



Please reply to:

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Date: 01 December 2025

Notice of meeting

Planning Committee

Date: Tuesday, 9 December 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, S.A. Dunn, 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

5 - 10

To confirm the minutes of the meeting held on 12 November 2025 as a correct record.

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 25/01171/HOU - 14 Springfield Grove, Sunbury-on-Thames. TW16 6NT

11 - 28

Ward

Halliford and Sunbury West

Proposal

Erection of a part single-storey rear and part two-storey rear extension, following removal of existing single-storey rear extension.

Recommendation

Approve the application subject to conditions as set out in Paragraph 8 of the report.

6. Planning Applications - Houses in Multiple Occupation (HMOs)

29 - 110

Committee is asked to:

1. Note the contents of the report; and
2. To decide whether to confirm the Article 4 Direction made on 05 March 2025 in respect of the Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and

Shepperton Green, Riverside and Laleham, Shepperton Town,
Staines South, Sunbury Common and Sunbury East Wards,
having regard to the representations made.

- | | | |
|-----------|--|------------------|
| 7. | Major Planning Applications | 111 - 114 |
| | To note the details of future major planning applications. | |
| 8. | Glossary of Terms and Abbreviations | 115 - 120 |

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**Minutes of the Planning Committee
12 November 2025**

Present:

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

Councillors:

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

Apologies: Councillors R. Chandler

Substitution: Councillors D. Saliagopoulos

In Attendance: Councillors J. Caplin and H. Williams

71/25 Minutes

The minutes of the meeting held on 15 October 2025 were approved as a correct record.

72/25 Disclosures of Interest Under the Member's Code of Conduct

There were none.

73/25 Declarations of interest under the Council's Planning Code

Councillors Howkins, Rutherford and Woodward declared that they had received emails in respect of Application 25/01064/FUL.

Councillor Rutherford declared that she had received emails in respect of Application 25/01088/HOU.

Councillor Saliagopoulos declared that she had received telephone calls from residents in respect of both applications.

74/25 Planning application 25/01064/FUL - 67 High Street, Staines-upon-Thames TW18 4PU

Description:

Change of Use of Ground Floor from Vacant Bank to a Proposed Bingo Hall

Additional Information:

There was none.

Public Speaking:

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

1. The application conflicts with TC1 and TC2 of the adopted Core Strategy and Policy EC2 of the emerging Local Plan
2. TC1 identifies Staines Town as the principal town within the Borough and developments should contribute to the vitality and viability of the centre
3. TC2 refers to the maintenance of the dominance of retailing in the shopping frontage that would support the town's primary retail role particularly in primary area such as the High Street
4. Non-retail usage should not be allowed if it denies retail space; converting the empty bank building into a Bingo Hall would result in the loss of the potential for retail usage
5. There is no evidence that this site is unviable for retail usage

Debate:

During the debate the following key issues were raised:

1. The building is a local listed building and not a statutory listed building
2. No alterations could be made to the facade but internal alterations would be considered
3. Consider this to be a gaming centre, not a Bingo Hall
4. Would result in the removal of potential retail space
5. Why is the application for 24 hours opening
6. The operators could add further gambling games onto the electronic screens
7. No alcohol or food would be served on the premises. Would this be enforceable
8. Where would the customers park
9. Increase in noise for neighbouring residential properties
10. Users of the Bingo Hall would have to be over 18 yrs
11. Staines does not need a Bingo Hall but does need more vibrant public houses instead

12. If the operators wanted to game this from a Bingo Hall to a adult gaming centre they would need to submit a planning application
13. Too close to a children's nursery
14. This application does not result in overdevelopment of the site as the building is not to be altered
15. Could a condition be added to restrict the opening hours to 9am to 11pm.

Councillor Geraci proposed, Councillor Rutherford seconded and the Committee agreed to add the following condition:

The use hereby permitted shall only take place between the following hours, 09.00 and 23.00, the reason to safeguard the amenity of nearby residential properties.

The Committee voted as follows:

For – 1
Against – 10
Abstain – 2

Councillor Lee requested that his vote to abstain appeared in the minutes.

The motion to approve the application **FELL**

It was proposed by Councillor Geraci and seconded by Councillor Woodward that the Local Planning Authority is minded to refuse the application as the proposed use would introduce a non-Class E use in the designated primary shopping area, it will negatively affect the amenity of local residents and will not positively contribute to the viability and vitality of the high street contrary to policy TC2, EN11 of the Core Strategy and Policies DPD 2009 and the NPPF.

The Committee voted as follows:

For – 10
Against – 1
Abstain – 2

Decision:

The motion to **refuse** the application was carried for the following reasons:

The Local Planning Authority is minded to refuse the application as the proposed use would introduce a non-Class E use in the designated primary shopping area, it will negatively affect the amenity of local residents and will not positively contribute to the viability and vitality of the high street contrary to policy TC2, EN11 of the Core Strategy and Policies DPD 2009 and the NPPF.

**75/25 Planning application 25/01088/HOU - 35 Park Road, Ashford
TW15 1EX**

Description:

Garage conversion to habitable room, part single part two storey side and rear extension, loft conversion with rear dormer and hip to gable roof extension.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Kevin Swinburne submitted a statement against the proposed development that was read out by the Democratic Services Manager and raised the following key points:

1. Reduction in privacy due to the dormer window
2. Risk to his property if the chimney breast is removed within 35 Park Road
3. Feel that this property would eventually become a House of Multiple Occupancy (HMO)
4. If it is turned into an HMO this would increase the number of vehicles using the already busy road
5. Park Road is a family orientated residential road and fear that the proposed changes would change the feel of the road

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

1. The development is not in keeping with the character of the street
2. Increase in on-road parking pressures
3. The street character has already changed due to previous applications approved
4. It should be considered whether the proposed extensions and the resulting shaping and form remain consistent in respecting the character of the area as per EN1
5. Visual symmetry between the semi-detached properties would be altered
Design SPD advises that a 2 storey side extension should be set back
6. Parking issue/loss of garage

Debate:

During the debate the following key issues were raised:

1. Could a condition be put forward to ensure that the work on the party wall is completed before any other building work commences
2. Could a condition be put on that this property remains a family home and is not to be converted into a House of Multiple Occupancy
3. The application proposed 3 bedrooms as 2 further rooms could be used as bedrooms therefore it is considered to be a 5 bedroom property
4. Overdevelopment of the site

Councillor Geraci proposed, Councillor Rutherford seconded and the Committee agreed to add the following condition:

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended or any order revoking and re-enacting that order, the extended property shall be used only for purposes within use Class C3 of the scheduled of the Town and Country Planning Use Class Order 1987 as amended or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order. The reason is to ensure that the property is maintained as a dwelling house and to safeguard the amenity of the neighbouring properties.

The Committee voted as follows:

For - 9

Against - 1

Abstain - 3

Decision:

The application was approved subject to conditions as set out in the recommendation section of the report and the additional condition agreed as above.

76/25 Planning Appeals Report

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

The Committee were advised that a decision had now been made in respect of Planning Application 25/00856/HOU, 14 Furzewood, Sunbury-on-Thames, TW16 6SJ; the appeal had been **dismissed**.

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

77/25 Major Planning Applications

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

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



25/01171/HOU: 14 Springfield Grove, Sunbury-on-Thames. TW16 6NT
Scale: 1:500

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Planning Committee

09 December 2025



Application No.	25/01171/HOU
Site Address	14 Springfield Grove, Sunbury-on-Thames, TW16 6NT
Applicant	Katie Hayes
Proposal	Erection of a part single-storey rear and part two-storey rear extension. Following removal of existing single-storey rear extension.
Case Officer	Emily Archibald
Ward	Halliford and Sunbury West
Called-in	Simon Rowberry, Interim Planning Manager, is exercising his delegated authority to refer the application to the Planning Committee because the proposal is considered finely balanced.

Application Dates	Valid:24.09.2025	Expiry: 19.11.2025	Target: Extension of Time agreed until 11.12.2025
Executive Summary	The application site relates to 14 Springfield Grove in Sunbury-on-Thames; a two-storey mid terrace dwelling situated on the northern side of the road. The property has been previously extended via a single storey-rear extension, though otherwise remains original. The property, along with the rest of the terrace, is Locally Listed. It forms part of a row of six cottages dating from the mid-18th century, with a central decorative feature displaying the name "Springfield." The cottages are built from amber brick over two storeys and were originally used as almshouses, with later changes made to the end sections. The applicant seeks permission for a part single-storey and part two-storey extension to the rear of the terraced property. It is considered that the application is acceptable in terms of character, design, and amenity. It is also considered that it will have an acceptable impact on the design and appearance of the Locally Listed terrace.		
Recommended Decision	Approve the application subject to conditions as set out in Paragraph 8 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
 - EN5 Buildings of Architectural and Historic Interest
- 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 The Examination Hearings reopened in January 2025 and closed on 18 February 2025. The six-week public consultation on the Main Modifications to the Spelthorne Local Plan was closed on 15 May 2025. The Council are expecting the Inspector's report imminently.
- 1.7 Adoption of the Local Plan by Council could be by December 2025 subject to the plan being found sound by the Inspector.
- 1.8 Adoption of the Local Plan by Council could be by February 2025 subject to the plan being found sound by the Inspector.
(<https://spelthornelocalplan.info/evidence-base/>)
- 1.9 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance :
 - PS2: Designing places and spaces

- 1.10 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).
- 1.11 Section 38(6) the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.
- 1.12 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:

PLAN E/FUL/83/721	Erection of a part single, part two-storey rear extension, measuring 15 ft. 5 ins. (4.7 m) by 18 ft. 10 ins. (5.7 m) at ground floor level and 8 ft. (2.4 m) by 9 ft. 7 ins. (2.9 m) at first floor level, to provide a kitchen, dining room, bathroom and bedroom.	Granted 19.10.1983
01/00496/FUL	Erection of a part two storey part single storey rear extension following the demolition of the existing single storey rear extension	Granted 06.09.2001
06/00812/FUL	Erection of a part two storey part single storey rear extension.	Granted 09.11.2006

- 2.2 It is relevant to note than none of the above applications have been implemented.

3. Description of Current Proposal

- 3.1 The application property is a mid-terraced two-storey dwelling, forming part of the Locally Listed Springfield Cottages. (6-16 Springfield Grove) The property

has been previously extended via a single-storey rear extension, though otherwise remains original.

- 3.2 Springfield Cottages comprise a row of six mid-18th-century homes, distinguished by a central decorative panel bearing the name “Springfield.” Built from amber brick and arranged over two storeys, they were originally constructed as almshouses. The roof is clad in old tiles and features prominent chimney stacks. Additional architectural details include a brick band at first-floor height, traditional sash windows, and arched ground-floor window heads.
- 3.3 The application under consideration is seeking permission for the erection of a part single-storey rear extension with rooflights, and part two-storey rear extension. Following removal of existing single storey rear extension.
- 3.4 The proposed ground-floor extension will have a depth of 5.8 metres, with a pitched roof and lowered eaves height of 2.8 metres. This matches the depth of No. 12’s ground-floor rear extension. The two-storey extension above will project 2.9 metres, aligning with the depth of No. 12’s two-storey rear extension, and will also feature a pitched roof that ties into the main roof of the original dwelling. At first-floor level, the extension will project 1.5 metres beyond the first-floor rear elevation of No. 16.
- 3.5 It is important to note that two revisions to the scheme have been received. The first revision sets the two-storey extension back 40cm. The second revision brought the eaves height down to match the eaves of No. 16 adjacent.
- 3.6 It is also relevant to note that the proposed extensions consist of a two-storey rear extension and a single-storey rear extension. The description had previously referred to a part–ground-floor, part–first-floor rear extension; although this is largely a matter of semantics, the description has been updated accordingly. This change is not considered to prejudice neighbouring properties, as telephone conversations have been had with the occupants on both sides, who are aware of the proposals and have viewed the plans online.
- 3.7 The full set of proposed plans are provided as an Appendix.

4. Consultations

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

Non-Statutory Consultees:

Consultee	Comment
Heritage Advisor	No objection.
Environmental Health	Informative recommended to manage asbestos.

5. Public Consultation

- 5.1 A total of three neighbouring properties were notified of the planning application.
- 5.2 A total of 3 letters of representation (2 from the same address) have been received objecting to the proposal on the following grounds:
- Loss of light & overshadowing
 - Overbearing impact
 - Loss of privacy
 - Impact on heritage and character
 - Impact on wider character of the area
 - Impact on wellbeing and quality of life
 - Bulky and disproportionate scale

6. Planning Issues

- Design, Character & Heritage
- Neighbouring Amenity

7. Planning Considerations

Design, Character & Heritage

- 7.1 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.
- 7.2 The Council's Design SPD advises that two-storey rear extensions should be designed to appear clearly subordinate to the host dwelling and should incorporate an integrated roof design. It also states that single-storey rear extensions on terraced properties should not exceed three metres in depth or three metres in height close to the boundary.
- 7.3 The two-storey rear extension, which projects 2.9 metres beyond the original rear wall and is set well below the main roof ridge, is considered to be a proportionate addition that integrates appropriately with the existing roof form. The design complies with the Council's guidance by incorporating a pitched roof with an integrated roof design. The set-down from the original roof ridge helps the design to appear subordinate. The extension is also considered to be in character in light of similar developments nearby, including the flat-roofed two-storey addition at the adjoining No. 12, which shares the same depth as the proposed two-storey extension.

- 7.4 Given the extension is located to the rear, the proposal would not affect the street scene or the period character of the front elevation. The extensions have been designed to tie into existing patterns of development and are considered acceptable in this context. Overall, the proposals are considered to respect the built form of the terrace and the surrounding area, providing for modern family living without causing harm to the character of the host dwelling or the wider locality, in accordance with Policy EN1.
- 7.5 The proposed single-storey rear extension, measuring 5.8 metres in depth and 3.9 metres in height with a pitched roof, exceeds the Council's SPD guidance on height and depth. However, several neighbouring properties have constructed rear extensions of similar scale, including the adjoining property at No. 12, which projects to the same depth. Given this established pattern of development, the proposed single-storey element is considered to be in keeping with its surroundings and would not appear unduly dominant within the rear garden environment. The pitched roof design also reflects the form of adjacent single-storey extensions, maintaining a consistent and coherent appearance.
- 7.6 The Council's CS & P DPD, at Policy EN5 states that the Council will seek to preserve its architectural and historic heritage by encouraging the retention of buildings of local architectural or historic interest and seeking to ensure that their character and setting is preserved in development proposals. As has been previously acknowledged, the property is Locally Listed, which requires some extra attention to detail with regards to its design. The application property is part of the mid-18th Century cottages known as Springfield Grove. The cottages are characterised by their period sash windows, amber brickwork and prominent chimney stacks. The Council's Heritage Advisor was consulted on the proposal. He notes that the front elevation will remain unchanged and that there have been numerous alterations to the rear of the terrace. He also notes that the front elevation is mostly what makes up the Local Listing, therefore the fact this isn't changing would mean the proposals have an acceptable impact upon the Locally Listed character. He has no objections to the proposal.
- 7.7 The proposal is considered to have an acceptable impact on the character of the host dwelling and the wider area and does not harm the Locally Listed character. It is therefore in accordance with Policy EN1 and EN5 of the CS& P DPD.

Neighbouring Amenity

- 7.8 Policy EN1 states that proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.9 The application site is adjacent to No. 12 Springfield Grove to the east and No. 16 to the west. It also backs onto St. Ignatius RC Church.

- 7.10 With regard to the potential impacts on No. 16, this property is staggered, with its two-storey rear wall projecting approximately 1.3 metres beyond the original rear wall of the application site. It also has a conservatory positioned beyond this, which is adjacent to the shared boundary with the application site. This conservatory connects to another glazed extension adjacent. No. 16 has a wide plot and there is a 2.9m tall boundary wall between the dwellings.
- 7.11 The proposed two-storey extension would extend 2.9m from the rear of the original property. Due to the staggered relationship between No. 16 and the application property, its full depth would not be visible from No. 16; only approximately 1.5 metres extends past the original rear building line of No. 16.
- 7.12 A 45-degree vertical line has been applied from the ground-floor rear-facing windows of No. 16's conservatory. This line would not be breached, as the conservatory projects further than the proposed two-storey extension. The SPD requires the 45-degree line to be taken from the rear building line and does not make any exceptions for conservatories. Therefore, given that No. 16 has extended their property, the guide can reasonably be applied as it would to any other extension, using the rear-facing windows of the conservatory as the reference point. It is acknowledged that the conservatory contains original rear facing windows serving the kitchen. However, as a naturally light-filled space, the limited 1.5-metre projection of the proposed extension is not considered sufficient to cause significant loss of light. This is particularly relevant given that the rear elevations are north-facing, and No. 16's conservatory and adjoining sunroom span approximately 7.6 metres in width, allowing ample light to enter despite the proposed 1.5-metre extension. The kitchen/diner at No. 16 is a large room and also benefits from a secondary opening into the sunroom, and the conservatory itself is extensively glazed, allowing ample natural light to penetrate.
- 7.13 Whilst the proposed two-storey extension abuts the boundary, its modest 1.5-metre depth beyond No. 16 ensures that it would not cause a significant overbearing impact within this terraced context. Furthermore, in response to the Council's request, the applicant reduced the depth of the two-storey extension by 40cm and dropped the eaves height 50cm to match the eaves of No. 16, further reducing its impact.
- 7.14 The Council's SPD acknowledges that some impact from extensions is inevitable. However, in this case, the effects are not considered significantly harmful. While some minor overshadowing may occur at certain times, it would be limited and insufficient to justify refusal, particularly given the conservatory's high levels of natural light, wide plot and the north-facing orientation.
- 7.15 The extensions show no flank windows. The first-floor rear windows are set-in from the boundary, face onto the property's own rear garden and would not directly overlook No. 16's conservatory or garden. Therefore, the proposal is not considered to result in an unacceptable loss of privacy or sense of overlooking.

- 7.16 Although the proposed single-storey rear extension would project 5.8 metres, its full depth would not be fully visible from No. 16 due to the staggered building line. The modest 2.8-metre eaves height and pitched roof design would prevent the extension from appearing overbearing or causing a significant loss of outlook or natural light to the neighbouring conservatory. Additionally, a 2.9-metre-high boundary wall runs the length of the garden between the two properties, largely obscuring the single-storey extension from view. The ground floor element is not considered to result in unacceptable overshadowing, loss of light or overbearing impact.
- 7.17 In terms of the impacts to No. 12 Springfield Grove, it is noted that this property has already been extended by way of a single storey rear extension measuring 5.8 metres in depth. (13/00507/REN) The proposed single storey rear extension would align with this depth and extend no further, thereby ensuring that the ground floor element would not give rise to any harmful impacts in terms of loss of light, outlook or overbearing impact to No. 12's rear facing ground floor windows. No. 12 has been extended via a two-storey rear extension, built up to the shared boundary with the application site. Whilst the true depth of this extension is not confirmed, aerial imagery and historic plans indicate that it measures approximately half the width of the ground floor extension (around 3 metres) which is an almost identical depth to the proposed two-storey extension. As such, the proposal would not result in any unreasonable projection beyond No. 12's two-storey extension. The presence of No. 12's own rear additions would in effect, mitigate any potential impacts in terms of loss of light, outlook or overbearing effect. No flank windows are proposed due to the nature of the development adjoining No. 12's two-storey extension, however rooflights are proposed within the flank roof slopes of the ground floor extension. The rooflights do not provide a natural or direct view into No. 12's rear facing windows, therefore the impacts on privacy will be acceptable.
- 7.18 The two-storey rear extension would retain a 29-metre separation distance from St. Ignatius Church to the rear. This is considered an acceptable distance. Moreover, it is worth noting that the Church is not a residential dwelling, therefore the impacts with regards to overlooking are limited. No. 20 Springfield Grove, although not physically adjoining the site, does sit to the northwest of the application site, and may potentially have a view of the extension. This property is, however, situated 18 metres away, and at an angle, therefore rear facing windows on the proposed two-storey extension are not considered to provide a direct view into No. 20's windows.
- 7.19 The development is considered to have an acceptable impact on the amenity of adjoining neighbours and is therefore in accordance with Policy EN1 of the CS & P DPD.

Other Matters

- 7.20 It is important to note that while the recommendation is to approve, the LPA has carefully considered the concerns raised by No. 16 Springfield Grove, including conducting two separate site visits to assess the potential impacts.

Climate Change

- 7.21 The Climate Change Supplementary Planning Document (SPD) was adopted by the Council in April 2024. It provides more detailed guidance to applicants on how to implement adopted Policy SP7 from the Core Strategy 2009. Policy SP7 seeks to reduce climate change effects by:
- a) promoting inclusion for renewable energy, energy conservation and waste management in new and existing developments
 - b) development reduces the need to travel and encourages alternatives to car use
 - c) encourage non car-based travel,
 - d) promoting the efficient use and conservation of water resources,
 - e) promoting measures to reduce flooding and the risks from flooding,
 - f) supporting measures to enhance and manage Staines' role as a public transport interchange.
- 7.22 There are also three implementation policies; Policy CC1: Renewable Energy Conservation and sustainable Construction, Policy CC2: Sustainable Travel and Policy CC3: Parking provision.
- 7.23 The scheme is considered to align well with the Council's climate change policies and the SPD. The development makes efficient use of an older property, aiming to modernise it for contemporary living while improving its current energy rating. In addition, the property is located in a sustainable area. For these reasons, the proposal is considered acceptable on sustainability grounds.

Financial Considerations

- 7.24 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.
- 7.25 The proposal would not generate New Homes Bonus, nor is it a CIL chargeable scheme.

Equalities Act 2010

- 7.26 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.

- 7.27 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.
- 7.28 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.
- 7.29 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

- 7.30 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.
- 7.31 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

- 7.32 Overall, the proposal is considered acceptable in terms of design, character, and heritage. It represents a suitable enhancement to an older period property, aligns with existing patterns of development, and does not harm the heritage of the locally listed building. The impact on the amenity of neighbouring properties is acceptable. Overall, the proposal is considered acceptable and is therefore 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 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 conditions and informatives below:

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: SPFD1-SMART-00-ZZ-DR-A-001 REV P02, and SPFD1-SMART-00-ZZ-DR-A-3001 REV P02, both received 07.10.2025, and SPFD1-SMART-00-ZZ-DR-A-3601 REV P03, received 17.11.2025.

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

3. 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 a satisfactory external appearance in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. That no openings of any kind be formed in the western flank elevation of the two-storey extension hereby permitted without the prior written consent of the Local Planning Authority.

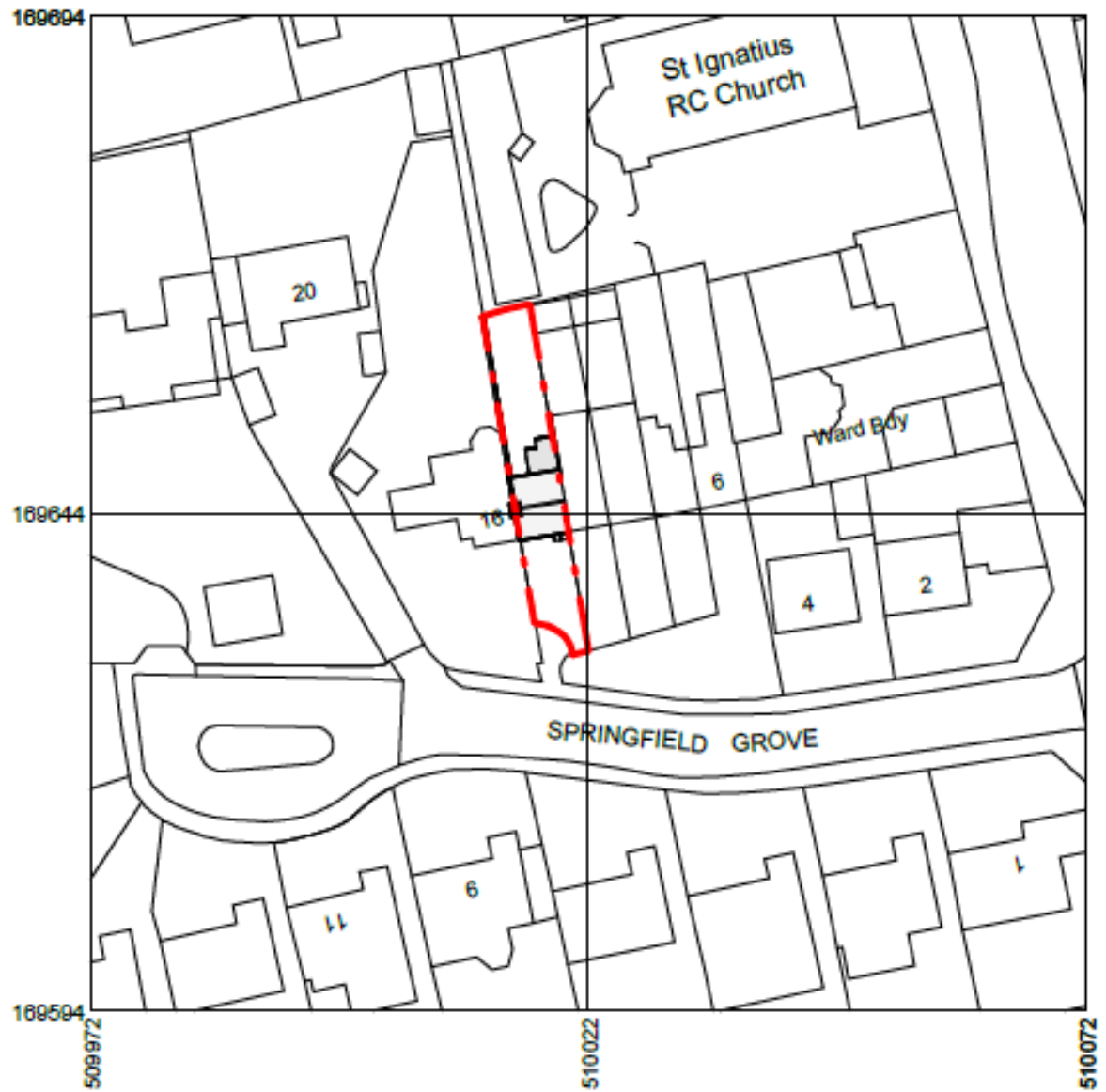
REASON: To safeguard the privacy of the adjoining property(ies) in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

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).
3. The applicant should be mindful not to create excessive dust emissions during demolition works, particularly where any asbestos containing materials may be present. A Refurbishment and Demolition asbestos survey is required to determine if asbestos containing materials are present. If removal of asbestos containing materials is required appropriate removal (without significant damage), handling and disposal by competent persons is required. The Health & Safety Executive (HSE) have produced a guide to safe removal of asbestos containing materials, which outlines good practice, how to prepare and what equipment is needed, how to remove it and how to deal with the waste once removed. There is also information on the HSE website about how to comply with the regulations, including a more generic guide to working safely with asbestos - <http://www.hse.gov.uk/asbestos>
4. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.

LOCATION PLAN

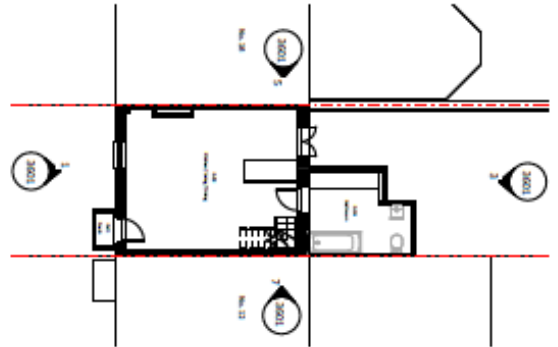


BLOCK PLAN

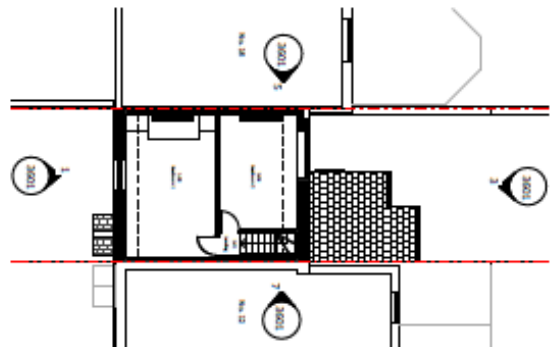


EXISTING & PROPOSED FLOOR PLANS

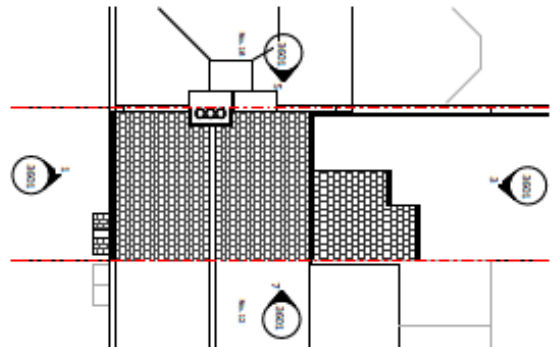
Level 00 GA Plan - Existing
1:1,125



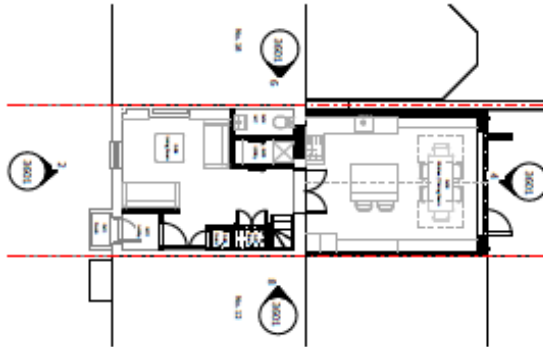
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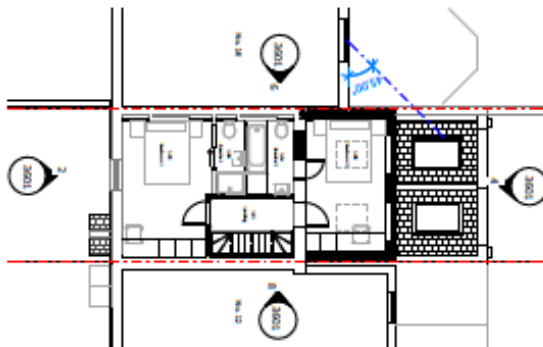
Roof Plan - Existing
1:1,125



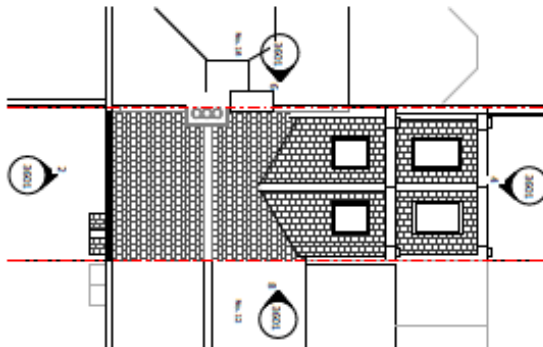
Level 00 GA Plan - Proposed
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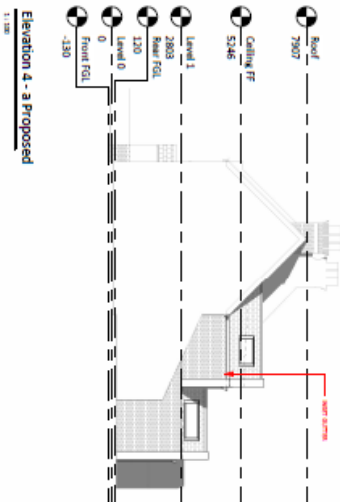
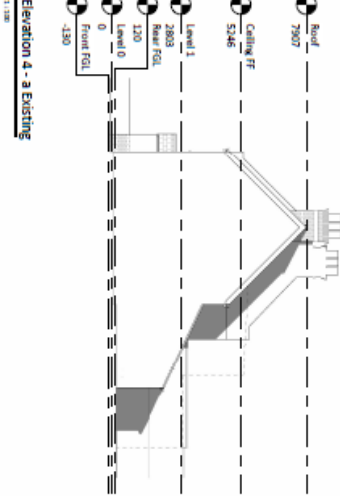
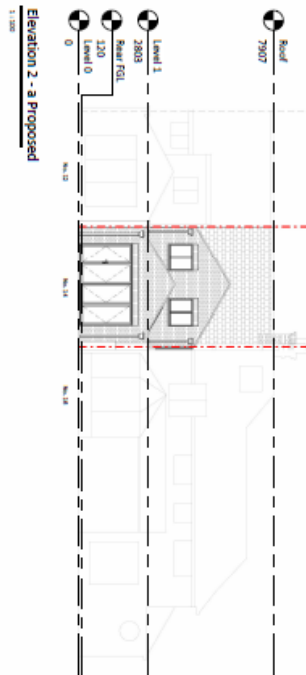
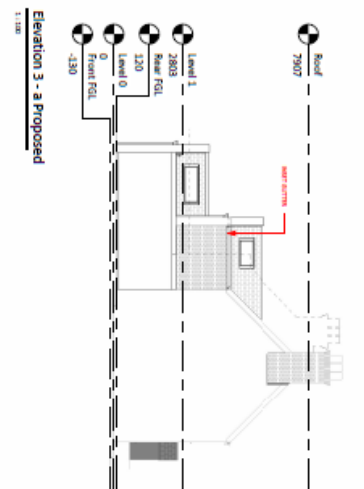
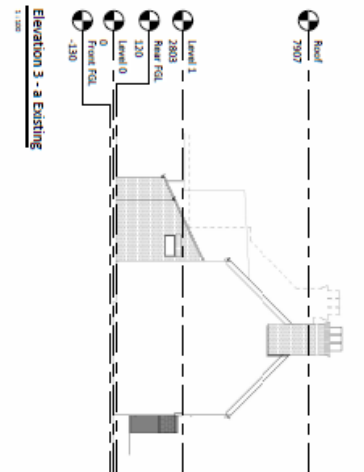
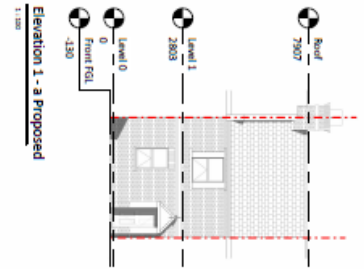
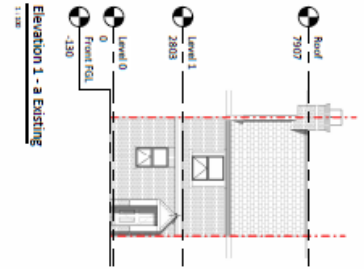
Level 01 GA Plan - Proposed
1:1,125



Roof Plan - Proposed
1:1,125



EXISTING & PROPOSED ELEVATIONS



Planning Committee

09 December 2025



Title	Houses in Multiple Occupation (HMOs)
Purpose of the report	To make a decision
Report Author	Matthew Churchill, Principal Planning Officer Liz McNulty, Planning Enforcement Officer Fidelma Bahoshy, Joint Senior Environmental Health Manager Susan Turp, Principal Environmental Health Officer
Wards Affected	Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East wards
Exempt	Staines, Stanwell North, Ashford North & Stanwell South
Exemption Reason	These wards are already subject to an Article 4 Direction restricting the permitted development right to convert a dwelling house into a small HMO.
Corporate Priority	Community Addressing housing needs Environment Services
Recommendations	The Planning Committee is asked to note: - The contents of this report. - To consider whether to confirm the Article 4 Direction made on 05 March 2025 in respect of the Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East Wards, having regard to the representations made.

Reason for Recommendation	In April 2024, members of the Council's Corporate Policy and Procedures Committee determined that a 'non-immediate' Article 4 Direction should be made to remove the permitted development right to convert a dwelling house into a small House of Multiple Occupation (HMO) across three wards in Spelthorne where the most complaints relating to HMO's had been received; Ashford North & Stanwell South, Staines and Stanwell North. This followed previous assessments of HMOs in 2018 and 2020, where it was agreed that there was insufficient evidence to create an Article 4 Direction. The 'non-immediate' Article 4 Direction covering the three wards was made on 21 August 2024. It was then resolved at planning committee on 08 January 2025, having reviewed the available evidence and representations received during the required consultation period, that the Article 4 Direction should be confirmed, which was undertaken on 18 February 2025. The Article 4 Direction then came into effect on 29 August 2025. Consequently, planning permission is now required to convert a dwelling house into a small HMO in those three wards. At planning committee on 08 January 2025, the Council also resolved to make a further 'non-immediate' Article 4 Direction that would remove the permitted development right to convert a dwelling into a small HMO in all the remaining wards in Spelthorne that were not already covered by the first Article 4 Direction; Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East. The second Article 4 Direction was made on 05 March 2025. In accordance with the procedure set out in the <i>Town and Country Planning (General Permitted Development) Order 2015 (as amended)</i>, members must now decide, having regard to responses received during the consultation period, whether to confirm the Direction. Should it be confirmed, it would come into effect on 13 March 2026, meaning that planning permission would be required to convert a dwelling house into a small HMO in those ten wards on or after that date. The HMO data for the borough has also now also been reassessed with one year's additional data contained in this report.
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1. Summary of the report

What is the situation	Why we want to do something
In 2018, 2020 and 2024, Planning and Environmental Health data was assessed to determine whether an Article 4 Direction should be served in respect of restricting HMOs. It was agreed in the earlier years that there was insufficient evidence to justify taking this action. However, in April 2024, it was resolved that an Article 4 Direction should be made in respect of three wards where the most HMO complaints had been received; Ashford North & Stanwell South, Staines and Stanwell North. The Article 4 Direction was made on 21 August 2024 and came into effect on 29 August 2025. Following a resolution at planning committee on 08 January 2025, a further Article 4 Direction was made on 05 March 2025, that covers the ten remaining wards in Spelthorne, although this has not yet been confirmed. A further one year's assessment of HMO data has now been undertaken.	Planning and Environmental Health services have a duty to investigate complaints and to ensure that the licencing process is properly enforced.
This is what we want to do about it	These are the next steps
Members, having regard to representations received during the consultation period, must decide whether to confirm the Article 4 Direction made on 05 March 2024, covering the ten wards in the borough not already subject to the first Article 4 Direction.	- If the Article 4 Direction is confirmed, it will come into effect on 13 March 2026 across the ten relevant wards. - If the Article 4 Direction is not confirmed, a further report will be presented to the Planning Committee by December 2026 assessing an additional year's HMO data.

- 1.1 Under Schedule, 2 Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it is possible to

convert a dwelling House (C3 use) into a small HMO (C4 use) without planning permission. A small HMO is occupied between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

- 1.2 It is possible to make an Article 4 Direction under the Town & Country Planning (General Permitted Development) (England) Order 2015 (As amended) to remove the permitted development right to convert a dwelling house into a House of Multiple Occupation (HMO) in certain areas, regardless of the number of occupants.
- 1.3 It is important to note that an Article 4 Direction does not stop development, rather it means that planning permission is required for a specific development that without the Article 4 Direction, would not normally require planning permission (i.e. it would constitute permitted development). Article 4 Directions are intended for use in exceptional circumstances where evidence suggests that development under Permitted Development rights harms local amenity or the proper planning of an area.
- 1.4 The introduction of an Article 4 Direction removing permitted development rights to convert dwellings into small HMOs was previously considered by the former O&S Committee in November 2018 and January 2020, where it was agreed that given the available data, evidence was insufficient at that stage to justify the introduction of an Article 4 Direction.
- 1.5 However, in April 2024, the Council's Corporate Policy and Resources Committee determined that a 'non-immediate' Article 4 Direction should be made to remove the permitted development right to convert a dwelling house into a small HMO (occupied between three and six individuals), across three wards in the borough where the Council had received the most complaints namely; Staines, Ashford North & Stanwell South, and Stanwell North.
- 1.6 The 'non-immediate' Article 4 Direction covering those three wards was made in August 2024. Before a 'non-immediate' Article 4 Direction comes into effect, it must be confirmed having regard to any representations received during the relevant consultation period. At a planning committee meeting on 08 January 2025, members having reviewed the available evidence, including representations received during the consultation period, resolved to confirm the Article 4 Direction. It was then confirmed on 18 February 2025 and came into effect across the three wards on 29 August 2025. This means that planning permission is now required to convert a dwelling house into a small HMO in those three wards.
- 1.7 At the planning committee meeting on 08 January 2025, it was also decided that a second 'non-immediate' Article 4 Direction should be made to remove the permitted development right to convert a dwelling into a small HMO across all remaining wards in Spelthorne, namely; Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East.

- 1.8 The second 'non-immediate' Article 4 Direction was made on 05 March 2025, and members must now consider having regard to representations received during the consultation period, which have been included in **Appendix 1**, whether to confirm the second Article 4 Direction covering all remaining wards in Spelthorne. Should the Article 4 Direction be confirmed it will come into effect on 13 March 2026.
- 1.9 This report uses Planning and Environmental Health data over the past year to update the data presented in the report to planning committee on 08 January 2025. It includes a spatial analysis, by ward, of the numbers and types of HMOs which exist and the extent of the investigations undertaken in Spelthorne by the Planning Enforcement team.

2. Key issues

- 2.1 Under planning legislation, The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the UCO) sets land use activities into various use classes. Uses are grouped into Classes B, C, E, F and *sui generis* (a unique use not within a specified Use Class) and within each group, there are further subdivisions of use classes. Planning permission is normally required to change from one use class to another although there are exceptions where the legislation does allow some changes between uses (The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)).
- 2.2 Dwellings fall within Use Class C3 of the UCO. Houses in multiple occupation (HMOs) are contained within both Use Class C4 or *sui generis*. Class C4 defines a small HMO as:
- Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.*
- 2.3 An HMO larger than this (i.e. with 7 or more unrelated people) is classed as a '*sui generis*' use for which planning permission is always required.
- 2.4 In the ten wards in Spelthorne not already covered by the first Article 4 Direction, planning permission is not required to change from a Class C3 dwelling house to Class C4 HMO (subject to that property retaining the relevant permitted development rights). It is also permitted to change a Class C4 HMO property back to a Class C3 dwelling house without planning permission.
- 2.5 However, converting dwellings to an HMO, when classed as *sui generis* (i.e. seven or more occupants) requires planning permission in both the area subject to the first Article 4 Direction and the remaining ten wards. Likewise, a conversion from a large HMO to any other use will also require planning permission.
- 2.6 Directions are made under the Article 4 Direction of the Town & Country Planning General Permitted Development Order which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights across a defined area. They remove Permitted Development Rights for certain

types of specified development in certain areas but cannot be used to restrict changes between uses in the same use class of the Use Classes Order. Article 4 Directions do not stop development; they simply mean that planning permission is required for the specified development which, without the Article 4 Direction would be permitted development (i.e. does not require planning permission).

- 2.7 Article 4 Directions are intended for use in exceptional circumstances where evidence suggests that development under Permitted Development rights, such as the spread of HMOs, harms local amenity or the proper planning of an area.
- 2.8 The Planning Practice Guidance (PPG) advises that all Article 4 Directions should be applied in a measured and targeted way. They should be based on robust evidence and apply to the smallest geographical area possible. Requirements for removing permitted development rights compels the planning authority to demonstrate that the removal is necessary to protect local amenity or the wellbeing of a particular geographic area. The potential harm that the Article 4 Direction is intended to address will need to be clearly identified, and there will need to be a particularly strong justification for the withdrawal of permitted development rights relating to, amongst other things, a wide area (e.g. those covering a large proportion of or the entire area of a local planning authority).
- 2.9 The PPG further advises that if a local planning authority makes an Article 4 Direction, it can be liable to pay compensation to those whose permitted development rights have been withdrawn, but only if it then subsequently:
- refuses planning permission for development which would otherwise have been permitted development; or
 - grants planning permission subject to more limiting conditions than the General Permitted Development Order
- 2.10 The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.
- 2.11 In procedural terms there are two types of Article 4 Directions: -
- Non-Immediate Direction – permitted development rights are withdrawn 12 months from service of the direction after a period of consultation.
 - Immediate Direction – permitted development rights are withdrawn immediately but must be confirmed within six months after a period of consultation. The Council becomes liable for abortive expenditure or other loss or damage attributable to withdrawal of the permitted development rights, if a subsequent application is refused. The ‘other loss or damage’ would include the difference in the value of the site and would expose the Council to potentially significant financial liability.
- 2.12 Consequently, compensation would be payable in some circumstances to those whose Permitted Development (PD) rights are withdrawn if the Local Planning

Authority (LPA) imposed what is known as an “Immediate” Article 4 Direction and then refused planning permission for that which would otherwise have been PD; or granted permission subject to more limiting conditions than would have been applied by the General Permitted Development Order (GPDO). However, if the Council is providing 12 months’ prior notice of the removal of PD rights in respect of HMOs (known as a “Non-Immediate” Article 4 Direction), then there is no ability to claim compensation.

- 2.13 The circumstances in which an immediate direction can restrict development are limited. Immediate directions can be made in relation to development permitted by the General Permitted Development Order, where the development presents an immediate threat to local amenity or prejudices the proper planning of an area. Immediate directions can also be made in relation to certain types of development in conservation areas. In all cases the local planning authorities must have already begun the consultation processes towards the making a non-immediate Article 4 Direction. Consequently, if the Article 4 takes effect less than one year from issue, compensation can be payable to affected landowners.
- 2.14 In this instance, the Council made a non-immediate Article 4 Direction covering ten wards Spelthorne, which the Council must now consider whether to confirm the Direction.
- 2.15 A local planning authority must, as soon as practicable after confirming an Article 4 Direction, inform the Secretary of State. The Secretary of State does not have to approve Article 4 Directions and will only intervene when there are clear reasons for doing so. The Secretary of State has the power to modify or cancel Article 4 Directions at any time before or after they are made but will not use their powers unless there are clear reasons why intervention at this level is necessary.
- 2.16 It should be noted that planning applications required by Article 4 Directions were previously exempt from planning application fees, but this exemption has been removed and a planning fee is payable. The current fee would be £588 per application. In addition, a HMO licence fee may also be payable should it meet the HMO licensing requirements, that is if the property is an HMO with 5 or more occupants where there is sharing of basic amenity.

3. Options analysis and proposal

- 3.1 At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. HMOs fulfil a vital role in providing accommodation for individuals and are an essential part of the housing stock. The cost of living in an HMO is cheaper than self-contained accommodation, which is beyond the affordability of many residents. HMOs provide an essential tenure of housing and are an important element of the Council’s housing stock.
- 3.2 However, there are concerns that as well as providing much needed affordable accommodation to residents, HMOs can also have negative effects. Impacts, either real or perceived from complaints received include the following:

- Noise and accumulations / waste management
 - Anti-social behaviour
 - Imbalanced and unsustainable communities
 - Negative impact on the physical environment
 - Allegations of unsafe practices during construction and concerns about substandard building works
 - Pressures upon parking provision
 - Growth in private rented sector at the expense of owner-occupation
 - Increased crime, and
 - Pressure upon local community facilities.
- 3.3 All planning enforcement investigations undertaken relating to HMOs which did not require planning permission because they contained six residents have been recorded.
- 3.4 The Committee report in April 2024 considered four years of Planning and Environmental Health data:
- 01/10/19 – 30/09/20
 - 01/10/20 – 30/09/21
 - 01/10/21 – 30/09/22
 - 01/10/22 – 30/09/23
- 3.5 The report presented to planning committee in January 2025, considered all planning enforcement investigations between 01/10/2023 - 30/09/2024.
- 3.6 This report considers an additional year: **01/10/24 - 30/09/25**.
- 3.7 The results for the most recent year, 1 October 2024 – 30 September 2025 are shown by wards in the tables further below. Several investigations listed were inspected by the Planning Enforcement officers and it was established they were not HMOs at all.

Table 1 - HMO Investigations by Planning Enforcement by ward where Planning Permission was not required as it was Permitted Development between 1 October 2024 and 30 September 2025

Ward	Referred by EH (not a complaint)*	Total numbers of Investigations**	Numbers of Households	Number of investigations as a % of households
Ashford North & Stanwell South	2	4	3785	0.11%
Ashford Town	1	3	3465	0.087%

Shepperton Town	0	1	3384	0.03%
Staines South	1	4	2998	0.13%
Laleham & Shepperton Green	0	1	3607	0.03%
Sunbury Common	2	6	3504	0.17%
Riverside & Laleham	1	1	2918	0.03%
Ashford Common	1	4	3565	0.11%
Stanwell North	3	3	3517	0.09%
Average			3,416	0.087%
Total	11	27		

*Referred by EH due to licence application

**Numbers refer to complaints per property

In the last year, there were twenty-seven investigations undertaken by planning enforcement, eleven of which were referred by Environmental Health following an application for a licence.

3.8 There are four main reasons the use of an alleged HMO under investigation is lawful:

- C3 residential use – not an HMO
- C4 small HMO permitted use – a maximum of six occupants in an HMO
- Lawful SUI GENERIS use – more than 6 occupants in an HMO and has the required planning permission for this use
- No confirmed HMO use – zero occupants of a dwelling house

Table 2 - Reasons Planning Permission was not required between 1 October 2024 and 30 September 2025

By Ward & Reason	Count of Reason Planning Permission Not Required
Ashford North & Stanwell South	4
C4 small HMO permitted use	3
C3 residential use - not an HMO	1
Ashford Town	3
C4 small HMO permitted use	1
C3 residential use - not an HMO	1
Lawful SUI GENERIS use – large HMO	1
Shepperton Town	1
C4 small HMO permitted use	1

Staines South	4
C4 small HMO permitted use	1
C3 residential use - not an HMO	3
Laleham & Shepperton Green	1
C4 small HMO permitted use	1
Stanwell North	3
C4 small HMO permitted use	2
C3 residential use - not an HMO	1
Sunbury Common	6
C4 small HMO permitted use	3
C3 residential use - not an HMO	2
Lawful SUI GENERIS use – large HMO	1
Riverside & Laleham	1
C4 small HMO permitted use	1
Ashford Common	4
C4 small HMO permitted use	2
C3 residential use - not an HMO	1
Lawful SUI GENERIS use – large HMO	1
Total HMO investigations Not Requiring Planning Permission	27
Total HMO Investigations - C4 small HMO permitted use	15

- 3.9 Of the **27** HMO investigation that did not require planning permission received **15** related to HMOs which were permitted development. Therefore, **15** investigations is the relevant figure in the consideration of an Article 4 Direction. However, **5** of the **15**, are situated in wards where an Article 4 Direction came into effect on 29 August 2025. This data is shown in a ward map attached as **Appendix 2**.

Table 3- HMO Permitted Development Investigations/Complaints as a % of households 2024-25

Ward	No. of small HMO C4 permitted use investigations **	No. of households	Number of investigations as a % of households*
Ashford North & Stanwell South*	3	3785	0.79%
Ashford Town	1	3465	0.03%
Shepperton Town	1	3384	0.03%
Staines South	1	2998	0.03%
Laleham & Shepperton Green	1	3607	0.03%
Stanwell North*	2	3517	0.06%
Sunbury Common	3	3504	0.035%
Riverside & Laleham	1	2918	0.03%
Ashford Common	2	3565	0.06%
Total	15		

*These two wards are already subject to an Article 4 Direction, but the small C4 HMOs were lawfully implemented prior to the date the Article 4 Direction came into effect.

3.10 Table 3 above shows that over the past year; five wards were subjected to one investigation each relating to an HMO which was a permitted C4 use and one of these cases was referred by EH following a licence application. Two of the wards in the table above are already subjected to an Article 4 Direction that came into effect in August 2025. There were no HMO investigations which were a permitted C4 use in the past year in four borough wards. The number of investigations/complaints as a % of the number of households is exceptionally low; between 0.03% and 0.79%.

3.11 Table 4 below shows the number of HMO investigations undertaken by planning enforcement for the year 01/10/24 – 30/09/25 as a percentage of the total complaints received. These relate to HMOs which were a permitted C4 small HMO use. It can be seen that the % of planning enforcement investigation relating to HMOs is low, comprising an average of just 4.09% of all complaints received.

Table 4 – HMO Planning Enforcement investigations/complaints received compared with total

Planning Enforcement complaints received 01/10/2024 – 30/09/2025

Year	No. of HMO PD complaints/investigations	Total number of Planning Enforcement	Number of HMO Planning Enforcement
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		complaints received	complaints received as a % of total complaints
01/10/2024 – 30/09/2025	15	366	4.09%

- 3.12 The number of planning applications for HMOs (containing seven or more residents) by ward which were determined between 1 October 2024 and 30 September 2025 are set out in table 5 below. A full list of the site details is contained as **Appendix 3** to this report and the information is also portrayed in the maps contained in **Appendices 4 and 5**. Of the eleven applications, nine were refused permission and two were approved.

Table 5 - Planning applications for HMOs by ward determined between 1 October 2024 and 30 September 2025

Ward	Numbers of planning applications approved	Numbers of planning applications refused
Ashford Common	1	1
Ashford East	0	1
Ashford North & Stanwell South	0	4
Ashford Town	0	1
Halliford and Sunbury West	0	0
Laleham and Shepperton Green	0	0
Riverside and Laleham	0	0
Shepperton Town	0	0
Staines	0	1*
Staines South	0	1
Stanwell North	0	0
Sunbury Common	0	0
Sunbury East	1	0
Grand Total	2	9

*Allowed on appeal

- 3.13 Table 6 further below shows the number of HMO enforcement investigations over the past six years 2019-2025 by ward. This information is also shown by ward map in **Appendix 6**. This is a combination of the data in this report for the past year and the data for the five previous years contained in the 08 January 2025 committee report covering 2019-2024. Ashford North and Stanwell South, Stanwell North and Staines (coloured green) are already the subject of an Article 4 Direction.

Table 6 HMO Permitted Development Investigations by Planning Enforcement 2019-2024 by ward (six years data)

By Ward & Reason	PP Not Required
Ashford Common	5
Ashford East	5
Ashford North & Stanwell South	11
Ashford Town	8
Halliford and Sunbury West	0
Laleham and Shepperton Green	1
Riverside and Laleham	4
Shepperton Town	1
Staines	6
Staines South	4
Stanwell North	11
Sunbury Common	7
Sunbury East	2
Total PD Investigations	65

- 3.14 The Planning Officers and Planning Enforcement Officers work closely with the Environmental Health Officers and Environmental Health Regulatory Officers who are responsible for the licensing of HMOs that fall within Spelthorne Borough Council's mandatory HMO licensing scheme. The two Departments share information about licence applications and planning applications as well as intelligence about potential HMOs.
- 3.15 A licence for an HMO is required from Environmental Health under the mandatory scheme in the following circumstances:
- The dwelling is occupied by five or more people who form two or more households; and
 - all or some of the occupants share bathroom, toilet, or kitchen facilities.
- 3.16 It should be noted that before the licensing regime change (which was from the October 2018) a licence was only required for HMOs in three or more storey buildings. Consequently, a much larger number of HMOs now fall within the Environmental Health licensing process.
- 3.17 When determining whether to grant a licence for an HMO, Environmental Health are not able to take into consideration whether or not the property has or requires planning permission to operate as an HMO. Environmental Health does, however, consult with Planning on any licence applications received where Planning Consent would apply (currently for properties with 7 or more occupiers) and notify them when granting a licence so that Planning can take appropriate enforcement action for unlawful development. Environmental Health also strongly advise HMO licence applicants to contact Planning where Planning Permission isn't in place and may be required.

- 3.18 Additionally, since 1 April 2024 when Environmental Health moved to a risk-based system to determine the duration of an HMO licence, the absence of planning consent for an HMO of 7 or more occupants has become a criteria resulting in a high score in the risk assessment. This would in turn lead to the licence being granted for the minimum period of one year. If the licence holder applied for a renewal on expiry of the year, Environmental Health would again liaise with Planning to ensure that either planning consent was in place, or if not, that appropriate enforcement action could be taken.
- 3.19 The following table shows the number of HMOs licensed by Environmental Health, by ward as well as the number of potential HMOs that have come to the attention of Environmental Health through complaints and enquiries.

Table 7 - Number of HMOs that have been licensed as of 30 September 2025, and the number of potential HMOs brought to the attention of Environmental Health between 1 October 2024 and 30 September 2025, by Ward.

Ward	Number of licensed HMOs* (as of 30 Sept 2025)	Potential HMOs** (2024-2025)
Ashford Common	12	5
Ashford East	11	5
Ashford North & Stanwell South	35	21
Ashford Town	18	16
Halliford and Sunbury West	0	1
Laleham and Shepperton Green	4	2
Riverside and Laleham	6	1
Shepperton Town	1	3
Staines	18	4
Staines South	5	4
Stanwell North	18	18
Sunbury Common	18	18
Sunbury East	3	1
Grand Total	149	99
*Note this includes licence renewals that are in the system being processed **This 'Potential HMOs' data has recently been extracted from the EH database for the years shown. The data relates to all service requests and enquiries which indicate the properties might be HMOs. From analysis of the data at this time it is not known if they are HMOs and if so whether need to be licensed. It does not indicate if the allegation has been substantiated.		

- 3.20 The information shows that the highest number of licensed HMOs is within the wards Ashford North & Stanwell South, then Staines, then Ashford Town and then

Stanwell North and Sunbury Common. Ashford Town is the ward with the biggest increase (by 4) of licensed HMOs in the last year. The wards subject to an Article 4 Direction are marked in **green**.

- 3.21 Maps showing the distribution of licensed HMOs throughout Spelthorne and then the distribution of licensed HMOs by ward are included as Appendix 7 to this report. The maps were created in November 2025 based on the information on the number of licensed HMOs as of 30 September 2025.
- 3.22 Environmental Health have noted a continued increase in the number of potential HMOs during the period 1 October 2024 to 30 September 2025. In the last year, the number of potential HMOs has increased from 70 to 99 as can be seen in Table 8 below. This could be as a result of some landlords deciding to create HMOs before August 2025 when the Article 4 declaration across 3 wards came into effect following the decision made at the April 2024 committee meeting, as well as an anticipation from landlords that this would be further extended to the remaining wards, in addition to an increased awareness from residents following the subsequent consultation relating to this. Environmental Health introduced an online “Report It” form to enable residents to report any concerns more easily and it is likely that this has increased the number of reports received.

Table 8 – Showing the comparison between number of potential HMOs brought to the attention of Environmental Health over the last three years by Ward

Ward	Potential HMOs		
	2022-2023	2023-2024	2024-2025
Ashford Common	4	2	5
Ashford East	5	6	5
Ashford North & Stanwell South	0	14	21
Ashford Town	4	6	16
Halliford and Sunbury west	1	1	1
Laleham and Shepperton Green	0	1	2
Riverside and Laleham	1	6	1
Shepperton Town	1	1	3
Staines	1	1	4
Staines South	1	4	4
Stanwell North	4	22	18
Sunbury Common	1	4	18
Sunbury East	0	2	1
Grand Total	23	70	99

- 3.23 Environmental Health have also noted an increase in HMO licence applications, which may also be a result of landlords wanting to establish HMOs in advance of August 2025. In the past year (1 October 2024 to 30 September 2025), we received 115 HMO licence applications, compared to last year where the figure was 77 and in 2022/2023 the number received was 33.

- 3.24 For the period 1 October 2024 to 30 September 2025, Table 9 below provides a summary of the complaints relating to known HMOs received by Environmental Health about matters relating to accumulations of rubbish, antisocial behaviours (ASB), noise, rats, mice and overgrown gardens. It should be noted that there is some overlap of complaints received by Planning and Environmental Health. The complaints included in this data refer to HMOs that are licensed or for which Environmental Health have received a licence application that is pending (whether or not they had at the time of the complaint). The data does not include complaints about properties that were vacant where building works were taking place which may have related to their use changing to become an HMO.

Table 9: Complaints received by Environmental Health about known HMOs between 1 October 2024 and 30 September 2025

Ward	No. of Complaints	No. of Households in Ward	No. of complaints as a % of households	Complaint Type
Ashford Common	7	3565	0.2%	accumulations, noise. ASB, rats
Ashford North and Stanwell South	10 (5 about same property)	3785	0.3%	accumulations. Noise, ASB
Ashford Town	7	3465	0.20%	accumulations
Ashford East	5	3206	0.15%	Rats, accumulations
Laleham and Shepperton Green	2 (both about same property)	3607	0.05%	accumulations
Riverside and Laleham	3	2918	0.1%	Noise, ASB
Halliford and Sunbury West	2	2692	0.07%	Accumulations, noise
Shepperton Town	2	3384	0.05%	Accumulations, noise
Staines	2	5736	0.03%	Accumulations, ASB
Staines South	4	2998	0.13%	Accumulations, ASB
Stanwell North	5 (about same address)	3517	0.14%	Accumulations
Sunbury East	6 (2 about same address)	3372	0.2%	Noise, accumulations,
Sunbury Common	10	3504	0.3%	Accumulations, ASB
Grand Total	65	41805	0.2%	

- 3.25 Table 10 below provides data on the total number of complaints received by Environmental Health relating to residential properties in general (includes HMOs and single occupation properties) about accumulations, ASB, noise, rats and mice

and overgrown gardens. It also shows what percentage of these complaints relate to HMOs.

Table 10: Relevant complaints received by Environmental Health about all residential properties (whether HMOs or properties in single occupation) between 1 October 2024 and 30 September 2025.

Total no. of relevant complaints received	All complaints as a % of households	HMO complaints as a % of households
831	1.98	0.2%

4. Environmental Health controls of HMOs

- 4.1 Environmental Health have powers under various legislation such as the Environmental Protection Act, the Prevention of Damage by Pests Act and the Anti-social Behaviour, Crime and Policing Act 2014 to deal with noise and other nuisance; accumulations of rubbish; and along with our colleagues in Community Safety, to address complaints about anti-social behaviour (ASB) These powers apply to all residential properties in the Borough including licensed and unlicensed HMOs. There are also requirements under The Management of Houses in Multiple Occupation (England) Regulations 2006 that apply to all HMOs which include such matters as rubbish disposal and untidy gardens as well as conditions within the property.
- 4.2 Additionally, licensed HMOs are subject to programmed inspections to check compliance with relevant legislation and licence conditions relating to fire safety, amenities, and management. These licence conditions include matters that might adversely impact on nearby residents, particularly in relation to anti-social behaviour and accumulations of rubbish.
- 4.3 Spelthorne's HMO licence condition for ASB has recently been revised and strengthened following discussion with our Community Safety team, where it was agreed that HMO landlords should be taking more responsibility to manage anti-social behaviour from the residents of their HMO. A landlord guide to ASB has also been produced and is available on our website. The condition is as follows:
 - The Licence Holder must take all reasonable and practicable steps for preventing and dealing effectively with anti-social behaviour (ASB)* by people occupying or visiting the premises; and for preventing the use of the premises for illegal purposes. These steps must include:
 - **Written contract**

Ensuring that the tenancy agreement or terms of occupancy contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors, and that this clause is drawn to the attention of occupants when they take up residence.

- **Dealing with complaints**

Responding to complaints of anti-social behaviour that concern occupiers of the premises or their visitors. Where anti-social behaviour is discovered, the Licence Holder must inform the tenant responsible in writing of the matter within 2 days and warn them of the consequences of its continuation, which could include eviction. If the ASB continues, the Licence Holder must put further measures in place such as set up an acceptable behaviour contract**.

- **Prohibition of use of outbuildings**

Ensuring that all outhouses, garages, and sheds are kept secured and used for their intended purpose. The Licence Holder must not allow them to be occupied as individual habitable rooms, kitchens, or bathrooms.

**ASB is behaviour causing harassment, alarm, or distress to one or more people who are not in the same household as the perpetrator. It covers a wide range of unacceptable behaviour, such as playing loud music, shouting, and screaming, threatening or abusive behaviour, taking/selling drugs, using racist or homophobic language, allowing the build-up of refuse in the property or garden, parking illegally or inappropriately.*

***For further information, visit the Council's website (<https://www.spelthorne.gov.uk/article/16974/Antisocial-behaviour>) or refer to Spelthorne's landlord guide to ASB.*

4.4 Spelthorne's HMO licence condition for rubbish is as follows:

Ensure that waste bins, which are provided by the Council in line with our bin allocation policy, are made available for all residents of the accommodation. Ensure that suitable refuse bins are provided within the accommodation including within all kitchens. Additional arrangements should be made for the storage and disposal of household waste from the property to ensure compliance with Spelthorne Borough Council's refuse and recycling disposal scheme. For further details about the scheme please go to <https://www.spelthorne.gov.uk/rubbishwasterecycling> or contact Neighbourhood Services on 01784 446411 or email at neighbourhoodservices@spelthorne.gov.uk.

5. **New risk-based HMO licensing scheme**

5.1 In April 2024, the HMO licensing scheme changed to a risk-based system so that the duration of a new or renewal HMO licence is determined by the landlord's level of compliance, the condition of the property, and the risks posed by the HMO to its occupants and neighbours.

- Landlords who provide well-managed, safe accommodation, to a good standard, will receive a 5-year licence.
- Properties calculated as being medium risk by virtue of confidence in management and the level of property defects found during inspection will receive a 3-year licence.

- Properties calculated as being of high risk will only receive a 1-year licence.
- 5.2 The purpose of the changes to the mandatory scheme is to drive up standards by rewarding compliant landlords with the maximum licence period while those less compliant landlords of HMOs of a poorer standard that take more Council resource (for example by needing to be inspected more frequently), will be granted a shorter licence meaning they pay more.

6. Additional HMO Licensing

- 6.1 Another option (other than Article 4) is to increase the scope of HMOs that would need to be licensed by way of setting up an additional licensing scheme. This would require all HMOs of 3 or more occupants within certain or all areas of the Borough to have a licence from the Council to operate. There however needs to be a strong evidence-based reasoning for invoking the Scheme and it is necessary to demonstrate that other strategies to address the problems have been implemented. The current data we have is not sufficient to warrant making such an application.
- 6.2 Currently only Woking are introducing additional licensing across the whole Borough from 05 January 2026 for five years. The scheme requires all HMO properties with 3 or 4 tenants from 2 or more households to be licensed. No other Surrey authorities have either an additional licensing scheme or an Article 4 direction in place for HMOs, and this includes Runnymede and Guildford who as university boroughs would be expected to have a significantly greater HMO population.

7. Consultations

- 7.1 The following officers have been consulted on the consideration of whether an Article 4 direction should be made in respect of HMOs.

Strategic Lead • Housing Options

- 7.2 The Council's Group Head of Community Well-being has confirmed that previous comments in the report to committee dated 08 January 2025 still remain relevant. These were as follows:
- 7.3 *"At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. HMOs do fulfil a vital role in providing affordable accommodation for individuals and they are an essential part of the housing stock."*
- 7.4 *The housing benefit system is complex and most people under the age of 35 who do not live with a partner or children, will usually only be able to claim for a single room in a shared house. This is called the Local Housing Allowance shared accommodation rate (SAR), unless they fall in some exceptional categories, such as they are a care leaver, they have previously lived in a homeless hostel for at least 3 months, receiving the care component of Disability Living Allowance or*

Personal Independence Payment, are victims of domestic abuse or modern slavery, and a few other exceptions.

- 7.5 SAR limits the amount of housing support available through the benefits system for most single private renters under the age of 35. The SAR was introduced in 1996 and originally limited the Housing Benefit a single person under the age of 25 could receive to the average rent level for a room in a shared house. As part of the October 2010 Spending Review the Government announced the SAR's extension to cover single claimants up to age 35 from April 2012. This change was brought forward to 1 January 2012.*
- 7.6 Universal Credit has been replacing Housing Benefit for working-age households since 2013 and retains the SAR in calculations of housing support.*
- 7.7 In 2017, the Government abandoned plans to use Local Housing Allowance (LHA) to calculate rental support in the social rented sector, so the SAR does not apply to people aged 35 and under renting from a local authority or registered housing association.*
- 7.8 The SAR has been controversial since its introduction. Prior to its extension to the under-35s, draft regulations, an Impact Assessment and an Equality Impact Assessment were published and referred to the Social Security Advisory Committee (SSAC) for consultation. The Impact Assessment said around 20% of the 1-bedroom LHA caseload (at March 2010) would receive, on average, £41 per week less benefit than under the previous rules.*
- 7.9 The extension to under 35s was expected to affect around 63,000 people. Since its introduction, commentators and campaigning organisations have continued to point to shortages of shared rooms available to young benefit claimants, and shortfalls between benefit levels and rent.*
- 7.10 Organisations such as Crisis have been calling for Government to invest in Housing Benefit "so that covers the true cost of rents".*
- 7.11 Due to the financial pressure, HMOs are in high demand and remain the only affordable options on privately rented market to those on housing benefit under the age of 35. However, the cost of rooms in HMO accommodation is also unaffordable for many. Whilst Spelthorne does not have enough of HMOs to meet the demand, at the same time many people do not want to share due to the poor quality of HMOs, even if they can't afford to cover the rent, despite support given by Rentstart. Nevertheless, the Strategic Lead, Housing Options advises that whilst HMOs are not the first choice for those looking for housing, given there is a lack of housing options and given we are experiencing a housing crisis, Housing Options would definitely not want to lose HMOs as an option. HMOs are helpful and numerous placements are made with the help of our Rentstart colleagues every month".*

Neighbourhood Services

- 7.12 The Neighbourhood Services Department has made the following comments:*

- 7.13 *"The Environmental Health service works closely with Neighbourhood Services to ensure effective waste management for Houses in Multiple Occupation (HMOs). HMOs are treated as single dwellings for domestic waste purposes and are provided with one 240-litre rubbish bin and one 240-litre recycling bin, both collected fortnightly, along with a weekly curbside food waste bin. Where this provision is insufficient, landlords are required to arrange a commercial waste collection service to manage the additional waste, which operates alongside the Council's domestic collection. The Council offers its own commercial waste service through SDS Ltd, though landlords are free to choose any licensed operator. In practice, Neighbourhood Services may share SDS's details with landlords or, at the landlord's request, pass their information to SDS for direct contact. Currently, around a dozen HMOs make use of SDS Ltd's commercial waste service".*

Community Safety Manager

- 7.14 The Council's Community Safety Manager has been consulted and has confirmed that their comments presented in the Committee report on 08 January 2025, still also remain relevant. The comments were as follows:

"Spelthorne Borough Council's Community Safety Team does manage a range of complaints regarding HMOs. While it is true that the complaints are not disproportionately high in relation to other complaints of anti-social behaviour, the nature of the complaints can often be complicated, particularly in HMOs where there is a short-term occupancy and a high turnover of tenants. It has been found that many of the total complaints in relation to HMOs relate to a small number of venues. Persistent re-offending is common in cases such as these. The Community Safety Team manages anti-social behaviour in partnership with other statutory partners under the Crime & Disorder Act 1998. When managed by the police, the full range of criminal law can be utilised. Often, cases are managed by the Community Safety Team by either warning or prosecuting offenders under S.43 Anti-Social Behaviour, Crime & Policing Act 2014. This allows authorised officers to issue a 'Warning Notice' to rectify behaviour that is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality. Failure to comply with the warning will lead to the issue of a Community Protection Notice that places conditions on the suspected party. If these conditions are not met, the Community Safety Team will prosecute. This method has been used on both landlords and tenants alike and is generally successful.

What has been noticed, however, is the lack of responsibility of some landlords when managing anti-social behaviour within their own HMO. It is clear in some cases that the landlord feels that they can solely rely on public services without the need to take remedial action in the first instance. This attitude often leads to an increase in anti-social behaviour as can be evidenced in some local cases. It has been found that some landlords appear to extricate themselves from such responsibilities. Good examples of landlord management include ASB clauses within tenancy agreements, posted acceptable conduct notices and expedient action to tackle ASB".

Consultation on the Article 4 Direction made for the ten wards

- 7.15 In accordance with statutory procedures, consultation was undertaken following the making of the Article 4 Direction on 05 March 2025 for the wards of Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East. Site notices advertising the Article 4 Direction were placed in each ward, and the Article 4 Direction was displayed at the Council Offices and on the Council's website. A total of two letters of representation were received during the consultation process. These letters are attached **Appendix 1** to this report with personal details redacted.
- 7.16 The main issues raised in the letters of support for the creation of an Article 4 Direction are summarised as
- The Article 4 Direction should cover the whole of Spelthorne.
 - Numerous HMOs are popping up.
 - Concerns over the HMO construction process.
 - HMO's have resulted in criminal and anti-social behaviour
 - Parking concerns.
 - Concerns over the wait to bring in the Article 4 Direction.
- 7.17 Members of the Planning Committee are required, having regard to the comments above, to make a decision on whether or not to confirm the Article 4 Direction made in March 2025 in respect of Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East Wards.

8. Options for Article 4 Direction

Article 4 Direction Made in March 2025

- 8.1 **(i) To confirm the existing Article 4 Direction made in March 2025 in respect of the Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East wards.**
- 8.2 **(ii) To not confirm the existing Article 4 Direction made in March 2025 in respect of the Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West, Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East wards, and to continue to monitor HMOs and to review if the position changes within one year (December 2026)**

Commentary

- 8.3 At planning committee on 08 January 2025, members resolved to serve an Article 4 Direction on the ten remaining wards in Spelthorne, not already covered by the first Article 4 Direction that came into effect on 29 August 2025. The purpose of the direction would be to remove the permitted development right to convert a dwelling house into a small HMO occupied between 3 and 6 individuals. As required by Schedule 3 of the *Town and Country Planning (General Permitted Development) Order 2015 (as amended)*, the Local Planning Authority in deciding whether to confirm a direction made under Article 4, must take into account any representations received during the specified consultation period. These have been included at **Appendix 1**.
- 8.4 This report has also presented an additional year of data to that provided by the Council's Planning, Planning Enforcement, and Environmental Health Teams in the report presented before Planning Committee on 08 January 2025, during which members resolved to make the Article 4 Direction.
- 8.5 Members must determine whether to confirm the Article 4 Direction. In the event that it is not confirmed a further year's data will be reported to Planning Committee in December 2026.

9. Financial Management Comments

- 9.1 An introduction of an Article 4 Direction with immediate effect would have financial implications associated with the (a) for abortive expenditure (such as expenditure incurred in the preparation of plans); and, (b) for depreciation of land value where the loss is directly attributable to the removal of permitted development rights – this would include loss of future profit.
- 9.2 The work associated with the confirmation an Article 4 Direction include site notices and notification. This involves mainly resources from Planning Development Management (PDM) and Legal Services.
- 9.3 There will also be additional resource implications for PDM associated with an increase in planning applications if an Article 4 Direction was confirmed for small HMOs (for 3 – 6 occupants which currently do not need planning permission). It is not known how many additional planning applications will be received as a result of serving a borough wide Article 4 Direction. Table 7 above shows the number of potential HMOs that have come to the attention of Environmental Health (EH) through complaints and enquiries. This totals 99 for the past year. However, an HMO licence through EH is only needed for 5+ occupants whereas an Article 4 HMO would require any HMO with 3 – 6 occupants to submit an application.
- 9.4 There would be further resource implications for PDM enforcement officers. The number of complaints / investigations relating to a property being occupied by three or more tenants from different households with shared facilities across the borough, which has a total of 41,805 households (2021 census), is potentially enormous. The planning enforcement officers (of which there are three 3(fte) are already stretched by dealing with close to 400 complaints a year, some of which are very complex cases.

10. Risk Management comments

- 10.1 There are risk management considerations associated with an Article 4 Direction including financial risks and possible judicial review proceeding (see legal comments below).

11. Procurement Comments

- 11.1 There are no procurement issues.

12. Legal Comments

- 12.1 The decision of the LPA to make an Article 4 Direction can be subject to judicial review proceedings. If the proceedings are successful, the Article 4 Direction could be quashed.
- 12.2 Judicial review is the procedure by which the courts examine the decisions of public bodies to ensure that they act lawfully and fairly. On the application of a party with sufficient interest in the case, the court conducts a review of the process by which a public body has reached a decision to assess whether it was validly made.
- 12.3 A claim for judicial review can be made on the following grounds:

12.3.1 Illegality

Illegality arises when a decision-maker:

- Misdirects itself in law.
- Exercises a power wrongly.
- Acts [ultra vires](#), in purporting to exercise a power that it does not have.

12.3.2 Irrationality

A decision may be challenged as irrational, if:

- It is outside the range of reasonable responses of a public authority (this is sometimes phrased as being "so unreasonable that no reasonable authority could ever have come to it", using the standard of [Wednesbury unreasonableness](#)). The courts are very reluctant to find that a decision was irrational, particularly where the decision-maker is an expert.
- The decision-maker took into account irrelevant matters or failed to consider relevant matters.

12.3.3 Procedural unfairness

This ground arises, if the decision-maker has not properly observed:

- The relevant statutory procedures, such as a failure to consult or to give reasons.
- The principles of natural justice in the decision-making process (for example, if the decision-maker has shown bias or has failed to hear an affected party).

12.3.4 Legitimate expectation

A public body may, by its own statements or conduct, be required to act in a certain way, where there is a legitimate expectation as to the way in which it will act.

- 12.4 Accordingly, to make sure that the Council is not exposed to any possible judicial review challenges it is critical that a decision on making an Article 4 Direction not only complies with any legal requirements but is also based on strong and robust evidence so that the authority is able to defend and justify making such decision.

13. Other Considerations

- 13.1 There are no other considerations.

14. Equality and Diversity

- 14.1 The Public Sector Equality Duty was created by the Equality Act 2010 in order to harmonise the previous race, disability and gender equality duties and to extend protection to the protected characteristics of age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. In summary, the Council must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

- 14.2 Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

- 14.3 The Council's Corporate Plan and Equality Diversity and Inclusion Statement of Intent provide an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.

15. Sustainability/Climate Change Implications

- 15.1 There are no sustainability/climate change issues.

16. Timetable for implementation

- 16.1 It is recommended that committee either:

- Confirm the existing Article 4 Direction made in March 2025 in respect of the Ashford Common, Ashford East, Ashford Town, Halliford and Sunbury West,

Laleham and Shepperton Green, Riverside and Laleham, Shepperton Town, Staines South, Sunbury Common, and Sunbury East wards. This would come into effect on 13 March 2026.

- Not confirm the Article 4 Direction and continue to monitor the number of investigations relating to HMOs which are permitted development in the ten remaining wards and to bring back a further report to the Planning Committee by December 2026

17. Contact

- 17.1 For any queries regarding the Planning Enforcement aspect of HMOs, please contact Richard Jones, Planning Enforcement Team Leader on r.jones@spelthorne.gov.uk
- 17.2 For Planning matters, please contact Simon Rowberry, Planning Development Manager on S.Rowberry@spelthorne.gov.uk [mailto:](#)
- 17.3 For queries relating to Environmental Health, please contact Fidelma Bahoshy, Joint Senior Environmental Health Manager or Susan Turp, Principal Environmental Health Officer on s.turp@spelthorne.gov.uk
f.bahoshy@spelthorne.gov.uk

18. Appendices:

Appendix 1 – Representations received during consultation period
Appendix 2 - Ward Map of investigations of HMOs which did not require planning permission 2024 – 2025
Appendix 3 - Table of HMO planning applications determined 2024 - 2025
Appendix 4 - Planning Applications approved by ward 2024 - 2025
Appendix 5 - Planning Applications refused by ward 2024 – 2025
Appendix 6 - Ward Map of investigations of HMOs which did not require planning permission 2019 – 2025
Appendix 7 - Maps showing distribution of licensed HMOs by ward*
Appendix 8 – Report to Committee 09 December 2024

**based on data collected on licensed HMOs in Nov 2025*

Churchill, Matthew

From: [REDACTED]
Sent: 21 March 2025 11:54
To: Art 4Planning
Subject: Why the wait?

[REDACTED]

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

I emailed in reply to this like before and got an email replying that it was now closed for comments. So I'm trying again as it has just been reposted on Nextdoor.

It is well known that HMO's have been a disaster for existing residents. Why are you giving the developers months to get their licenses. All this will do will give them notice to speed up getting these through. You know it negatively impacts residents. It should be stopped everywhere as soon as possible instead of ruining the area and then act like you will do something about it...but only after it's already been done so it's too late.

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From:
Sent:
To:
Cc:
Subject:

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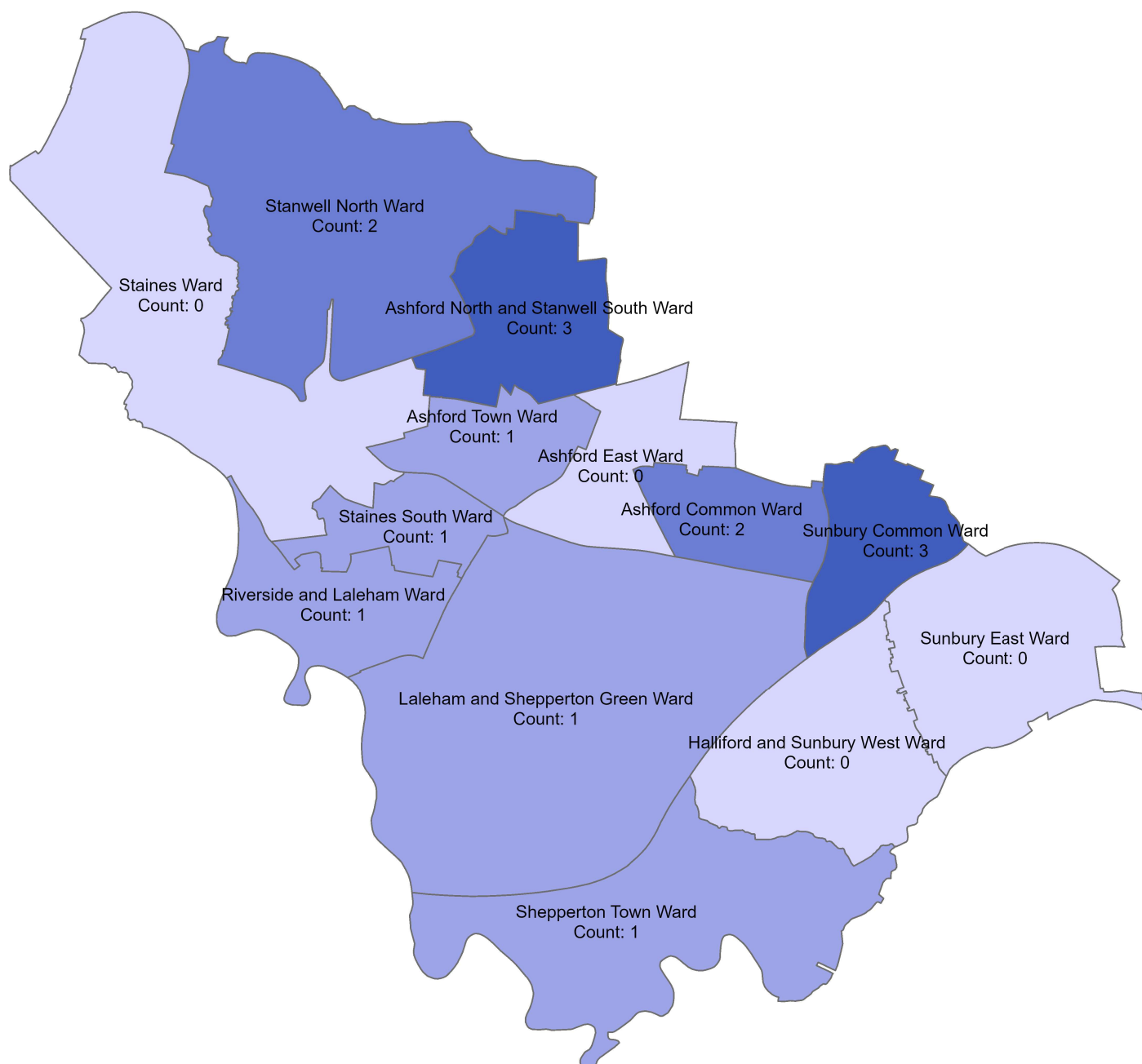
I really cannot believe that the council seem to think that only a few area's in Spelthorne are affected by the HMO's, Is this maybe because you are Not aware just how many of these have actually been developed or in the proceeds of being built? This new Planning Rule "Article 4" should cover the whole area, the only reason that you haven't received complaints as yet from the Whole area is because we are only just experiencing numerous HMO's popping up on our doorsteps and experiencing the issues this is causing us. Why do you need to wait until issues arise? Isn't it obvious that when family homes on what has been Family Housing estates are being taken over by Numerous HMO's that it is going to affect the neighbourhood? One HMO on one estate is probably acceptable [REDACTED] is too much with too many people living in these to NOT have an affect on our lives.

[REDACTED] initially we had 1 family house [REDACTED], [REDACTED] converted into a HMO. Not a problem apart from parking issues. Within the last few months and as of Today we have another "3"houses a total at this time being "4" HMO's and within metres of each other! [REDACTED] the conversion is completed. "2" others almost all [REDACTED] being converted now, [REDACTED] looking like and sounding like building sites, No consideration for neighbours at all. Builders, Skips, Heavy Goods Delivery Lorries, sometimes at 06-30 and all totally ignorant to the destruction they cause to grass areas and pavements/walkways. My concerns are that as soon as the next house in this area is put up for sale it will be snapped up for HMO [REDACTED] are fearful that every future house sale will become another Tenement HMO, Building, with the occupants all most certain to be 99 % men, this is Not a suitable area for unlimited HMO's it has always been an estate where families with children have lived, [REDACTED]

[REDACTED] BUT I would not feel comfortable today letting children out to play on the green here. I can only speak from the experiences I and my neighbours have had from the few months that the HMO [REDACTED] has been occupied and based on this alone I feel a lot more thought needs to be given by the council to make this Article 4 apply to ALL Spelthorne areas. [REDACTED] The majority of these people are not sociable or at all interested in whether an area is kept clean and tidy! It seems that the occupants change every few weeks and On a few occasions over the last few weeks when I have driven past this HMO in the afternoon to get to my house I have seen a group of 5 or 6 men and a woman sat in the Front Garden with beer cans in hands, my first thought was that I was Downtown Miami, it felt very intimidating to me and not what you would feel comfortable about to allow children around. [REDACTED]

[REDACTED] feeling comfortable out on the green [REDACTED] in the evening, not anymore. I said I would not leave this estate until I'm carried out in a box that is how much I have loved living here and always felt safe, not anymore! To top all of this, and seems that we [REDACTED] are not given any consideration again is that these HMO buildings are lowering the value of our house, Every person that you mention this topic to Everyone agrees that they would not want to live next door to or too close to one AND we have 4 on our doorstep! Also no consideration given for terraced houses with small gardens to suddenly have a 5 metre long wall x 4 metre's high, No consideration is given to the fact that 6 separate occupants per HMO coming and going at all hours,

then we come back to the dreaded issue of Parking, already we have some of the HMO tenants [REDACTED] parking their Vans and cars in the [REDACTED] Parking bays I dread to think what it will be like with possibly "12" more vehicles, I know though what this will mean "the nicely kept grass areas that we neighbours cut and care for will become a scruffy car park" making this area look like a slum. The area that these HMO's being created so close together on this estate is an absolute disgrace No thought on how this affects the families at all. Is anyone outside of our living area really Interested? Concerned? I doubt it and this is why this country is what it is today. Please reconsider that the whole of Spelthorne should be included in Article 4 otherwise every X council House being sold will become a HMO because this seems to be the most favoured property that these HMO developers are favouring.



Number of enforcement investigations where the HMO was permitted

Scale: 1:60,000

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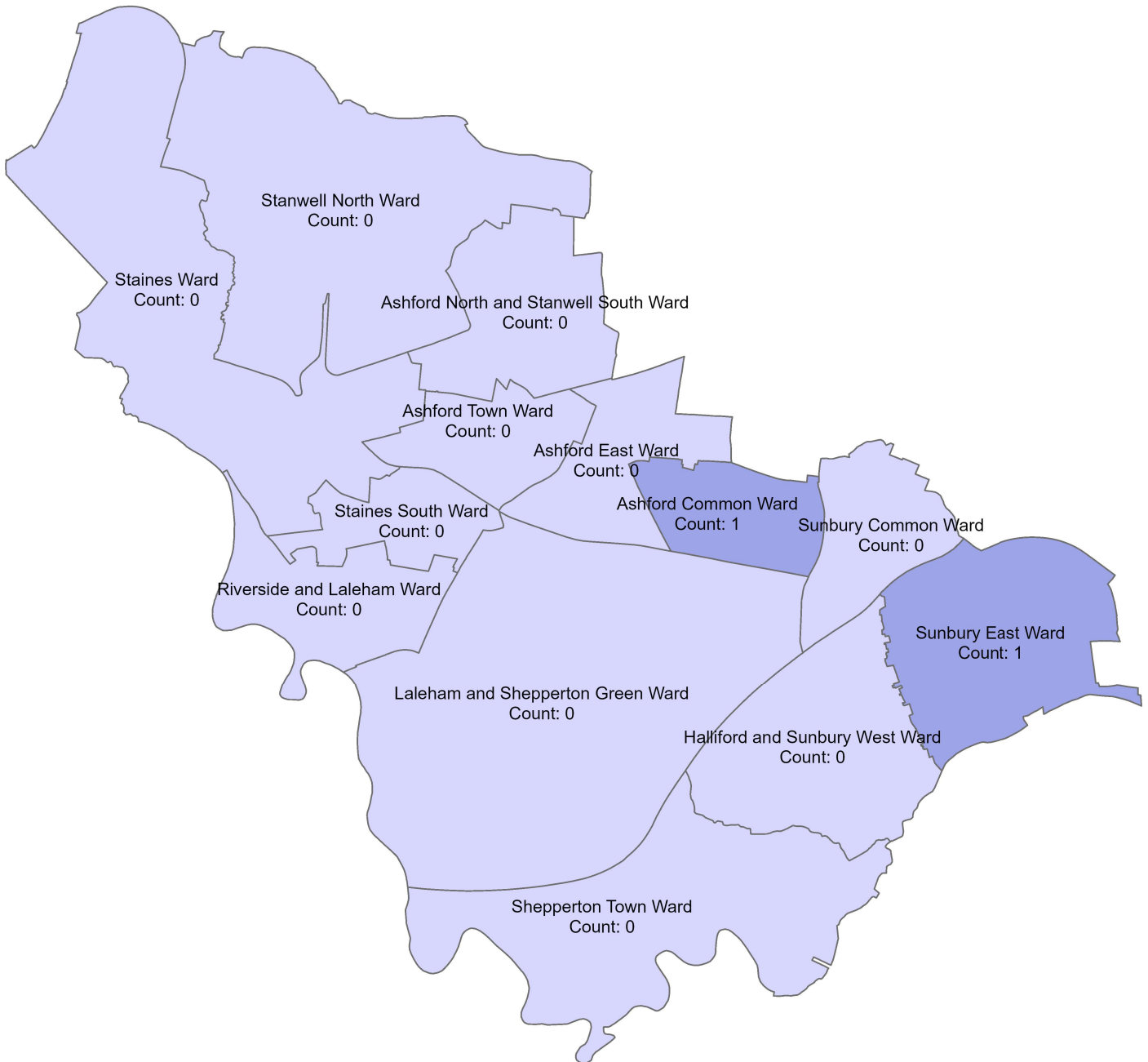
Planning Applications for HMOs by ward determined 1 September 2024 – 30 September 2025

Site	Ward	Nos. of Residents	Planning Application Number	Application Received Date	Decision/Decision Date
35 Harrow Road Ashford TW14 8RT	Ashford North & Stanwell South	7	24/00966/FUL	14.08.2024	Refused 21.03.2025
22 Sidney Road, Staines-upon-Thames TW18 4LX	Staines	8	24/01019/FUL	23.08.2024	Refused 17.10.2024*
16 Hurstdene Avenue Staines-upon-Thames TW18 1HZ	Staines South	8	24/01037/FUL	30.08.2024	Refused 28.10.2024
201 Feltham Road Ashford TW15 1BB	Ashford East	8	24/01037/FUL	07.10.2024	Refused 28.01.2025
Park House 17-19 Park Road Sunbury-on-Thames TW16 5BX	Sunbury East	10	24/01321/FUL	08.11.2024	Approved 09.04.2025
7 Caledonia Road Stanwell TW19 7TD	Ashford North & Stanwell South	9	24/01533/FUL	23.12.2024	Refused 25.07.2025
299 Feltham Hill Road Ashford TW15 1LT	Ashford Common	7	25/00710/FUL	28.05.2025	Approved 18.09.2025
60 Avondale Road Ashford TW15 3HT	Ashford North & Stanwell South	7	25/00714/FUL	28.05.2025	Refused** 28.08.2025
31 Junction Road Ashford TW15 1NJ	Ashford Common	8	25/00797/FUL	18.06.2025	Refused** 12.08.2025
18 Wellington Road Ashford TW15 3EJ	Ashford Town	10	25/00805/FUL	19.06.2025	Refused 12.08.2025

25 Edward Way Ashford TW15 3AY	Ashford North & Stanwell South	7	25/00865/FUL	02.07.2025	Refused 17.09.2025
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*Allowed on appeal

**Appeal in progress



Planning applications for HMOs approved between 1 October 2024 and 30 September 2025 by ward

Scale: 1:60,000

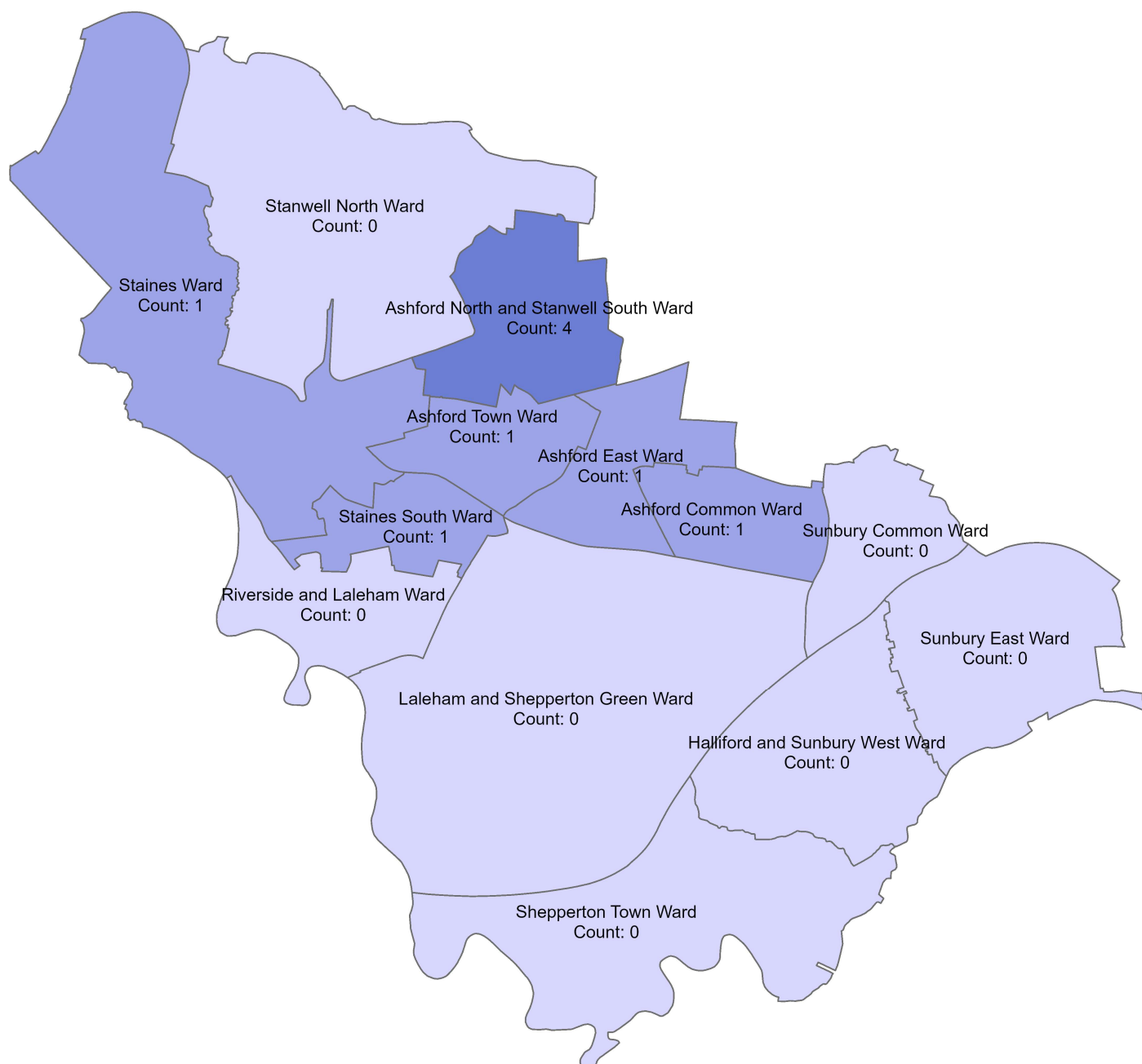
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Planning applications for HMOs refused between 1 October 2024 and 30 September 2025 by ward

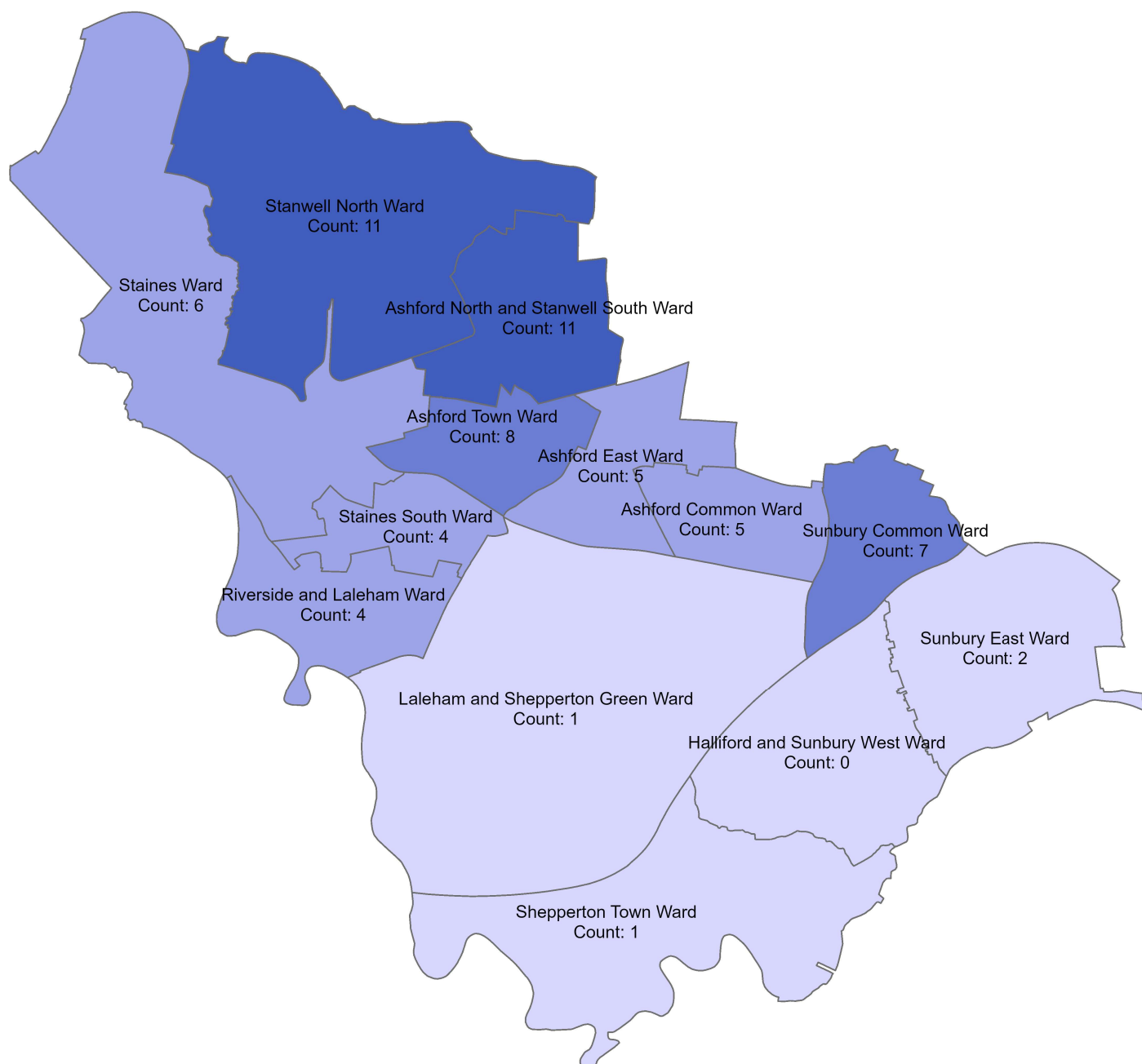
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HMO permitted development investigations which did not require planning permission 2019-2025

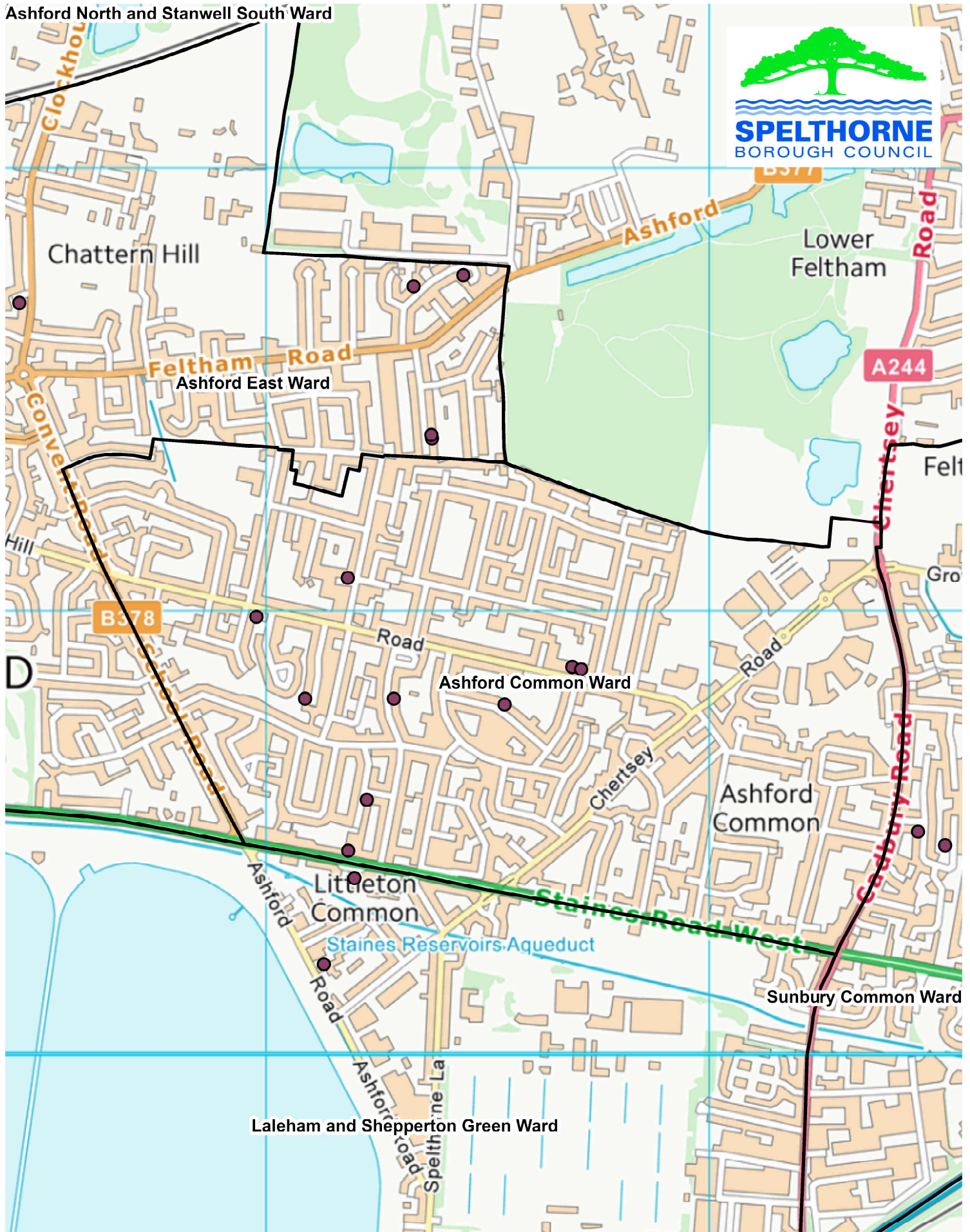
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Ashford Common Ward

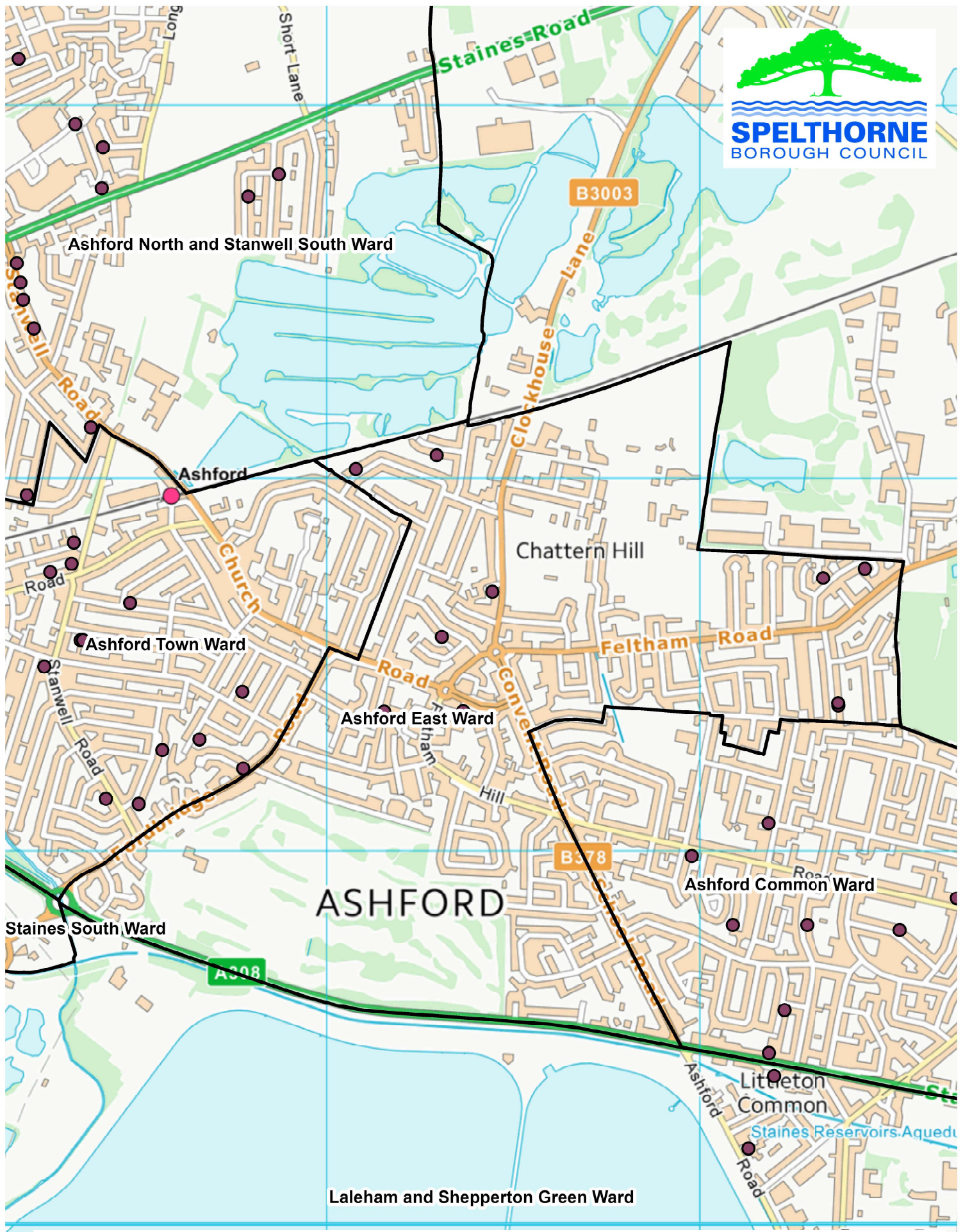
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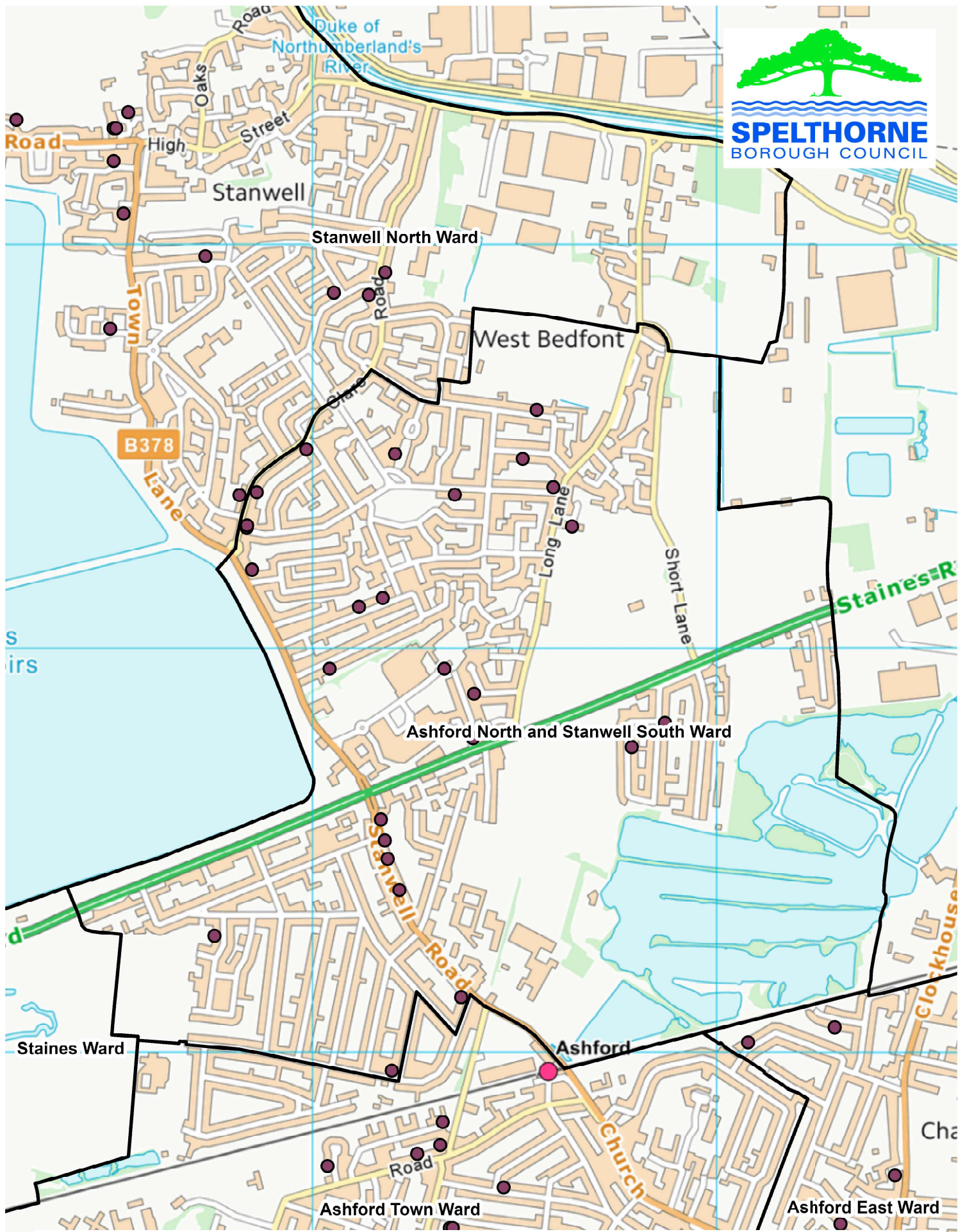


Ashford East Ward

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Ashford North and Stanwell South Ward

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Halliford and Sunbury West Ward

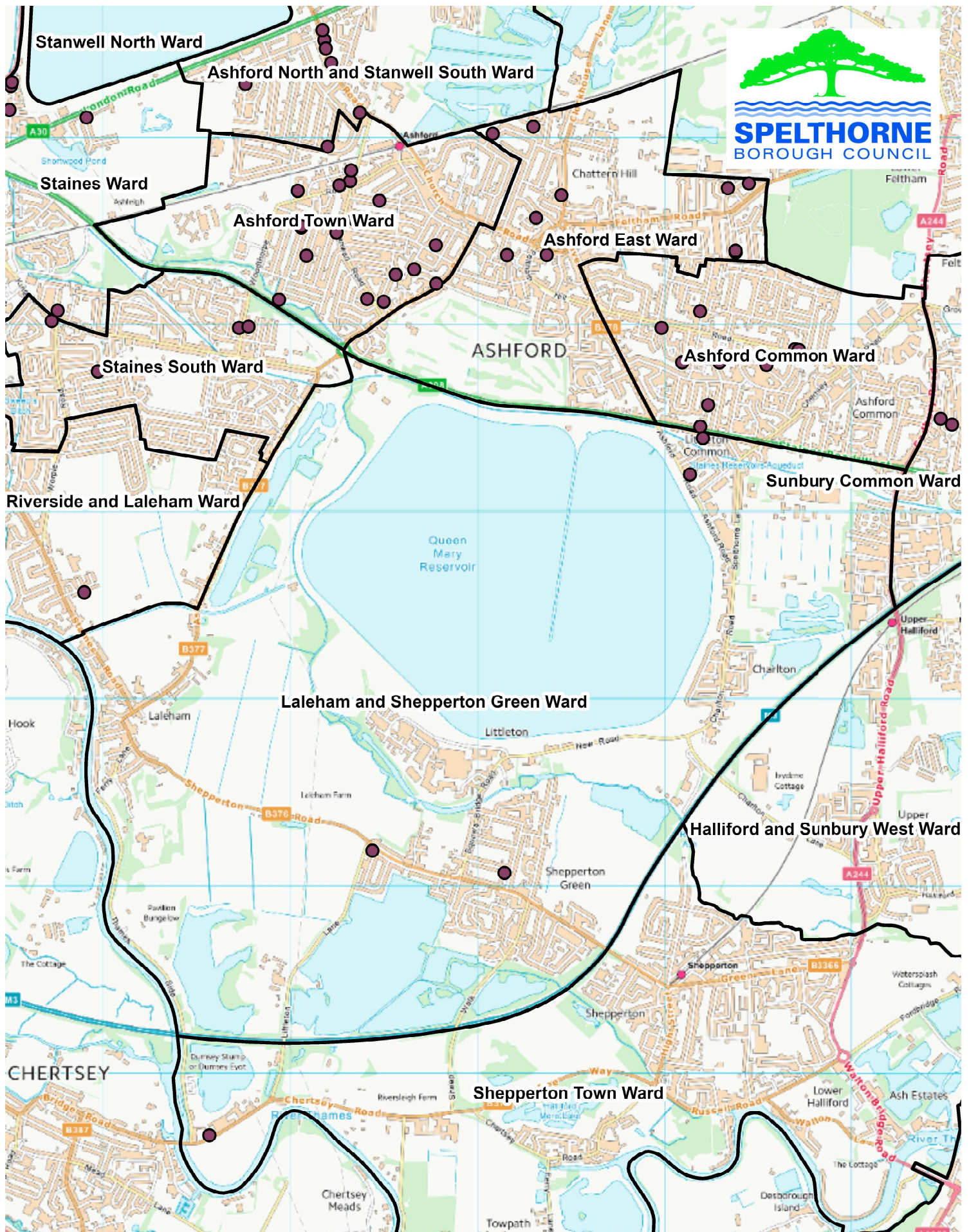
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Laleham and Shepperton Green Ward

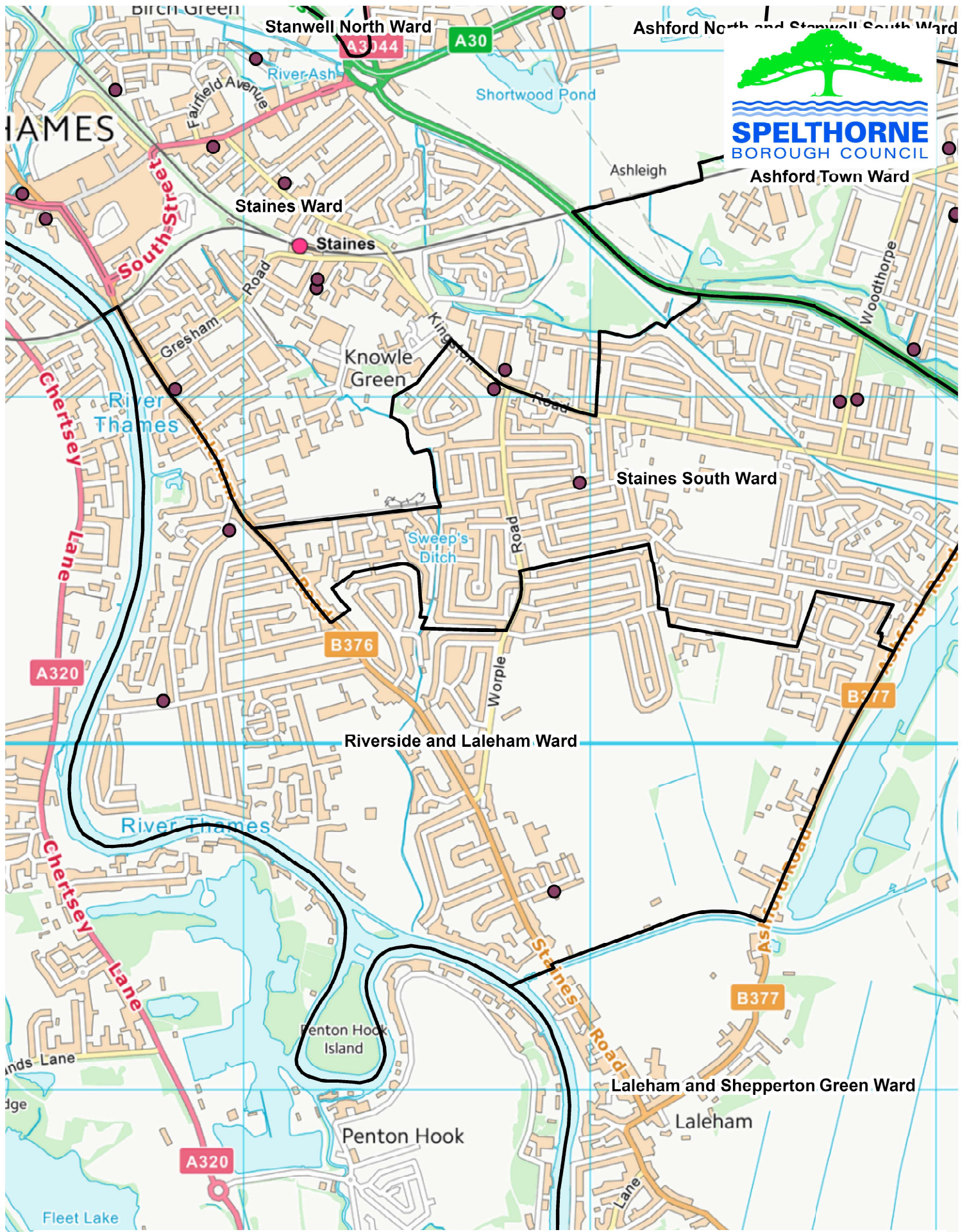
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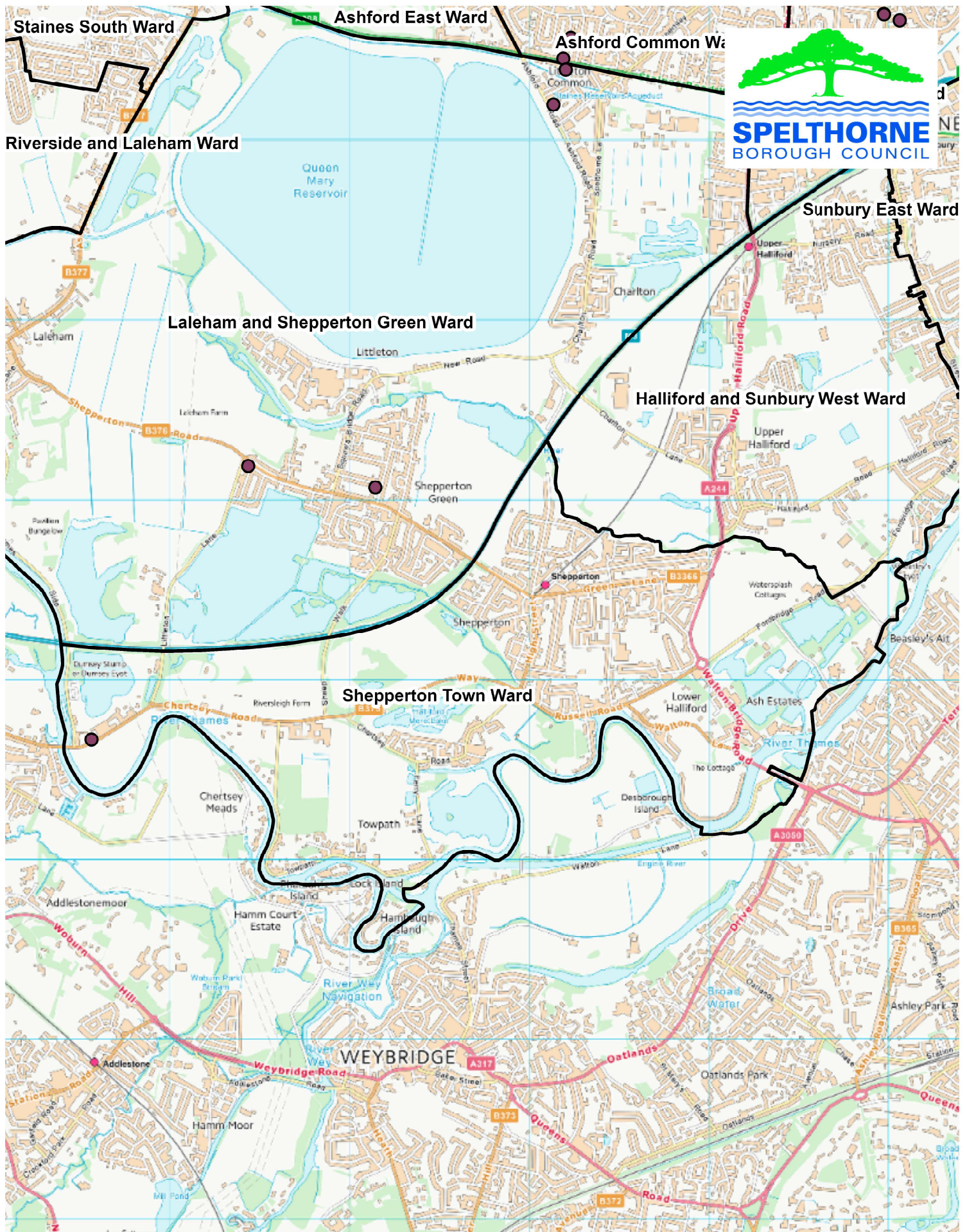
Riverside and Laleham Ward

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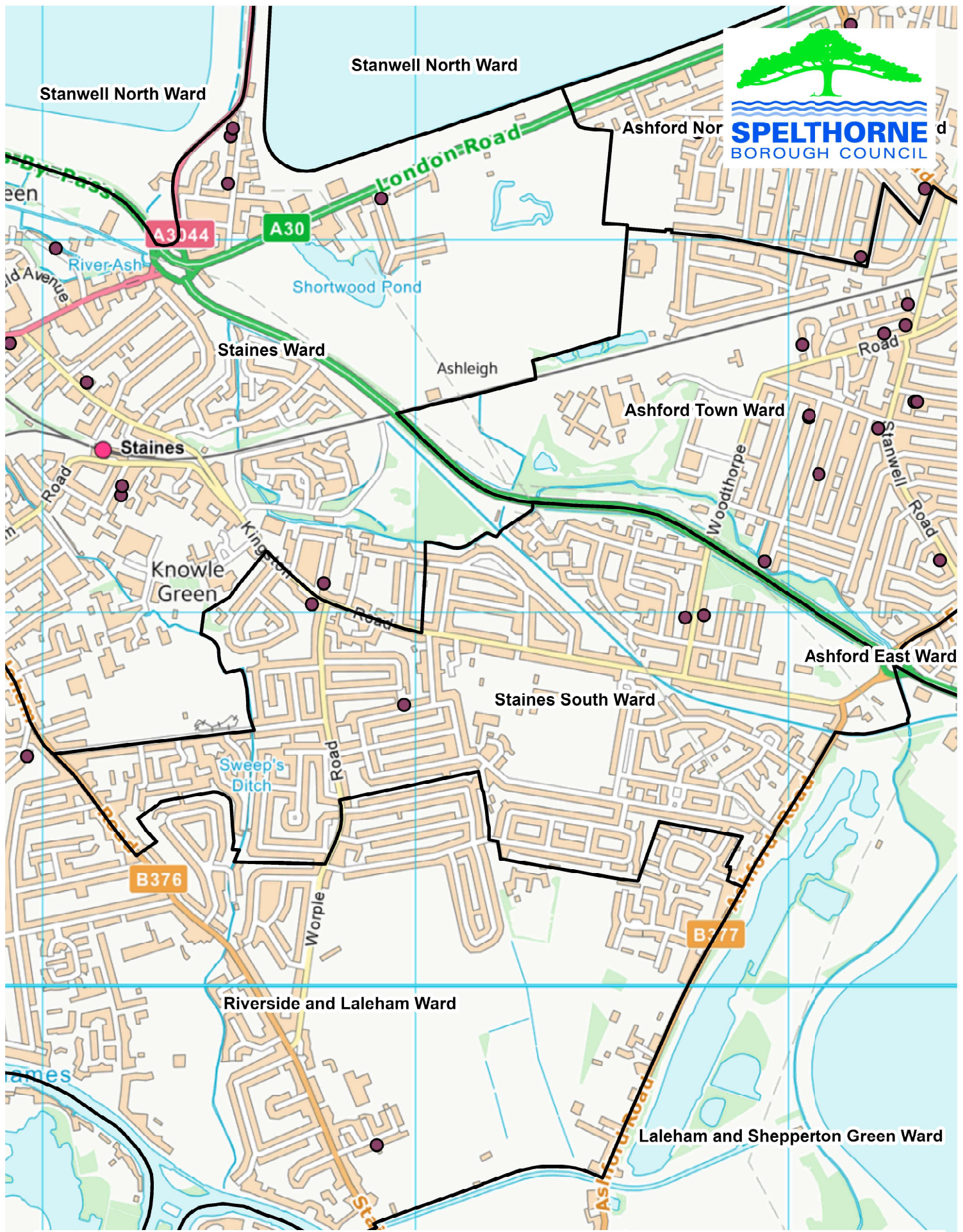
Shepperton Town Ward

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Staines South Ward

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Staines Ward

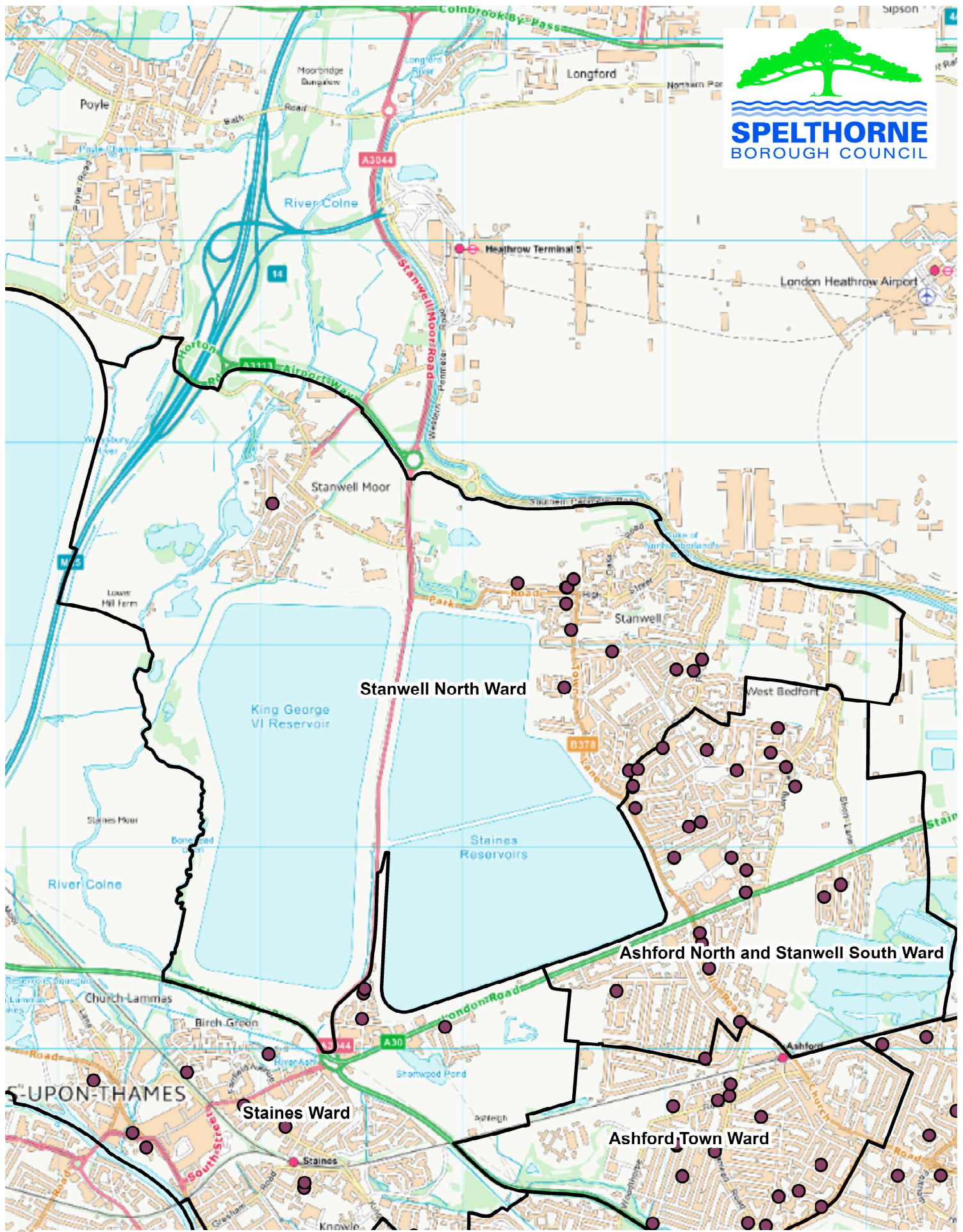
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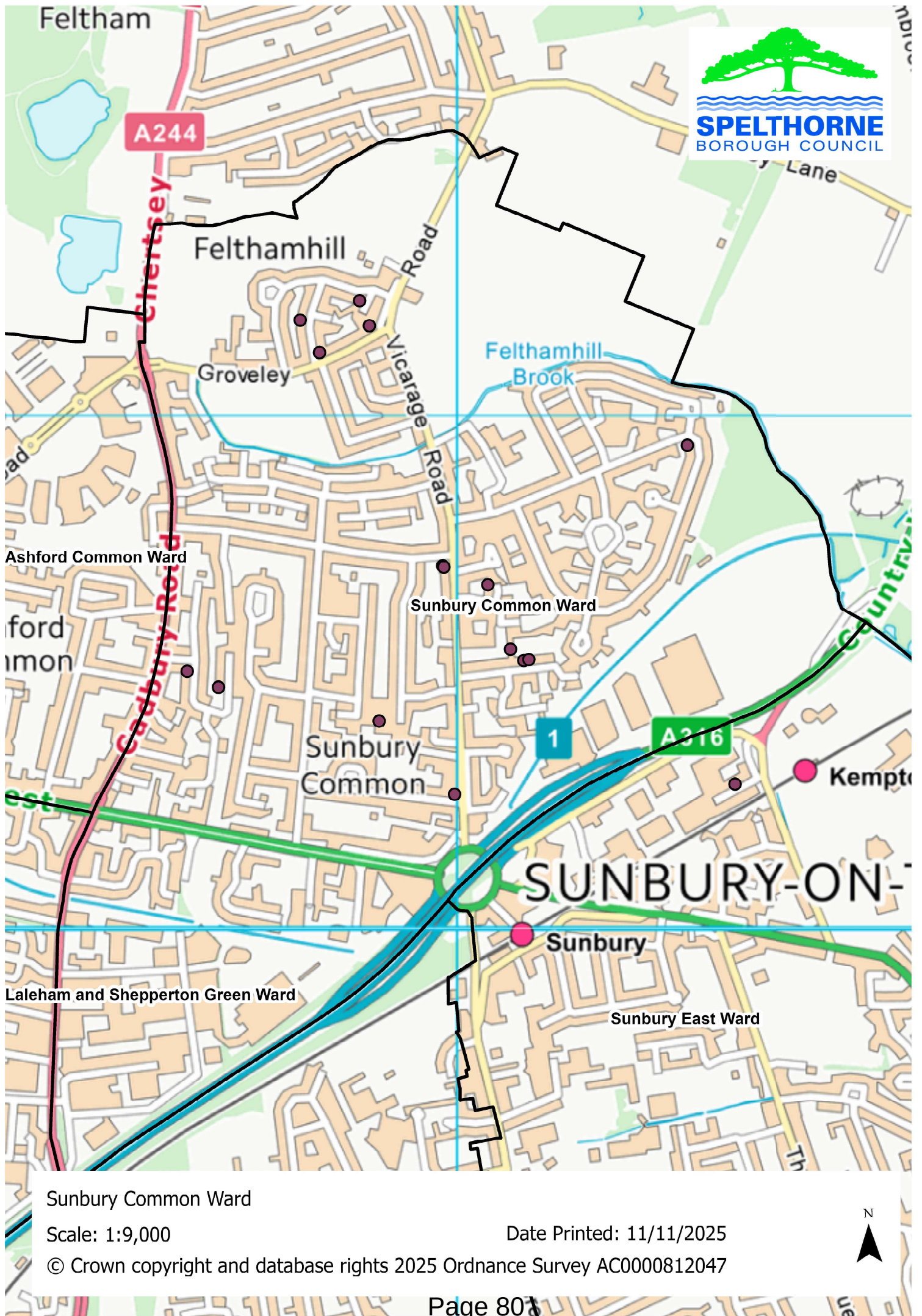
Stanwell North Ward

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Sunbury Common Ward

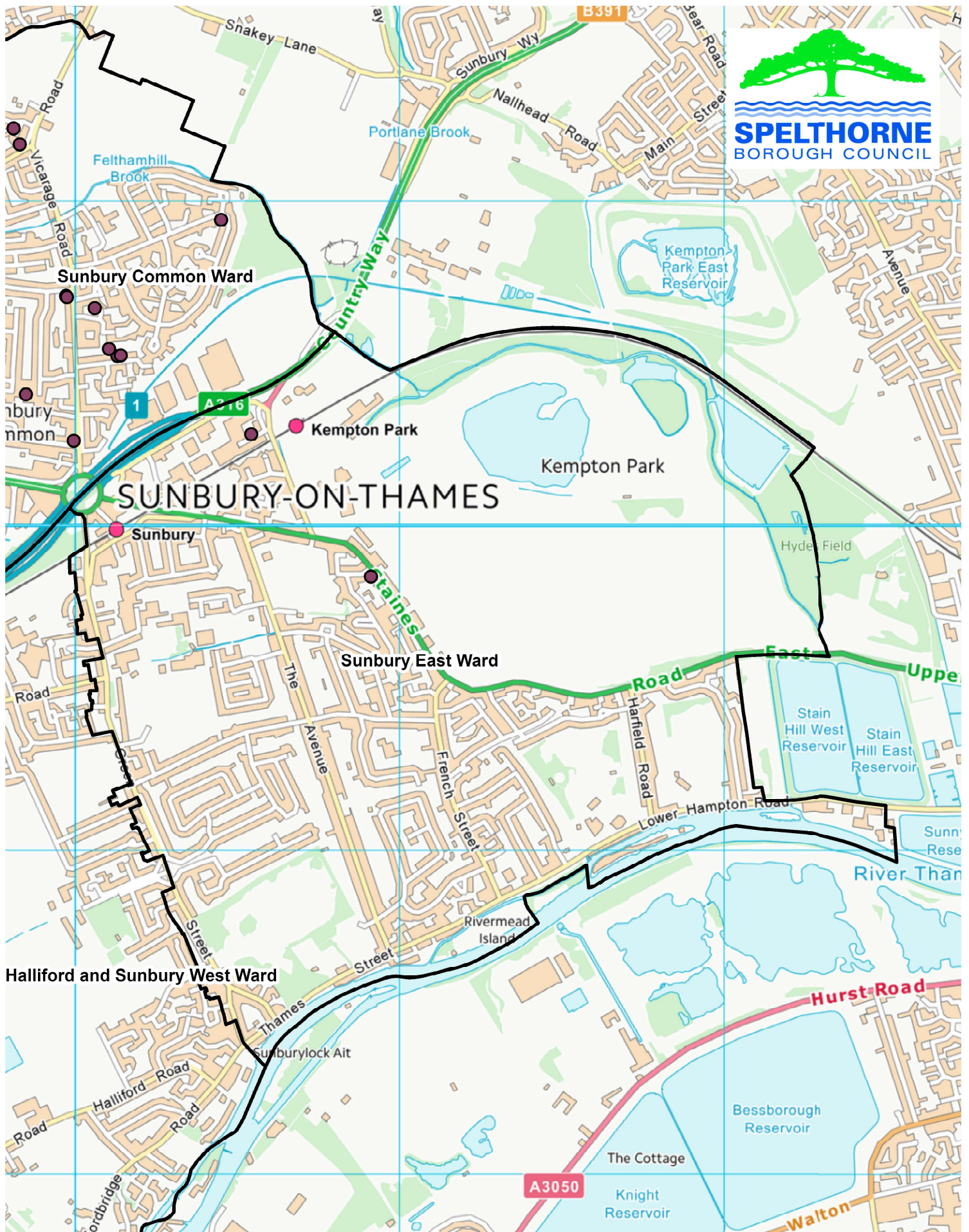
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Sunbury East Ward

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Planning Committee

10 December 2024



Title	Houses in Multiple Occupation (HMOs)
Purpose of the report	To make a decision
Report Author	Esmé Spinks, Planning Development Manager Liz McNulty, Planning Enforcement Officer Fidelma Bahoshy, Joint Senior Environmental Health Manager Susan Turp, Principal Environmental Health Officer
Wards Affected	All wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	Community Addressing housing needs Environment Services
Recommendations	The Planning Committee is asked to note: - the contents of this report and to agree. - to consider whether to confirm the Article 4 Direction made on 21 August 2024 in respect of Staines, Ashford North and Stanwell South, and Stanwell North wards having regard to the representations made; and - to continue to monitor the number of investigations relating to HMOs which are permitted development in the ten remaining wards and to bring back a further report to the Planning Committee by December 2026.
Reason for Recommendation	The Planning and Environmental Health Services assessed whether an Article 4 Direction should be served in respect of HMOs in April 2024. This followed on from previous assessments in 2018 and 2020. In the earlier years, it was agreed that there was insufficient evidence. In April 2024, it was decided that an Article 4 Direction should be made for three wards in the borough; Ashford North & Stanwell South, Staines and Stanwell North. This was made on 21 August 2024 and has been the subject of consultation which is referred to in this report. The committee now needs to consider the representations made before deciding whether to confirm the

	Direction. If confirmed, the Article 4 Direction will come into effect one year after it was made, on 25 August 2025. The HMO data for the borough has now been reassessed with one year's additional data which is contained in this report. From assessing the most recent data, it remains officers' opinion that there is insufficient evidence to serve a blanket Article 4 Direction. However, officers will continue to monitor the data and if the position changes for the remaining ten wards in the borough and the number of investigations relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the Planning Committee by December 2026. .
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1. Summary of the report

What is the situation	Why we want to do something
In 2018, 2020 and 2024, Planning and Environmental Health data were assessed to consider whether an Article 4 Direction should be served in respect of restricting HMOs. It was agreed in the earlier years that there was insufficient evidence to justify taking this action. However, in April 2024, it was resolved that an Article 4 Direction should be made in respect of three wards; Ashford North & Stanwell South, Staines and Stanwell North. This was made on 21 August and will come into effect one year later. A further one year's assessment of data has now been undertaken.	Planning and Environmental Health services have a duty to investigate complaints and to ensure that the licencing process is properly enforced.

This is what we want to do about it	These are the next steps
To continue to monitor the Planning and Environmental Health investigations associated with HMOs to establish if further controls are needed.	If the position changes in the remaining ten wards and the number of investigations relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the Planning Committee by December 2026.

- 1.1 Under current planning legislation, the conversion of a dwelling to a house in multiple occupation (HMO) is 'permitted development' and a planning application is not required, providing it is occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
- 1.2 However, it is possible to make an Article 4 Direction under the Town & Country Planning (General Permitted Development) (England) Order to remove Permitted Development Rights for HMOs (which would mean that planning permission would be required for any HMO regardless of the number of occupants) in certain areas. Article 4 Directions do not stop development; they simply mean that planning permission is required for the specified development which, without the Article 4 Direction, would be permitted development (i.e. does not require planning permission). Article 4 Directions are intended for use in exceptional circumstances where evidence suggests that development under Permitted Development rights harms local amenity or the proper planning of an area.
- 1.3 This matter was previously considered by the former O&S Committee in November 2018 and January 2020 where it was also agreed that given the available data, evidence was insufficient at that stage to justify the introduction of an Article 4 Direction. However, more recently in April 2024, it was resolved an Article 4 Direction in respect of three wards should be made. The direction was made in August 2024 and comes into effect one year later. Representations have now been received and are attached at **Appendix 1**. Members need to consider if they wish to confirm the Direction in the light of the comments made.
- 1.4 This report uses Planning and Environmental Health data over the past year to update the data in the April report. It includes a spatial analysis, by ward, of the numbers and types of HMOs which exist and the extent of the investigations undertaken in Spelthorne by the Planning Enforcement team.
- 1.5 It is considered that given the available data, evidence is insufficient to justify an extension to the Article 4 Direction in Spelthorne. If the position changes for the remaining ten wards in the borough and the number of investigations and complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report

will be brought to the Planning Committee by December 2026 which would provide a data base consistent with the Committee's earlier decision.

- 1.6 To assist in the interpretation of the planning and licencing requirements, a table explaining the position is set out below.

Planning and Licensing Requirements for All HMOs								
		Number of Occupants in HMO						
Service	Requirement	1	2	3	4	5	6	7+
Environmental Health	Licensing Required?	No	No	No	No	Yes	Yes	Yes
Planning	No Article 4 Direction – Planning Permission Required?	No	No	No	No	No	No	Yes
	Article 4 Direction in effect – Planning Permission Required?	No	No	Yes	Yes	Yes	Yes	Yes

2.0 Key issues

- 2.1 Under planning legislation, The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the UCO) sets land use activities into various use classes. Uses are grouped into Classes B, C, E, F and *sui generis* (a unique use class not within a specified class) and within each group, there are further subdivisions of use classes. Planning permission is normally required to change from one use class to another although there are exceptions where the legislation does allow some changes between uses (The Town and Country Planning (General Permitted Development) (England) Order 2015).
- 2.2 Dwellings fall within use class C3 of the UCO. Houses in multiple occupation (HMOs) are contained within both Use Class C4 or *sui generis*. Class C4 defines an HMO as:
- Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.*
- 2.3 An HMO larger than this (i.e. with 7 or more unrelated people) is classed as a '*sui generis*' use for which planning permission is always required.
- 2.4 It is currently permitted to change from a Class C3 dwelling house to Class C4 HMO property without planning permission. It is also permitted to change a Class C4 HMO property back to a Class C3 dwelling house without planning permission.

- 2.5 However, converting dwellings to an HMO, when classed as *sui generis* (i.e. seven or more occupants) will require planning permission. Likewise, a conversion from a large HMO to any other use will also require planning permission.
- 2.6 Directions are made under the Article 4 Direction of the Town & Country Planning General Permitted Development Order which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights across a defined area. They remove Permitted Development Rights for certain types of specified development in certain areas but cannot be used to restrict changes between uses in the same use class of the Use Classes Order. Article 4 Directions do not stop development; they simply mean that planning permission is required for the specified development which, without the Article 4 Direction would be permitted development (i.e. does not require planning permission).
- 2.7 Article 4 Directions are intended for use in exceptional circumstances where evidence suggests that development under Permitted Development rights, such as the spread of HMOs, harms local amenity or the proper planning of an area.
- 2.8 The National Planning Policy Framework (NPPF) 2023 advises that all Article 4 Directions should be applied in a measured and targeted way. They should be based on robust evidence and apply to the smallest geographical area possible. Requirements for removing permitted development rights compels the planning authority to demonstrate that the removal is necessary to protect local amenity or the wellbeing of a particular geographic area. The Planning Policy Guidance (PPG) advises that Article 4 Directions should be limited to situations where it is necessary to protect local amenity or the well-being of the area. The potential harm that the Article 4 Direction is intended to address will need to be clearly identified, and there will need to be a particularly strong justification for the withdrawal of permitted development rights relating to, for e.g., a wide area (e.g. those covering a large proportion of or the entire area of a local planning authority)
- 2.9 The PPG further advises that if a local planning authority makes an Article 4 Direction, it can be liable to pay compensation to those whose permitted development rights have been withdrawn, but only if it then subsequently:
- refuses planning permission for development which would otherwise have been permitted development; or
 - grants planning permission subject to more limiting conditions than the General Permitted Development Order
- The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.
- 2.10 In procedural terms there are two types of Article 4 Directions: -

- Non-Immediate Direction – permitted development rights are withdrawn 12 months from service of the direction after a period of consultation.
 - Immediate Direction – permitted development rights are withdrawn immediately but must be confirmed within six months after a period of consultation. The Council becomes liable for abortive expenditure or other loss or damage attributable to withdrawal of the permitted development rights, if a subsequent application is refused. The ‘other loss or damage’ would include the difference in the value of the site and would expose the Council to potentially significant financial liability.
- 2.11 Consequently, compensation would be payable in some circumstances to those whose Permitted Development (PD) rights are withdrawn if the Local Planning Authority (LPA) imposed what is known as an “Immediate” Article 4 Direction and then refused planning permission for that which would otherwise have been PD; or granted permission subject to more limiting conditions than would have been applied by the General Permitted Development Order (GPDO). However, if the Council is providing 12 months’ prior notice of the removal of PD rights in respect of HMOs (known as a “Non-Immediate” Article 4 Direction), then there is no ability to claim compensation.
- 2.12 The circumstances in which an immediate direction can restrict development are limited. Immediate directions can be made in relation to development permitted by the General Permitted Development Order, where the development presents an immediate threat to local amenity or prejudices the proper planning of an area. Immediate directions can also be made in relation to certain types of development in conservation areas. In all cases the local planning authorities must have already begun the consultation processes towards the making a non-immediate Article 4 Direction. Consequently, if the Article 4 takes effect less than one year from issue, compensation can be payable to affected landowners.
- 2.13 A local planning authority must, as soon as practicable after confirming an Article 4 Direction, inform the Secretary of State. The Secretary of State does not have to approve Article 4 Directions and will only intervene when there are clear reasons for doing so. The Secretary of State has the power to modify or cancel Article 4 Directions at any time before or after they are made but will not use their powers unless there are clear reasons why intervention at this level is necessary.
- 2.14 It should be noted that planning applications required by Article 4 Directions were previously exempt from planning application fees, but this exemption has been removed and a planning fee is payable. The current fee would be £578 per application. In addition, a HMO licence fee may also be payable should it meet the HMO licensing requirements, that is if the property is an HMO with 5 or more occupants where there is sharing of basic amenity.

3.0 Options analysis and proposal

- 3.1 At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. HMOs fulfil a vital role in providing accommodation for individuals and are an essential part of the housing stock. The cost of living in an HMO is cheaper than self-contained

accommodation, which is beyond the affordability of many residents. HMOs provide an essential tenure of housing and are an important element of the Council's housing stock. The Council's Corporate Plan identifies under 'Addressing Housing Need' three actions for 2024/2025, one of which is to "work proactively with landlords and private housing providers of Homes of Multiple Occupation and temporary B&B accommodation to tackle poor conditions and anti-social behaviour".

3.2 However there are concerns that as well as providing much needed affordable accommodation to residents, HMOs can also have negative effects. Impacts, either real or perceived from complaints received include the following:

- Noise and anti-social behaviour
- Imbalanced and unsustainable communities
- Negative impact on the physical environment
- Pressures upon parking provision
- Growth in private rented sector at the expense of owner-occupation
- Increased crime, and
- Pressure upon local community facilities.

3.3 All planning enforcement investigations undertaken relating to HMOs which did not require planning permission because they contained six residents have been recorded.

The Committee report in April considered four years of Planning and Environmental Health data:

- 01/10/19 – 30/09/20
- 01/10/20 – 30/09/21
- 01/10/21 – 30/09/22
- 01/10/22 – 30/09/23

This report considers an additional year: **01/10/23 - 30/09/24.**

3.4 The results for the most recent year, 1 October 2023 – 30 September 2024 are shown by wards in the tables further below. Several investigations listed were inspected by the Planning Enforcement officers and it was established they were not HMOs at all.

Table 1 - HMO Investigations by Planning Enforcement by ward where Planning Permission was not required as it was Permitted Development between 1 October 2023 and 30 September 2024

Ward	Referred by EH (not a complaint)*	Total numbers of Investigations**	Numbers of Households	Number of investigations as a % of households
------	-----------------------------------	-----------------------------------	-----------------------	---

Ashford North & Stanwell South	0	1	3,557	0.028
Ashford Town	2	4	2968	0.13
Ashford East	1	1	3,061	0.033
Stanwell North	2	2	3,390	0.059
Sunbury East	1	1	3,162	0.032
Average			3,175	0.047%
Total	6	9		

*Referred by EH due to licence application

**Numbers refer to complaints per property

In the last year, there were nine investigations undertaken by planning enforcement, six of which were referred by Environmental Health following an application for a licence. This data is shown in a ward map attached as **Appendix 2**.

Table 2 - Reasons Planning Permission was not required between 1 October 2023 and 30 September 2024

By Ward & Reason	Count of Reason Planning Permission Not Required
Ashford North & Stanwell South	2
HMO Permitted Development	1
C3 use not a HMO	1
Ashford Town	4
HMO Permitted Development	4
Ashford East	1
HMO Permitted Development	1
Stanwell North	3
HMO Permitted Development	2
Has planning permission for 9	1
Sunbury East	2
HMO Permitted Development	1
Dwelling house – C3 Use	1
Riverside & Laleham	1
Has planning permission for 10	1
Total HMO investigations Not Requiring Planning Permission	13
Total HMO Investigations - HMO Permitted Development	9

- 3.5 Of the 13 HMO investigation that did not require planning permission received between 1 October 2023 and 30 September 2024, **9** related to HMOs which were permitted development. Therefore, **9** investigations is the relevant figure in the consideration of an Article 4 Direction.

Table 3
HMO Permitted Development Investigations/Complaints as a % of households 2023-24

Ward	No. of HMO PD investigations**	No. of households	Number of investigations as a % of households*
Ashford North & Stanwell South*	1	3,140	0.032%
Ashford Town	4	2,703	0.148%
Ashford East	1	2,959	0.034%
Stanwell North*	2	3,250	0.062%
Sunbury East	1	2,831	0.035%
Total	9		

*These two wards are already subject to an Article 4 Direction

3.6 Table 3 above shows that over the past year, three wards were subjected to only one investigation each relating to an HMO which was permitted development and two of these were referred by EH following a licence application. Two of the wards in the table above are already subjected to an Article 4 Direction made in August. There were no HMO investigations which were permitted development in the past year in eight borough wards. The number of investigations/complaints as a % of the number of households is exceptionally low; between 0.031% and 0.147%.

3.7 Table 4 below shows the number of HMO investigations undertaken by planning enforcement for the year 01/10/23 – 30/09/24 as a percentage of the total complaints received. These relate to HMOs which were permitted development. It can be seen that the % of planning enforcement investigation relating to HMOs is low, comprising an average of just 2.48% of all complaints received.

Table 4 – HMO Planning Enforcement investigations/complaints received compared with total Planning Enforcement complaints received 2023 – 2024

Year	No. of HMO PD complaints/investigations	Total number of Planning Enforcement complaints received	Number of HMO Planning Enforcement complaints received as a % of total complaints
01/10/2023 – 30/09/2024	9	363	2.48%

3.8 The number of planning applications for HMOs (containing seven or more residents) by ward which were determined between 1 October 2023 and 30 September 2024 are set out in table 5 below. A full list of the site details is contained as **Appendix 3** to this report and the information is also portrayed in the maps contained in **Appendices 4 and 5**. Of the five applications, three were refused permission and two were approved. The two approved were smaller HMOs containing 7-8 residents. Seven is the smallest number of residents within an HMO which requires planning permission. The three refused applications contained 10 – 16 residents.

Table 5 - Planning applications for HMOs by ward determined between 1 October 2023 and 30 September 2024

Ward	Numbers of planning applications approved	Numbers of planning applications refused
Ashford Common	0	0
Ashford East	0	1
Ashford North & Stanwell South	1	1
Ashford Town	0	1
Halliford and Sunbury West	0	0
Laleham and Shepperton Green	0	0
Riverside and Laleham	0	0
Shepperton Town	0	0
Staines	0	0
Staines South	1	0
Stanwell North	0	0
Sunbury Common	0	0
Sunbury East	0	0
Grand Total	2	3

- 3.9 Table 6 further below shows the number of HMO enforcement investigations over the past five years 2019-2024 by ward. This information is also shown by ward map in **Appendix 6**. This is a combination of the data in this current report for the past year and the four years contained in the April committee report covering 2019-2023. Ashford North and Stanwell South, Stanwell North and Staines (coloured green) are already the subject of an Article 4 Direction.

Table 6 HMO Permitted Development Investigations by Planning Enforcement 2019-2024 by ward (five years data)

By Ward & Reason	PP Not Required
Ashford Common	3
Ashford East	5
Ashford North & Stanwell South	8
Ashford Town	7
Halliford and Sunbury West	0
Laleham and Shepperton Green	0
Riverside and Laleham	3
Shepperton Town	0
Staines	6
Staines South	3
Stanwell North	9
Sunbury Common	4
Sunbury East	2
Total PD Investigations	50

- 3.10 The Planning Officers and Planning Enforcement Officers work closely with the Environmental Health Officers and Environmental Health Regulatory Officers who are responsible for the licensing of HMOs that fall within Spelthorne Borough Council's mandatory HMO licensing scheme. The two Departments share information about licence applications and planning applications as well as intelligence about potential HMOs.
- 3.11 A licence for an HMO is required from Environmental Health under the mandatory scheme in the following circumstances:
- The dwelling is occupied by five or more people who form two or more households; and
 - all or some of the occupants share bathroom, toilet, or kitchen facilities.
- 3.12 It should be noted that before the licensing regime change (which was from the October 2018) a licence was only required for HMOs in three or more storey buildings. Consequently, a much larger number of HMOs now fall within the Environmental Health licensing process.
- 3.13 When determining whether to grant a licence for an HMO, Environmental Health are not able to take into consideration whether or not the property has or requires planning permission to operate as an HMO. Environmental Health does, however, consult with Planning on any licence applications received where Planning Consent would apply (currently for properties with 7 or more occupiers) and notify them when granting a licence so that Planning can take appropriate enforcement action for unlawful development. Environmental Health also strongly advise HMO licence applicants to contact Planning where Planning Permission isn't in place and may be required.

- 3.14 Additionally, since 1 April 2024 when Environmental Health moved to a risk-based system to determine the duration of an HMO licence, the absence of planning consent for an HMO of 7 or more occupants has become a criteria resulting in a high score in the risk assessment. This would in turn lead to the licence being granted for the minimum period of one year. If the licence holder applied for a renewal on expiry of the year, Environmental Health would again liaise with Planning to ensure that either planning consent was in place, or if not, that appropriate enforcement action could be taken.
- 3.15 The following table shows the number of HMOs licensed by Environmental Health, by ward as well as the number of potential HMOs that have come to the attention of Environmental Health through complaints and enquiries.

Table 7 - Number of HMOs that have been licensed as of 30 September 2024, and the number of potential HMOs brought to the attention of Environmental Health between 1 October 2023 and 30 September 2024, by Ward.

Ward	Number of licensed HMOs* (as of 30 Sept 2024)	Potential HMOs** (2023-2024)
Ashford Common	12	2
Ashford East	12	6
Ashford North & Stanwell South	35	14
Ashford Town	18	6
Halliford and Sunbury West	0	1
Laleham and Shepperton Green	5	1
Riverside and Laleham	5	6
Shepperton Town	1	1
Staines	19	1
Staines South	5	4
Stanwell North	17	22
Sunbury Common	17	4
Sunbury East	3	2
Grand Total	149	70
*Note this includes licence renewals that are in the system being processed **This 'Potential HMOs' data has recently been extracted from the EH database for the years shown. The data relates to all service requests and enquiries which indicate the properties might be HMOs. From analysis of the data at this time it is not known if they are HMOs and if so whether need to be licensed.		

- 3.16 Of the potential HMOs listed within table 7 above, 2 of these have since been licensed and 5 have applications pending:
- 3.17 The information shows that the highest number of licensed HMOs is within the wards Ashford North & Stanwell South, then Staines, then Ashford Town and then Stanwell North and Sunbury Common. Ashford Town is the ward with the biggest increase (by 4) of licensed HMOs in the last year. The wards subject to an Article 4 Direction are marked in **green**.
- 3.18 Maps showing the distribution of licensed HMOs throughout Spelthorne and then the distribution of licensed HMOs by ward are included as Appendix 7 to this report. The maps were created in November 2024 based on the information on the number of licensed HMOs as of 30 September 2024.
- 3.19 Environmental Health have noted a marked increase in the number of potential HMOs during the period 1 October 2023 to 30 September 2024 compared to previous years. In the last year, the number of potential HMOs has tripled from 23 to 70 as can be seen in Table 8 below. This could be as a result of some landlords deciding to create HMOs before August 2025 when the Article 4 declaration across 3 wards comes into effect following the decision made at the April 2024 committee meeting, as well as increased awareness from residents following the subsequent consultation relating to this. It can be noted that the number of potential HMOs rose significantly in Ashford North and Stanwell South from 0 in 2023-2023 to 14 in this last year and for Stanwell North from 4 to 22.

Table 8 – Showing the comparison between number of potential HMOs brought to the attention of Environmental Health last year (October 2022-September 2023) and this year (October 2023 - September 2024), by Ward

Ward	Potential HMOs	
	2022-2023	2023-2024
Ashford Common	4	2
Ashford East	5	6
Ashford North & Stanwell South	0	14
Ashford Town	4	6
Halliford and Sunbury west	1	1
Laleham and Shepperton Green	0	1
Riverside and Laleham	1	6
Shepperton Town	1	1
Staines	1	1
Staines South	1	4
Stanwell North	4	22
Sunbury Common	1	4
Sunbury East	0	2
Grand Total	23	70

- 3.20 Environmental Health have also noted an increase in HMO licence applications, which may also be a result of landlords wanting to establish HMOs in advance of August 2025. In the past year (1 October 2024 to 30 September 2024), we received 77 HMO licence applications, compared to last year where the figure was 33.
- 3.21 For the period 1 October 2023 to 30 September 2024, Table 9 below provides a summary of the complaints relating to known HMOs received by Environmental Health about matters relating to accumulations of rubbish, antisocial behaviours (ASB), noise, rats, mice and overgrown gardens. The complaints relate to issues that could affect nearby residents (generally made to Environmental Health by neighbours). It is however worth mentioning that Environmental Health will always arrange to carry out an inspection of the property once they are aware the property is an HMO (whether it requires a licence or not) and will address any issues relating to the conditions within the property as well (including fire safety and other potential hazards that would affect the occupants). It should be noted that there is some overlap of complaints received by Planning and Environmental Health. The complaints included in this data refer to HMOs that are licensed or for which Environmental Health have received a licence application that is pending (whether or not they had at the time of the complaint). The data does not include complaints about properties that were vacant where building works were taking place which may have related to their use changing to become an HMO.

Table 9: Complaints received by Environmental Health about known HMOs between 1 October 2023 and 30 September 2024

Ward	No. of Complaints	No. of Households in Ward	No. of complaints as a % of households	Complaint Type
Ashford Common	2	3392	0.06	accumulations, noise
Ashford North and Stanwell South	8 (5 about same property)	3557	0.22	accumulations. noise
Ashford Town	2	2968	0.07	accumulations, noise, mice
Laleham and Shepperton Green	2 (both about same property)	3470	0.06	noise
Staines	1	4009	0.02	ASB
Staines South	2	2912	0.07	rats, noise
Stanwell North	2 (about same address)	3390	0.06	rats and mice and noise and ASB
Sunbury East	3 (2 about same address)	3162	0.09	Noise, ASB, accumulations, overgrown garden
Other Wards	0	14945	0.0	
Grand Total	22	41805	0.05	

- 3.22 Table 10 below provides data on the total number of complaints received by Environmental Health relating to residential properties in general (includes HMOs and single occupation properties) about accumulations, ASB, noise, rats and mice and overgrown gardens. It also shows what percentage of these complaints relate to HMOs.

Table 10: Relevant complaints received by Environmental Health about all residential properties (whether HMOs or properties in single occupation) between 1 October 2023 and 30 September 2024.

Total no. of relevant complaints received	All complaints as a % of households	HMO complaints as a % of total complaints
718	1.72	3.06% (22)

4.0 Environmental Health controls of HMOs

- 4.1 Environmental Health have powers under various legislation such as the Environmental Protection Act, the Prevention of Damage by Pests Act and the Anti-social Behaviour, Crime and Policing Act 2014 to deal with noise and other nuisance; accumulations of rubbish; and along with our colleagues in Community Safety, to address complaints about anti-social behaviour (ASB) These powers apply to all residential properties in the Borough including licensed and unlicensed HMOs. There are also requirements under The Management of Houses in Multiple Occupation (England) Regulations 2006 that apply to all HMOs which include such matters as rubbish disposal and untidy gardens as well as conditions within the property.
- 4.2 Additionally, licensed HMOs are subject to programmed inspections to check compliance with relevant legislation and licence conditions relating to fire safety, amenities, and management. These licence conditions include matters that might adversely impact on nearby residents, particularly in relation to anti-social behaviour and accumulations of rubbish.
- 4.3 Spelthorne's HMO licence condition for ASB has recently been revised and strengthened following discussion with our Community Safety team, where it was agreed that HMO landlords should be taking more responsibility to manage anti-social behaviour from the residents of their HMO. A landlord guide to ASB has also been produced and is available on our website. The condition is as follows:
- The Licence Holder must take all reasonable and practicable steps for preventing and dealing effectively with anti-social behaviour (ASB)* by people occupying or visiting the premises; and for preventing the use of the premises for illegal purposes. These steps must include:

- **Written contract**

Ensuring that the tenancy agreement or terms of occupancy contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors, and that this clause is drawn to the attention of occupants when they take up residence.

- **Dealing with complaints**

Responding to complaints of anti-social behaviour that concern occupiers of the premises or their visitors. Where anti-social behaviour is discovered, the Licence Holder must inform the tenant responsible in writing of the matter within 2 days and warn them of the consequences of its continuation, which could include eviction. If the ASB continues, the Licence Holder must put further measures in place such as set up an acceptable behaviour contract**.

- **Prohibition of use of outbuildings**

Ensuring that all outhouses, garages, and sheds are kept secured and used for their intended purpose. The Licence Holder must not allow them to be occupied as individual habitable rooms, kitchens, or bathrooms.

**ASB is behaviour causing harassment, alarm, or distress to one or more people who are not in the same household as the perpetrator. It covers a wide range of unacceptable behaviour, such as playing loud music, shouting, and screaming, threatening or abusive behaviour, taking/selling drugs, using racist or homophobic language, allowing the build-up of refuse in the property or garden, parking illegally or inappropriately.*

***For further information, visit the Council's website (<https://www.spelthorne.gov.uk/article/16974/Antisocial-behaviour>) or refer to Spelthorne's landlord guide to ASB.*

4.4 Spelthorne's HMO licence condition for rubbish is as follows:

Ensure that waste bins, which are provided by the Council in line with our bin allocation policy, are made available for all residents of the accommodation. Ensure that suitable refuse bins are provided within the accommodation including within all kitchens. Additional arrangements should be made for the storage and disposal of household waste from the property to ensure compliance with Spelthorne Borough Council's refuse and recycling disposal scheme. For further details about the scheme please go to <https://www.spelthorne.gov.uk/rubbishwasterecycling> or contact Neighbourhood Services on 01784 446411 or email at neighbourhoodservices@spelthorne.gov.uk.

5.0 New risk-based HMO licensing scheme

- 5.1 In April 2024, the HMO licensing scheme changed to a risk-based system so that the duration of a new or renewal HMO licence is determined by the landlord's level of compliance, the condition of the property, and the risks posed by the HMO to its occupants and neighbours.

- Landlords who provide well-managed, safe accommodation, to a good standard, will receive a 5-year licence.
- Properties calculated as being medium risk by virtue of confidence in management and the level of property defects found during inspection will receive a 3-year licence.
- Properties calculated as being of high risk will only receive a 1-year licence.

5.2 The purpose of the changes to the mandatory scheme is to drive up standards by rewarding compliant landlords with the maximum licence period while those less compliant landlords of HMOs of a poorer standard that take more Council resource (for example by needing to be inspected more frequently), will be granted a shorter licence meaning they pay more.

6.0 Additional HMO Licensing

- 6.1 Another option (other than Article 4) is to increase the scope of HMOs that would need to be licensed by way of setting up an additional licensing scheme. This would require all HMOs of 3 or more occupants within certain or all areas of the Borough to have a licence from the Council to operate. There however needs to be a strong evidence-based reasoning for invoking the Scheme and it is necessary to demonstrate that other strategies to address the problems have been implemented. The current data we have is not sufficient to warrant making such an application.
- 6.2 Currently no other Surrey authorities have either an additional licensing scheme or an Article 4 direction in place for HMOs, and this includes Runnymede and Guildford who as university boroughs would be expected to have a significantly greater HMO population.

7.0 Consultations

- 7.1 The following officers have been consulted on the consideration of whether an Article 4 direction should be made in respect of HMOs.

Strategic Lead • Housing Options

- 7.2 At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. HMOs do fulfil a vital role in providing affordable accommodation for individuals and they are an essential part of the housing stock.
- 7.3 The housing benefit system is complex and most people under the age of 35 who do not live with a partner or children, will usually only be able to claim for a single room in a shared house. This is called the Local Housing Allowance shared accommodation rate (SAR), unless they fall in some exceptional categories, such as they are a care leaver, they have previously lived in a homeless hostel for at least 3 months, receiving the care component of Disability Living Allowance or Personal Independence Payment, are victims of domestic abuse or modern slavery, and a few other exceptions.

- 7.4 SAR limits the amount of housing support available through the benefits system for most single private renters under the age of 35. The SAR was introduced in 1996 and originally limited the Housing Benefit a single person under the age of 25 could receive to the average rent level for a room in a shared house. As part of the October 2010 Spending Review the Government announced the SAR's extension to cover single claimants up to age 35 from April 2012. This change was brought forward to 1 January 2012.
- 7.5 Universal Credit has been replacing Housing Benefit for working-age households since 2013 and retains the SAR in calculations of housing support.
- 7.6 In 2017, the Government abandoned plans to use Local Housing Allowance (LHA) to calculate rental support in the social rented sector, so the SAR does not apply to people aged 35 and under renting from a local authority or registered housing association.
- 7.7 The SAR has been controversial since its introduction. Prior to its extension to the under-35s, draft regulations, an Impact Assessment and an Equality Impact Assessment were published and referred to the Social Security Advisory Committee (SSAC) for consultation. The Impact Assessment said around 20% of the 1-bedroom LHA caseload (at March 2010) would receive, on average, £41 per week less benefit than under the previous rules.
- 7.8 The extension to under 35s was expected to affect around 63,000 people. Since its introduction, commentators and campaigning organisations have continued to point to shortages of shared rooms available to young benefit claimants, and shortfalls between benefit levels and rent.
- 7.9 Organisations such as Crisis have been calling for Government to invest in Housing Benefit "so that covers the true cost of rents".
- 7.10 Due to the financial pressure, HMOs are in high demand and remain the only affordable options on privately rented market to those on housing benefit under the age of 35. However, the cost of rooms in HMO accommodation is also unaffordable for many. Whilst Spelthorne does not have enough of HMOs to meet the demand, at the same time many people do not want to share due to the poor quality of HMOs, even if they can't afford to cover the rent, despite support given by Rentstart. Nevertheless, the Strategic Lead, Housing Options advises that whilst HMOs are not the first choice for those looking for housing, given there is a lack of housing options and given we are experiencing a housing crisis, Housing Options would definitely not want to lose HMOs as an option. HMOs are helpful and numerous placements are made with the help of our Rentstart colleagues every month.

Neighbourhood Services

- 7.11 The Environmental Health service works together with Neighbourhood Services (NS) to improve waste management and collection from HMOs. HMOs are treated as a single dwelling for waste provision purposes and are provided with 1 x 240 litre rubbish bin and 1 x 240 litre recycling bin, both collected fortnightly and 1 x curbside food waste bin, collected weekly. However, where the provision is insufficient, NS has been working with Spelthorne Direct Services (SDS) to provide additional provision. SDS is able to offer HMOs a commercial waste collection service that can operate alongside the Council. The service can include a general waste and/or a dry mixed recycling service, generally on a weekly or fortnightly basis and can supply a range of bins from 240ltrs to 1100ltrs. In most cases NS pass the details of SDS onto the Landlord, although, in some cases the Landlord requests that NS pass their details and SDS makes direct contact. This service is currently used by around a dozen HMOs.

Community Safety Manager

- 7.12 Spelthorne Borough Council's Community Safety Team does manage a range of complaints regarding HMOs. While it is true that the complaints are not disproportionately high in relation to other complaints of anti-social behaviour, the nature of the complaints can often be complicated, particularly in HMOs where there is a short-term occupancy and a high turnover of tenants. It has been found that many of the total complaints in relation to HMOs relate to a small number of venues. Persistent re-offending is common in cases such as these. The Community Safety Team manages anti-social behaviour in partnership with other statutory partners under the Crime & Disorder Act 1998. When managed by the police, the full range of criminal law can be utilised. Often, cases are managed by the Community Safety Team by either warning or prosecuting offenders under S.43 Anti-Social Behaviour, Crime & Policing Act 2014. This allows authorised officers to issue a 'Warning Notice' to rectify behaviour that is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality. Failure to comply with the warning will lead to the issue of a Community Protection Notice that places conditions on the suspected party. If these conditions are not met, the Community Safety Team will prosecute. This method has been used on both landlords and tenants alike and is generally successful.
- 7.13 What has been noticed, however, is the lack of responsibility of some landlords when managing anti-social behaviour within their own HMO. It is clear in some cases that the landlord feels that they can solely rely on public services without the need to take remedial action in the first instance. This attitude often leads to an increase in anti-social behaviour as can be evidenced in some local cases. It has been found that some landlords appear to extricate themselves from such responsibilities. Good examples of landlord management include ASB clauses within tenancy agreements, posted acceptable conduct notices and expedient action to tackle ASB.

Consultation on the Article 4 Direction already made

- 7.14 In accordance with statutory procedures, consultation was undertaken following the making of the Article 4 Direction on 21 August 2024 for the wards of Stanwell North, Ashford North and Stanwell South and Staines. A total of five letters of representation have been received to the consultation process, four letters of support and 1 of objection. These letters are attached **Appendix 1** to this report with personal details redacted.
- 7.15 The main issues raised in the letters of support for the creation of an Article 4 Direction are summarised as
- HMOs generate more cars parking on green verges/attracts commercial vehicles
 - HMO landlords have little regard to local residents
 - HMO properties are in very poor conditions
 - Litter problems
 - HMOs occupied by shift workers coming and going day and night
 - Adverse impact on services
 - Article 4 should be in all parts of the borough
 - Article 4 should be made before the issues arise (officer comment: the NPPF states that Article 4 Directions should be based on robust evidence and apply to the smallest geographical area possible).
 - Adverse impact on the neighbourhood/building sites.
 - Residents feel intimidated
- 7.16 The main issues raised in the letters of objection to the creation of an Article 4 Direction are summarised as:
- Serving of an Article 4 is devastating to landlords who strive to provide high quality accommodation to professionals working within the Spelthorne and surrounding areas.
 - Provide high quality accommodation which is affordable
 - Private and small landlords are crucial to local economy and investment / Article 4 approach would have devastating effect on local economy and residents
 - [Most landlords and neighbours have never had an issue over years](#)
 - HMOs help to address the needs of those on low incomes that cannot afford to buy or rent an entire flat or property to which HMO provides a perfect solution
- 7.17 Members of the Planning Committee are required, having regard to the comments above, to make a decision on whether or not to confirm the Article 4 Direction made in August 2024 in respect of Ashford North and Stanwell South, Stanwell North and Staines wards.

8.0 Options for Article 4 Direction

A Article 4 Direction Made in August 2024

- 8.1 To confirm the existing Article 4 Direction in respect of Ashford North & Stanwell South, Staines and Stanwell North having taken into account the representations received; or

To not confirm the existing Article 4 Direction.

B Options for Article 4 Direction for Remaining 10 wards

- 8.2 There are four alternative options in relation to a further Article 4 Direction which are set out below for consideration with commentary as to their appropriateness.

(i) That the Council introduces an Article 4 Direction across the whole Borough (ten additional wards)

Commentary

- 8.3 Such an approach would need to be justified by evidence. The evidence over the past five years (table 6) show that some wards (three in total) have received no planning complaints or investigations of HMOs which are permitted development (i.e. 3-6 occupants) whilst four others only received 2-3 complaints and the remainder have just 4-7 investigations. It is considered that given the low number of complaints received on HMOs which were permitted development, the evidence available to the Council is insufficient at this stage to justify the introduction of a borough wide Article 4 Direction, the effect of which will be for planning permission to be required for a change of use from C3 to C4 from the date at which the Article 4 Direction comes into effect.
- 8.4 The introduction of an Article 4 Direction could indirectly result in a reduction in the supply of HMOs which in turn might impact on the groups who typically occupy this type of low-cost accommodation. Local authorities will still be required to plan to meet the housing needs of those groups and this duty has recently increased following the Homelessness Reduction Act 2017 which came into effect in April 2018. Given the very low level of complaints received not requiring planning permission (which would be covered by an Article 4 Direction) as a proportion of the number of households (as shown in Tables 5 and 6, it remains officers' opinion that there is insufficient evidence to serve an Article 4 Direction. On this basis, imposing a blanket Article 4 Direction across the whole Borough would be unnecessary and excessive. Such action risks being challenged through the courts. It should also be noted that there would be a compensation liability if an Article 4 Direction is introduced without 12 months' notice.

This option is not recommended.

- (ii) **That the Council introduces an Article 4 Direction across the ward of Ashford Town (the ward with the highest number of complaints and applications) withdrawing the permitted development right to convert a dwellinghouse (C3) to a House in Multiple Occupation (C4) coming into effect after 1 year of its introduction.**

Commentary

- 8.5 Such an approach would need to be justified by evidence. Planning enforcement undertook 7 investigations into HMO use over the past five years where planning permission was not required and hence there were no planning controls. This equates to an average of 0.047 complaints/investigations per year for this ward. It is considered that given the low number of complaints received on HMOs which were permitted development, the evidence available to the Council is insufficient at this stage to justify the introduction of an Article 4 Direction which will require planning permission for a change of use from C3 to C4 from the date at which the Article 4 Direction comes into effect.
- 8.6 Given the very low level of complaints received not requiring planning permission (which would be covered by an Article 4 Direction) as a proportion of the number of households (as shown in Table 5), a total of 0.025 complaints per household across the whole Borough, it remains officers' opinion that there is insufficient evidence to serve an Article 4 Direction. It is not considered that a non-imminent Article 4 Direction can be justified at present. It should also be noted that there would not be a compensation liability if an Article 4 Direction comes into effect is introduced without 12 months' notice. The comments above about concern this could indirectly result in a reduction in the supply of HMOs also applies.

Given the available data, this option is not recommended at this stage

- (iii) **That the Council introduces an Article 4 Direction across the ward of Ashford Town (the additional ward with the highest number of complaints and applications) withdrawing the permitted development rights to convert a dwellinghouse (C3) to a House in Multiple Occupation (C4) with immediate effect.**

Commentary

- 8.7 There would be a compensation liability if an Article 4 Direction is introduced without 12 months' notice. The right to compensation arises if an application is made for planning permission for development formerly permitted by the General Permitted Development Order and this application is refused or granted subject to conditions. Compensation can be claimed:- (a) for abortive expenditure (such as expenditure incurred in the preparation of plans); and, (b) for depreciation of land value where the loss is directly attributable to the removal of permitted development rights – this would include loss of future profit; (Exeter City Council found that there would be a premium added to the value of a HMO property compared to a dwelling and the council could be faced with significant compensation liabilities). Furthermore, such an approach would need to be justified by evidence which is presently insufficient (see above under (ii)). The

comments above about concern this could indirectly result in a reduction in the supply of HMOs also applies.

This option is not recommended.

(iv) To continue to monitor HMOs and to review if the position changes within two years (December 2026)

Commentary

- 8.8 It is considered that evidence available to the Council is insufficient at this stage to justify the introduction of an Article 4 Direction and it is recommended that if the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the Planning Committee by December 2026.

This option is recommended.

- 8.9 HMOs provide a useful form of housing tenure. At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. The cost of living in an HMO is cheaper than self-contained accommodation, which is beyond the affordability of many residents. HMOs do fulfil a vital role in providing affordable accommodation for individuals and they are an essential part of the housing stock. The introduction of an Article 4 Direction could indirectly result in a reduction in the supply of HMOs which in turn might impact on the groups who typically occupy this type of low-cost accommodation. Local authorities will still be required to plan to meet the housing needs of those groups and this duty has increased following the Homelessness Reduction Act 2017 which came into effect in April 2018.
- 8.10 The Council already has existing powers to control some of the perceived negative effects of HMOs. This is in accordance with The Council's Corporate Plan which identifies under 'Addressing Housing Need' three actions for 2024/2025, one of which is to "work proactively with landlords and private housing providers of Homes of Multiple Occupation and temporary B&B accommodation to tackle poor conditions and anti-social behaviour". For example, Environmental Health has powers in the licencing process to control the number of occupants, ensure satisfactory conditions and amenities for the occupants, and to ensure that anti-social behaviour is properly managed by the licence holder. Additionally, they can also take action through other legislative powers in relation to noise, accumulations of rubbish and pests. Community Safety also have powers to control ASB from occupants. The Police and the Highway authority have powers to control dangerous or illegally parked vehicles and vehicles causing damage to highway verges and crime. Neighbourhood Services has powers to serve notices in relation to poor waste management.

- 8.11 The Police and the Highway authority have powers to control dangerous or illegally parked vehicles and vehicles causing damage to highway verges and crime. Neighbourhood Services has powers to serve notices in relation to poor waste management.
- 8.12 The introduction of an Article 4 Direction would need to be justified by evidence. Given the very low level of complaints received not requiring planning permission (which would be covered by an Article 4 Direction) as a proportion of the number of households, it is considered that there is insufficient evidence at this stage to justify the making of an Article 4 Direction. However, If the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the Planning Committee by December 2026.

9. Financial Management Comments

- 9.1 An introduction of an Article 4 Direction with immediate effect would have financial implications associated with the (a) for abortive expenditure (such as expenditure incurred in the preparation of plans); and, (b) for depreciation of land value where the loss is directly attributable to the removal of permitted development rights – this would include loss of future profit.
- 9.2 The work associated with the introduction of an Article 4 Direction include making the order, consulting and referring the order back to Committee to confirm. This involves mainly resources from Planning Development Management (PDM) and Legal Services.
- 9.3 There will also be additional resource implications for PDM associated with an increase in planning applications if an Article 4 Direction was confirmed for small HMOs (for 3 – 6 occupants which currently do not need planning permission). It is not known how many additional planning applications will be received as a result of serving a borough wide HMO. Table 7 above shows the number of potential HMOs that have come to the attention of Environmental Health (EH) through complaints and enquiries. This totals 70 for the past year. However, an HMO licence through EH is only needed for 5+ occupants whereas an Article 4 HMO would require any HMO with 3 – 6 occupants to submit an application.
- 9.4 There would be further resource implications for PDM enforcement officers. The number of complaints / investigations relating to a property being occupied by three or more tenants from different households with shared facilities across the borough, which has a total of 41,805 households (2021 census), is potentially enormous. The planning enforcement officers (of which there are three 3(fte) are already stretched by dealing with close to 400 complaints a year, some of which are very complex cases.

10. Risk Management comments

- 10.1 There are risk management considerations associated with an Article 4 Direction including financial risks and possible judicial review proceeding (see legal comments below).

11. Procurement Comments

- 11.1 There are no procurement issues.

12. Legal Comments

- 12.1 The decision of the LPA to make an Article 4 Direction can be subject to judicial review proceedings. If the proceedings are successful, the Article 4 Direction could be quashed.
- 12.2 Judicial review is the procedure by which the courts examine the decisions of public bodies to ensure that they act lawfully and fairly. On the application of a party with sufficient interest in the case, the court conducts a review of the process by which a public body has reached a decision to assess whether it was validly made.

- 12.3 A claim for judicial review can be made on the following grounds:

12.3.1 Illegality

Illegality arises when a decision-maker:

- Misdirects itself in law.
- Exercises a power wrongly.
- Acts ultra vires, in purporting to exercise a power that it does not have.

12.3.2 Irrationality

A decision may be challenged as irrational, if:

- It is outside the range of reasonable responses of a public authority (this is sometimes phrased as being "so unreasonable that no reasonable authority could ever have come to it", using the standard of Wednesbury unreasonableness). The courts are very reluctant to find that a decision was irrational, particularly where the decision-maker is an expert.
- The decision-maker took into account irrelevant matters or failed to consider relevant matters.

12.3.3 Procedural unfairness

This ground arises, if the decision-maker has not properly observed:

- The relevant statutory procedures, such as a failure to consult or to give reasons.
- The principles of natural justice in the decision-making process (for example, if the decision-maker has shown bias or has failed to hear an affected party).

12.3.4 Legitimate expectation

A public body may, by its own statements or conduct, be required to act in a certain way, where there is a legitimate expectation as to the way in which it will act.

- 12.4 Accordingly, to make sure that the Council is not exposed to any possible judicial review challenges it is critical that a decision on making an Article 4 Direction not only complies with any legal requirements but is also based on strong and robust evidence so that the authority is able to defend and justify making such decision.

13. Other Considerations

- 13.1 There are no other considerations.

14. Equality and Diversity

- 14.1 The Public Sector Equality Duty was created by the Equality Act 2010 in order to harmonise the previous race, disability and gender equality duties and to extend protection to the protected characteristics of age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. In summary, the Council must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

- 14.2 Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

- 14.3 The Council's Corporate Plan and Equality Diversity and Inclusion Statement of Intent provide an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.

15. Sustainability/Climate Change Implications

- 15.1 There are no sustainability/climate change issues.

16. Timetable for implementation

16.1 It is recommended that:

- the contents of this report are noted and to agree.
- to continue to monitor the number of investigations relating to HMOs which are permitted development in the ten remaining wards and to bring back a further report to the Planning Committee by December 2026
- to consider whether to confirm the Article 4 Direction made on 21 August 2024 in respect of Staines, Ashford North and Stanwell South, and Stanwell North wards having regard to the representations made.

17. Contact

17.1 For any queries regarding the Planning Enforcement aspect of HMOs, please contact Richard Jones, Planning Enforcement Team Leader on r.jones@spelthorne.gov.uk

17.2 For Planning matters, please contact Esmé Spinks, Planning Development Manager on e.spinks@spelthorne.gov.uk

17.3 For queries relating to Environmental Health, please contact Fidelma Bahoshy, Joint Senior Environmental Health Manager or Susan Turp, Principal Environmental Health Officer on s.turp@spelthorne.gov.uk
f.bahoshy@spelthorne.gov.uk

Appendices:

Appendix 1 –CP&R Committee Report, April 2024 plus appendices

Appendix 2 – Ward Map of investigations of HMOs which did not require planning permission 2023 – 2024

Appendix 3 – Table of HMO planning applications determined 2023 - 2024

Appendix 4 - Planning Applications approved by ward 2023 - 2024

Appendix 5 - Planning Applications refused by ward 2023 – 2024

Appendix 6 - Ward Map of investigations of HMOs which did not require planning permission 2019 – 2024

Appendix 7 – Maps showing distribution of licensed HMOs by ward*

**based on data collected on licensed HMOs in Nov 2024*

Major Applications

This report is for information only.

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

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

App no	Site	Proposal	Applicant	Case Officer(s)
23/00680/OUT	Land To the East of Desford Way Ashford	Outline Planning Permission with all matters reserved except for access for a site to accommodate Travelling Show people (Sui Generis).	Ashford Corporation Ltd	Paul Tomson / Kelly Walker
24/01452/OUT	Bugle Nurseries Upper Halliford Road Shepperton TW17 8SN	Outline application with approval sought for scale, access and layout, with details of appearance and landscaping reserved, for the demolition of existing buildings and structures and the redevelopment of the site for up to 80 residential units and the provision of open space and a play area, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.	Angle Property (RLP Shepperton) LLP	Paul Tomson/Kelly Walker

25/00642/RVC	Spelthorne Leisure Centre Knowle Green Staines-upon-Thames TW18 1AJ	Variation to condition 2 (revised plans) and condition 16 (car parking management plan) imposed upon planning permission 20/01486/FUL for the construction of a new leisure centre, to allow revised parking arrangements and associated works to the car park.	Lichfields on behalf of Spelthorne Council	Vanya Popova
25/01226/FUL	Highway Land Along Poyle Road, Horton Road, Stanwell Moor Road, Stanwell New Road, London Road, Staines By-Pass, Kingston Road And Other Land Between National Grid Laleham Substation, Kingston Road, Ashford And Manor Farm, Poyle Rd, Slough.	Installation of underground and ground mounted structures to support electrical connection and communication cables with temporary construction compounds, and associated infrastructure and works in association with proposed Data Centre and Battery Energy Storage System at Manor Farm, Poyle Rd, Colnbrook, Slough SL3 0BL	Juniper Energy Limited	Matthew Clapham
25/01244/RVC	Eden Grove 17-51 London Road Staines-Upon-Thames TW18 4EX	Variation to conditions 3 (Parking Phasing Plan) and condition 21 (to reduce the use of 86 car parking spaces within the adjacent multi-storey car park to 27) imposed upon planning permission 22/00766/RVC (which sought the variation of Condition 2 (approved plans) imposed upon planning permission 19/01051/FUL, and the condition imposed upon planning application 19/01051/AMD5, for the erection of two buildings and flexible commercial space at ground and first floors, with landscaping and associated works, to be delivered as an extension to the wider redevelopment of 17-51 London Road, to allow for alterations to the layout of Block F, including a reduction in flexible commercial space, and the addition of 3 residential units, resulting in a total of	Berkeley Homes (West London) Ltd	Matthew Churchill

		176 units across Block E and F, a reduction in the height of Block E and an increase in the parapet height of Block F).		
25/01245/RVC	Eden Grove 17-51 London Road Staines-Upon-Thames TW18 4EX	Variations to conditions 3 (Parking Phasing Plan) and condition 20 (to reduce the 86 car parking spaces within the adjacent multi-storey car park to 27) relating to planning application 23/00273/RVC (which sought the Variation of Condition 1 (Approved Plans), imposed upon planning permission 22/00765/RVC (which sought the variation of Condition 2 imposed upon planning permission 19/00290/FUL for residential homes and flexible commercial space at ground and first floors, car parking, pedestrian and vehicle access, landscaping and associated works and the Condition imposed in 19/00290/AMD4), to allow for alterations to the unit mix in Blocks C and D together with associated elevation and internal alterations and to the PV panels on Block C and D)	Berkeley Homes (West London) Ltd	Matthew Churchill

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

Simon Rowbery
Interim Planning Development Manager
08/12/2025

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PLANNING GLOSSARY OF TERMS AND ABBREVIATIONS

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

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

PAP	Prior Approval application
PCN	Planning Contravention Notice. Formal notice, which requires information to be provided in connection with an enforcement investigation. It does not in itself constitute enforcement action
PD	Permitted development – works which can be undertaken without the need to submit a planning application
PDDC	Permitted Development New Dwelling in commercial or mixed use
PDDD	Permitted Development prior approval new dwelling on detached buildings
PDDN	Permitted Development prior approval demolish and construct new dwellings
PDDS	Permitted Development prior approval enlarge dwelling by additional storeys
PDDT	Permitted Development prior approval new dwelling on terraced buildings
PDH	Permitted Development Householder prior approval
PDNF	Permitted Development prior approval new dwellings on flats
PDO	Permitted Development prior approval conversion of office to residential.
PINS	Planning Inspectorate responsible for determining planning appeals on behalf of the Secretary of State
PIP	Permission in Principle application
POCA	Proceeds of Crime Act. Used by LPAs to obtain confiscation orders against those committing offences under the Town and County Planning Act 1990 following successful conviction
PPG	National Planning Practice Guidance. This is guidance issued by the Secretary of State detailing national planning practice and guidance within existing legislation. It is also known as NPPG <i>National</i> Planning Practice Guidance
Ramsar Site	A wetland of international importance
RIPA	Regulation of Investigatory Powers Act. Provides limitation on covert surveillance relating to enforcement investigation
RMA	Reserved Matters application – this follows on from an outline planning permission and deals with some or all of the outstanding details of the outline application including: appearance, means of access, landscaping, layout and scale

RVC	Removal or Variation of Condition on a planning permission
SAC	Special Area of Conservation – an SSSI additionally designated as a Special Area of Conservation under the European Community’s Habitats Directive 1992 in order to maintain or restore priority natural habitats and wild species
SCAMD	Surrey County Council amended application (minor changes following planning permission)
SCC	Surrey County Council planning application
SCI	Statement of Community Involvement. The document and policies that indicate how the community will be engaged in the preparation of the new Local Plan and in the determination of planning applications
Section 106 Agreement	A legal agreement for the provision of facilities and/or infrastructure either directly by a developer or through a financial contribution, to meet the needs arising out of a development. Can also prevent certain matters
SLAA	Strategic Land Availability Assessment
SNCI	Site of Nature Conservation Importance. A non-statutory designated area of county or regional wildlife value
SPA	Special Protection Area. An SSSI additionally designated a Special Protection Area under the European Community’s Directive on the Conservation of Wild Birds 1979. The largest influence on the Borough is the Thames Basin Heath SPA (often referred to as the TBH SPA)
SPD	Supplementary Planning Document – provides additional advice on policies in Local Development Framework (replaces SPG)
SSSI	Site of Special Scientific Interest is a formal conservation designation, usually due to the rare species of flora or fauna it contains
SuDS	Sustainable Urban Drainage Systems. Providing urban drainage systems in a more environmentally sensitive way by systems designed to reduce the quantity of run-off, slow its velocity or provide for filtering, sedimentation and biological degradation of the water
Sustainable Development	Sustainable development is the core principle underpinning planning. It is defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”
T56	Telecom application 56 days to determine

TA	Transport Assessment – assessment of the traffic and transportation implications of a development proposal
TCA	Trees in a conservation area – six weeks’ notice to the LPA is required for works to trees in a conservation area. This gives an opportunity for the LPA to consider whether a tree preservation order should be made to protect the trees
TPO	Tree Preservation Order – where a tree or trees are formally protected, and prior consent is needed for pruning or felling
TRICS	Computerised database and trip rate analysis used to estimate traffic flows to and from a variety of land uses, to assess transportation implications of new development in southern England
Further definitions can be found in Annex 2 of the NPPF	

Esmé Spinks 21/12/2023

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