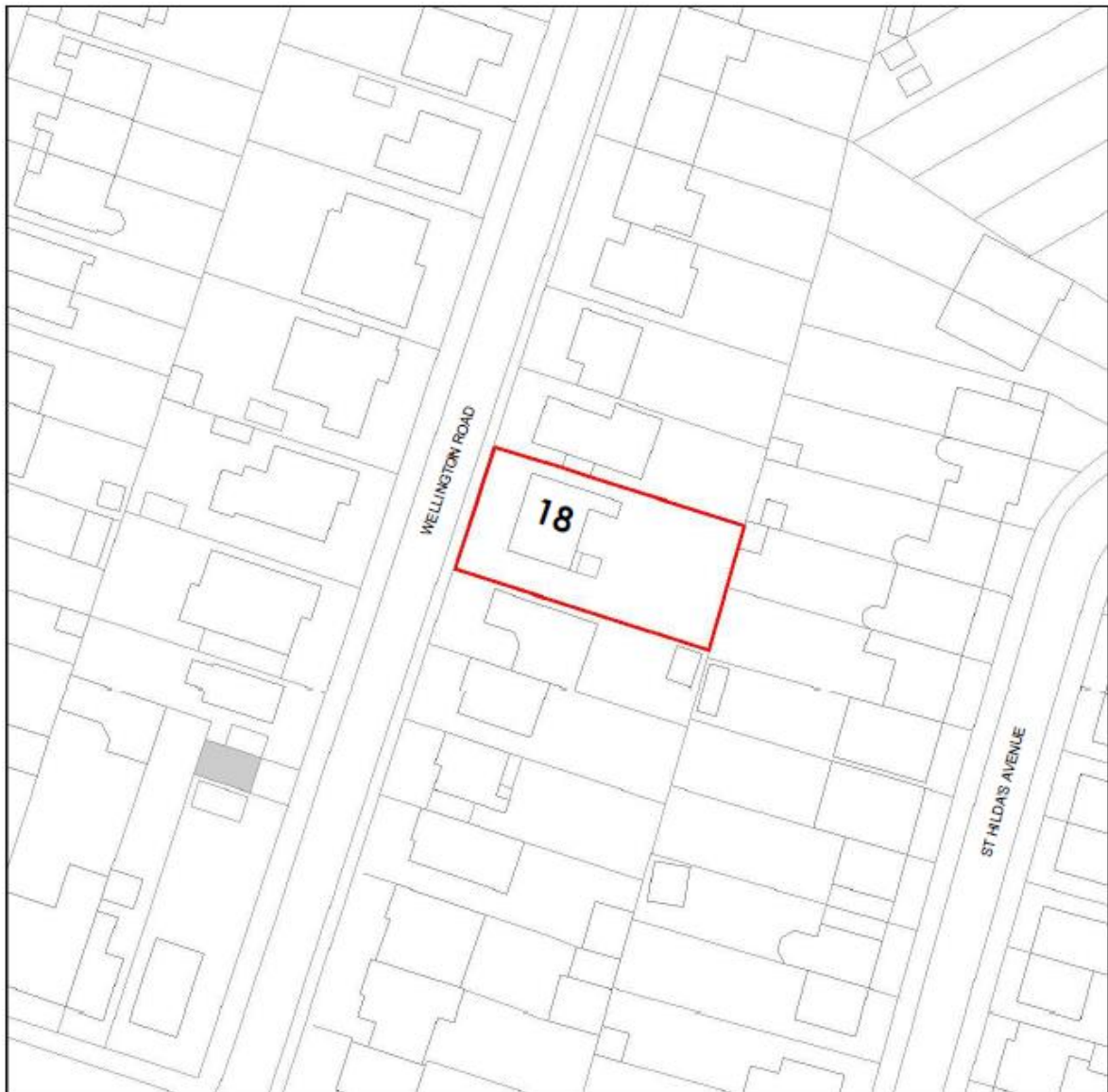
REASON: The condition is required in order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2024, and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

INFORMATIVES TO APPLICANT

1. In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This includes the following -
 - a. Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development
 - b. Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered
 - c. Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.
2. Access by the Fire Brigade
Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or County Hal. Section 20 of this Act requires that when a building is erected or extended, proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings.

There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

LOCATION PLAN



Proposed OS Map⁰
1 : 1250



APPROVED FRONT ELEVATION (APPLICATION 24/01542/FUL)



AS BUILT FRONT ELEVATION



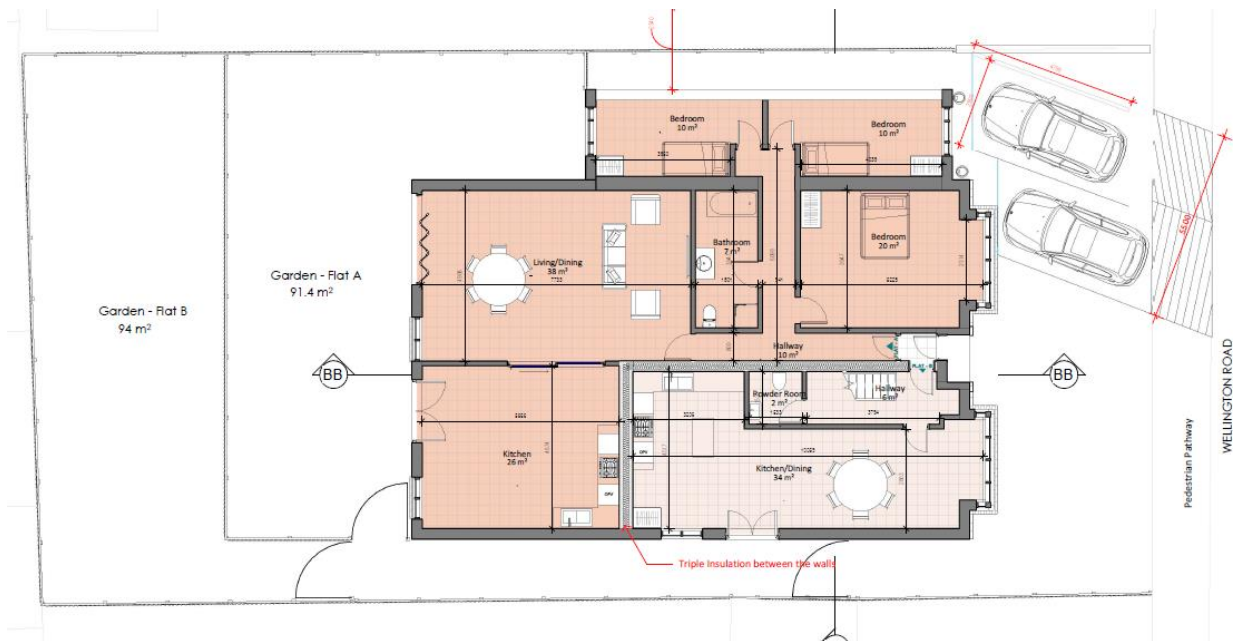
APPROVED REAR ELEVATION (APPLICATION 24/01542/FUL)



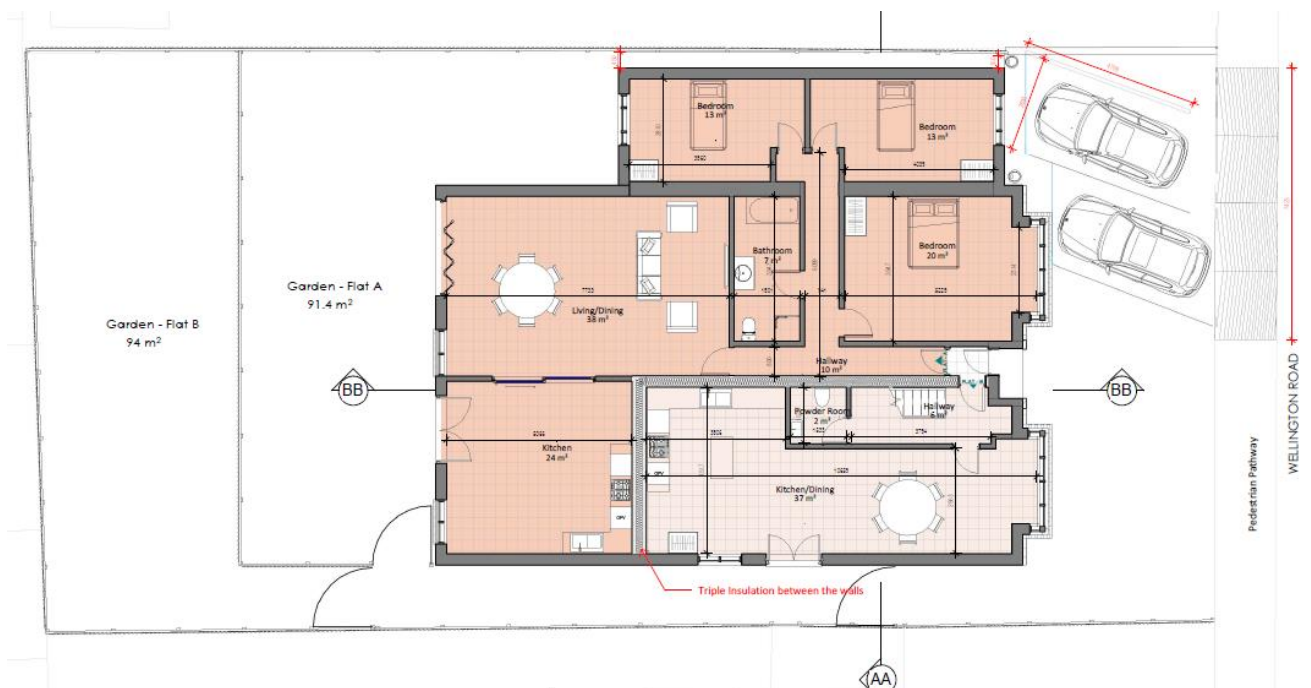
AS BUILT REAR ELEVATION



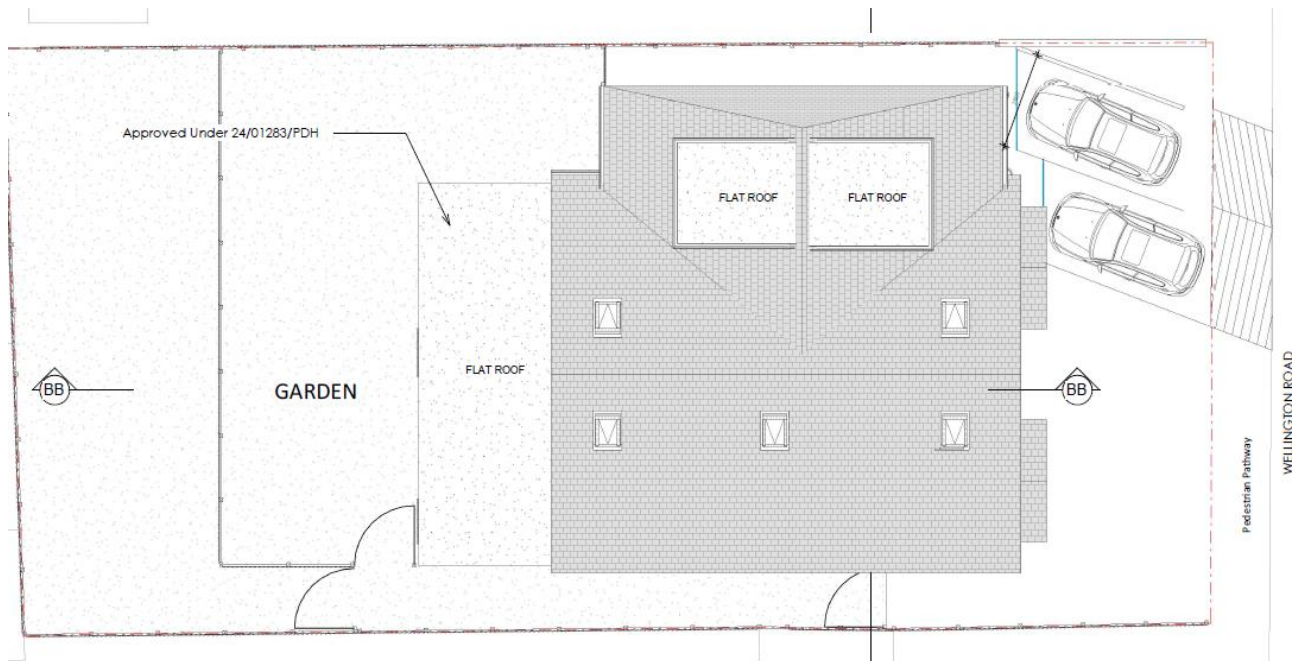
APPROVED GROUND FLOOR PLAN (APPLICATION 24/01542/FUL)



AS BUILT GROUND FLOOR PLAN



APPROVED ROOF PLAN (APPLICATION 24/01542/FUL)



AS BUILT ROOF PLAN



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Planning Appeals Report – V1.0 ISSUED

Appeals Started between 08 August 2025 – 03 September 2025

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature |
|---|--------------|-------------------|---|
| 25/00704/PDH 271 Staines Road West Ashford TW15 1RT | 13.08.2025 | Fast Track Appeal | APP/Z3635/D/25/3369813 Prior approval notification for a single storey rear extension measuring 6 metres in depth beyond the rear wall of the original dwelling house a maximum height of 3 metres and a height to the eaves of 3 metres. (As shown on plan no's PR - L002, EX - L003 rec'd 26.05.2025). |
| 25/00677/HOU 4 The Vale Sunbury-on-Thames TW16 7SD | 15.08.2025 | Fast Track Appeal | APP/Z3635/D/25/3370326 Erection of two storey side and rear extensions and single storey rear extension (amendment to p/a 25/00116/HOU comprising addition of deeper single storey rear extension). (as shown on plan no's 4TV-003/1, -003/2, -003/3, -003/4, -003/5, -003/6, -003/7, -003/8, -003/9 all received 19.05.2025). |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature |
|--|--------------|-----------|---|
| 25/00208/TPO Rowland Hill Almshouses Feltham Hill Road Ashford | 14.08.2025 | Hearing | APP/TPO/Z3635/10587 TPO264/2020- T1 (indicated within the submitted location plan as Pine Tree)- Monterey Pine- to fell (no work proposed to the Yew Tree-T2). |

Appeal Decisions Made between 11 July 2025 – 07 August 2025

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|--|--------------|------------------------|--|------------------|---------------|--|
| 23/00830/TPO 7 Thames Gate Laleham Staines-upon-Thames | 24.04.2024 | Fast Track Appeal | APP/TPO/Z3635/9874 TPO14/STA/T12 - 1 x Scotts Pine to remove the tree to ground level and replant with similar species. | Appeal Dismissed | 21.08.2025 | The Scots Pine was considered to have local visibility and pleasant form, giving it significant local amenity value. Situated adjacent to the Sweeps Ditch stream, the Inspector acknowledges that the surrounding ground may be inundated when water levels rise, though the tree, nonetheless, appeared to be in normal health and condition, with no signs of the adverse impacts of waterlogging or flooding on roots, trunk or crown. No evidence was provided to suggest that the tree could fall, therefore warranting its felling. In this case, the removal of the tree would result in significant harm to the character of the area and insufficient justification has been demonstrated for the proposed works. Hence the appeal is dismissed. |
| 24/01402/FUL | 23.04.2025 | Written Representation | APP/Z3635/W/25/3360852 Installation of digital communications kiosk | Appeal Dismissed | 20.08.2025 | The Inspector concluded that the proposed kiosk would add another structure to the street and would |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|---|--------------|------------------------|---|------------------|---------------|---|
| Land Outside 73 - 75 High Street Staines-upon- Thames TW18 4PP | | | comprising telephone, defibrillator and digital advertisement As shown on drawings: Site Location Plan; Site Block Plan and NWP-KIOSK/001 received 27.11.2025 | | | form a large prominent addition when compared to other street furniture near to the appeal site. An additional digital advertising board would increase the visual clutter within the street scene, resulting in the wide and open character of the area being eroded. Therefore, the proposals would harm the character, appearance and visual amenity of the area and conflict with policy EN1 and fail to achieve the aims of the Framework. |
| 24/01403/ADV Land Outside 73 - 75 High Street Staines-upon- Thames TW18 4PP | 23.04.2025 | Written Representation | APP/Z3635/H/25/3360853 Advertisement consent for digital signage on communication kiosk comprising telephone and defibrillator. As shown on drawings: Site Location Plan; Site Block Plan and NWP-KIOSK/001 received 27.11.2025 | Appeal Dismissed | 20.08.2025 | As above – The two appeals are intrinsically linked as one concerns the kiosk unit upon which an advertisement would be displayed. Both appeals raise similar issues. Whilst considering each appeal on its own merits the decision letter considers both appeals in one. |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|---|--------------|------------------------|--|----------------|---------------|--|
| 24/01404/FUL Land Outside Elmsleigh Shopping Centre, South Street Staines-Upon-Thames | 24.04.2025 | Written Representation | APP/Z3635/W/25/3360854 Installation of digital communications kiosk comprising telephone, defibrillator and digital advertisement | Appeal Allowed | 27.08.2025 | The Inspector considered that the kiosk would be positioned on a wide part of the pavement, near the exit of the bus station. Whilst the appeal site and immediately surrounding area has an open and spacious appearance, there are a number of features in the street scene such as railings, traffic lights, lighting columns and traffic signs, which add to the clutter in the area. The proposal would provide a further structure, but having regard to the context, would not result in an increase in clutter causing unacceptable harm to the street scene. Furthermore, although the kiosk would be a large addition to the pavement, its scale would not be out of proportion to the tall shopping centre building. The Inspector concluded that the proposed kiosk would not harm the character and appearance of the area. |
| 24/01405/ADV | 24.04.2025 | Written Representation | APP/Z3635/H/25/3360855 Advertisement consent for digital signage on | Appeal Allowed | 27.08.2025 | The Inspector considered that the proposal would introduce an advertisement into an area with no other digital advertisements. Despite |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|---|--------------|------------------------|--|------------------|---------------|--|
| Land Outside Elmsleigh Shopping Centre, South Street Staines-Upon-Thames | | | communication kiosk comprising telephone and defibrillator | | | this, the site plan indicates that the digital display would be seen against the backdrop of the bus station which has an ever changing appearance owing to the movement of large vehicles and general activity. Given the busy functional character and appearance of the area, although the advertisement would have a degree of prominence, it would not harm the visual amenity of the area as a whole. The Inspector concluded that the proposed advertisement would not harm the visual amenity of the locality. |
| 24/01406/FUL Land Outside 40-42 Church Road Ashford TW15 2UY | 07.05.2025 | Written Representation | APP/Z3635/W/25/3360856 Installation of digital communications kiosk comprising telephone, defibrillator and digital advertisement | Appeal Dismissed | 22.08.2025 | The Inspector states that the proposed kiosk would be a prominent and incongruous addition to the streetscape, positioned at the edge of the public square where the digital advertisement would introduce a busy element that erodes the existing character of the area. The kiosk would harm the character, appearance and visual amenity contrary to policy EN1. |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|--|--------------|------------------------|---|------------------|---------------|--|
| | | | | | | The Inspector further concludes that the kiosk's positioning perpendicular to Church Road would obstruct visibility for vehicles turning right from Pitcher Lane, creating dangerous highway conditions. The digital advertisement would also distract drivers from the pedestrian crossing point with tactile paving, creating an unsafe environment for pedestrians. Despite acknowledged benefits, they do not outweigh the identified harm to highway and public safety, conflicting with policy CC2 |
| 24/01407/ADV Land Outside 40-42 Church Road Ashford TW15 2UY | 07.05.2025 | Written Representation | APP/Z3635/H/25/3360857 Advertisement consent for digital signage on communication kiosk comprising telephone and defibrillator | Appeal Dismissed | 22.08.2025 | The Inspector states that the proposed kiosk would be a prominent and incongruous addition to the streetscape, positioned at the edge of the public square where the digital advertisement would introduce a busy element that erodes the existing character of the area. The kiosk would harm the character, appearance and visual amenity contrary to policy EN1. The Inspector further concludes that the kiosk's positioning perpendicular |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|---|--------------|------------------------|--|----------------|---------------|---|
| | | | | | | to Church Road would obstruct visibility for vehicles turning right from Pitcher Lane, creating dangerous highway conditions. The digital advertisement would also distract drivers from the pedestrian crossing point with tactile paving, creating an unsafe environment for pedestrians. Despite acknowledged benefits, they do not outweigh the identified harm to highway and public safety, conflicting with policy CC2. |
| 25/00199/RVC 35 The Avenue Sunbury-on-Thames TW16 5HY | 06.06.2025 | Written Representation | APP/Z3635/W/25/3366458 Variation of Condition 2 (approved plans) imposed upon planning permission 24/00369/FUL for the proposed replacement dwelling following demolition of existing dwelling and existing garage, to allow roof alterations to the roof design that also includes the installation of 2 no. | Appeal Allowed | 26.08.2025 | The Inspector concluded 'Overall, I am satisfied that the design of the replacement dwelling would adequately respect the character and appearance of the area. It follows that I have not identified conflict with Policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).' The appeal is allowed and planning permission is granted for the erection of a replacement detached dwelling house to replace existing detached property and garage at 35 |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|--------------------|--------------|-----------|---------------------------------|----------|---------------|--|
| | | | additional rear facing dormers. | | | The Avenue, Sunbury-on-Thames, Surrey, TW16 5HY in accordance with the application Ref 25/00199/RVC, without compliance with condition number 2 previously imposed on planning permission Ref 24/00369/FUL dated 19 September 2024 and subject to the conditions shown in the attached schedule. |

Current/Future Hearings/Inquiries

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|---|--------------|-----------|---|----------|---------------|--|
| 24/00203/FUL Land South East Of The Ranges (addressed As 1A Priory Stables) Chertsey Road | 05.11.2024 | Hearing | <p>APP/Z3635/W/24/3348103</p> <p>Change of use of the land for the stationing of 6 mobile static homes for Gypsy / Traveller occupation, with associated hard and soft landscaping, parking and roadway.</p> <p>As shown on plan no.'s 2023-1338v3-Mobile received 19.02.2024; amended site location plan 2023-1338v3-Location received 02.04.2024; amended plan 2023-1338v3-Block received 02.04.2024.</p> | | | <p>Hearing held on 12th February 2025, but the appeal was then adjourned. The Hearing was re-arranged for the 3rd July 2025.</p> <p>The hearing was adjourned until the 13th and 14th November 2025.</p> |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|--|--------------|-----------|---|----------|---------------|---|
| 23/01264/RVC The Paddocks, 235A Hithermoor Road, Stanwell Moor | 17.09.2024 | Hearing | APP/Z3635/W/24/3350632 Removal of conditions 2 (temporary consent) and 3 (personal permission) of planning application ref 19/01372/FUL for the material change of use of hay-barn and feed room, including dayroom and toilet facilities, to a single dwelling house and retention of 3 loose box, stable feed store and tack room as shown on site location plan received on 15 November 2023. | | | Hearing has been postponed until 21 October 2025. |

| Case Ref & Address | Date Started | Procedure | Appeal Ref & Nature | Decision | Decision Date | Comments |
|---|--------------|-----------|--|----------|---------------|--|
| 22/00231/ENF_A Land South East Of The Ranges (addressed As 1A Priory Stables) Chertsey Road | 12.02.2024 | Hearing | APP/Z3635/C/23/3335127 Appeal against serving of an Enforcement Notice. The carrying out on the land of building, engineering, mining or other operations in particular the laying of an area of hardstanding and a roadway on Green Belt land. Marked in blue on the attached plan and a change of use of the use of the land to the commercial storage of vehicles. | | | This appeal has been linked with the planning appeal for the same site (24/00203/FUL – see above) and is to be heard at a hearing on the 03 July 2025. The hearing was adjourned until the 13 th and 14 th November 2025. |

PLANNING GLOSSARY OF TERMS AND ABBREVIATIONS

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

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|-------------------------|--|
| | |
| 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 Country 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 |

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| 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 |

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| 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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