



Please reply to:

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Date: 17 April 2026

Notice of meeting

Planning Committee

Date: Wednesday, 29 April 2026

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. Buck

T. Burrell

J.P. Caplin

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, S.C. Mooney and D. Saliagopoulos

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

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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

Agenda

Page nos.

1. **Apologies and Substitutions**

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

2. **Minutes**

5 - 8

To confirm the minutes of the meeting held on 4 March 2026 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 24/01452/OUT - Bugle Nurseries, Upper Halliford Road, Shepperton TW17 8SN**

9 - 58

Ward

Halliford and Sunbury West

Proposal

Outline application with approval sought for partial approval of access (highway access and primary estate road), with details of access (secondary estate roads), scale, layout, 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.

Recommendation

The application is recommended for approval subject to the conditions and Section 106 agreement set out in the report.

6. **Planning application 26/00017/FUL - 115 School Road, Ashford TW15 2AL**

59 - 76

Ward

Ashford East

Proposal

Change of use from a dwelling (Use Class C3) to a children's care home (Use Class C2).

Recommendation

Approve the application subject to conditions.

- | | | |
|------------|--|------------------|
| 7. | Planning Appeals Report | 77 - 90 |
| | To note details of the Planning appeals submitted and decisions received between 12 February 2026 – 15 April 2026. | |
| 8. | Major Planning Applications | 91 - 92 |
| | To note the details of future major planning applications. | |
| 9. | Exclusion of Public and Press | |
| | To move the exclusion of the Public & Press for the following item, in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government Act (Access to Information) Act 1985 and by the Local Government (Access to Information) (Variation) Order 2006 Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in any contract or other type of negotiation | |
| 10. | Planning application 22/00591/FUL - Renshaw Estate, Mill Mead, Staines-upon-Thames TW18 4UQ | 93 - 150 |
| | Committee is asked to consider matters related to the legal agreement. | |
| 11. | Glossary of Terms and Abbreviations | 151 - 156 |

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**Minutes of the Planning Committee
4 March 2026**

Present:

Councillor D.L. Geraci (Vice-Chair)

Councillors:

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

Substitutions: Councillors K.M. Grant

Apologies: Councillors M. Gibson and M. Buck

1/26 Minutes

The minutes of the meeting held on 09 December 2025 were approved as a correct record.

2/26 Disclosures of Interest Under the Member's Code of Conduct

There were none.

3/26 Declarations of interest under the Council's Planning Code

Councillors Bateson, Beatty, Burrell, Chandler, Clarke, Geraci, Howkins, Lee, Nichols, Rutherford and Woodward all declared that they had received an email from the objector to Application 26/00011/RVC but had not responded.

4/26 Planning application 25/00642/RVC - Spelthorne Leisure Centre, Knowle Green, Staines-upon-Thames TW18 1AJ

Description:

Variation to Condition 2 (revised plans), condition 7 (soft and hard landscape) and condition 18 (car parking management plan) imposed upon planning permission 20/01486/FUL for the construction of a new leisure centre, to allow revised parking arrangements, amended location of EV charging points and other associated works to the car park.

Additional Information:

There was none.

Public Speaking:

There were no public speakers for or against this application.

No Ward Councillor spoke on this application.

Councillor Chandler left the chamber at 19.27 and returned at 19:32. She was advised by the Chair that she would not be able to vote on this application when she returned as Standing Order 21.2 of the Council's Constitution stated that no member at a Regulatory Committee may vote unless they have been present for the entire consideration of the item under discussion.

Debate:

During the debate the following key issues were raised:

1. The proposed height of the new barrier could prevent emergency vehicles from accessing the Leisure Centre Car Park
2. Need to ensure that there are sufficient disabled parking spaces
3. There will be 2 dedicated EV charging bays for disabled drivers

The Committee agreed that officers would add an informative with regard to the barrier to ensure that either the height could be raised or the barrier fully opened to ensure that emergency vehicle would be able to access the car park if called out for an emergency.

Decision:

The application was approved, subject to the following informative being added to the decision notice:

14. The applicant must ensure that the height-restriction barrier at the car park entrance can be adjusted to permit emergency vehicle access when necessary.

**5/26 Planning application 26/00011/RVC - 35 Park Road, Ashford,
 TW15 1EX**

Description:

Removal of Condition 4 (restricting the use of the extended property to Use Class C3 only) attached to planning permission 25/01088/HOU.

Additional Information:

Public Speaking:

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

1. Property is not being developed as per the original planning application
2. Scale of works is overdevelopment for the area
3. Issues in respect of the party wall agreement
4. Building works being undertaken has damaged the speaker's boiler which had to be replaced
5. Working guidelines have not been followed
6. The Health and Safety Executive had to attend the property due to the way in which the works were being carried out
7. Bushes and trees that provided privacy have now been removed making lack of privacy worse
8. Condition 4 was put on application to safeguard the amenity of neighbouring properties
9. There is already a high concentration of HMOs within Ashford and surrounding areas so do not need another one

Debate:

During the debate the following key issues were raised:

1. Developer has already breached conditions
2. What enforcement action has been taken
3. Too many HMOs already in the Borough
4. Planning Enforcement Team have looked at the development and have notified the developer that the development not lawful
5. Officers' recommendation to refuse the application is correct
6. The Committee should not take the applicant into consideration when deciding whether to grant or refuse this application.

Decision:

The Committee **resolved** to refuse the application.

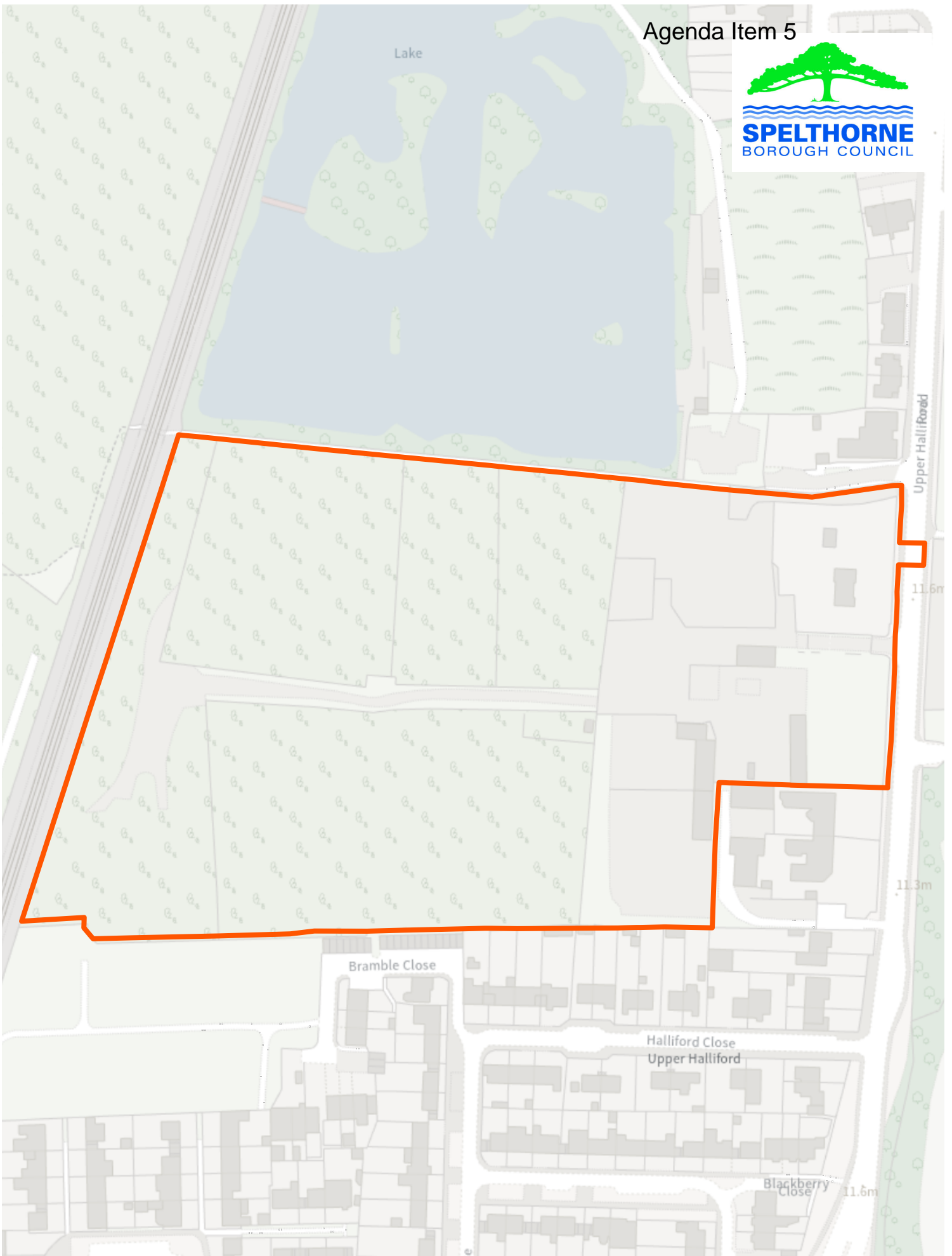
The Chairman informed the Committee that if any Member had any detailed queries regarding the report on Appeals lodged and decisions received since the last meeting, they should contact the Interim Planning Development Manager.

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

7/26 Major Planning Applications

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

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



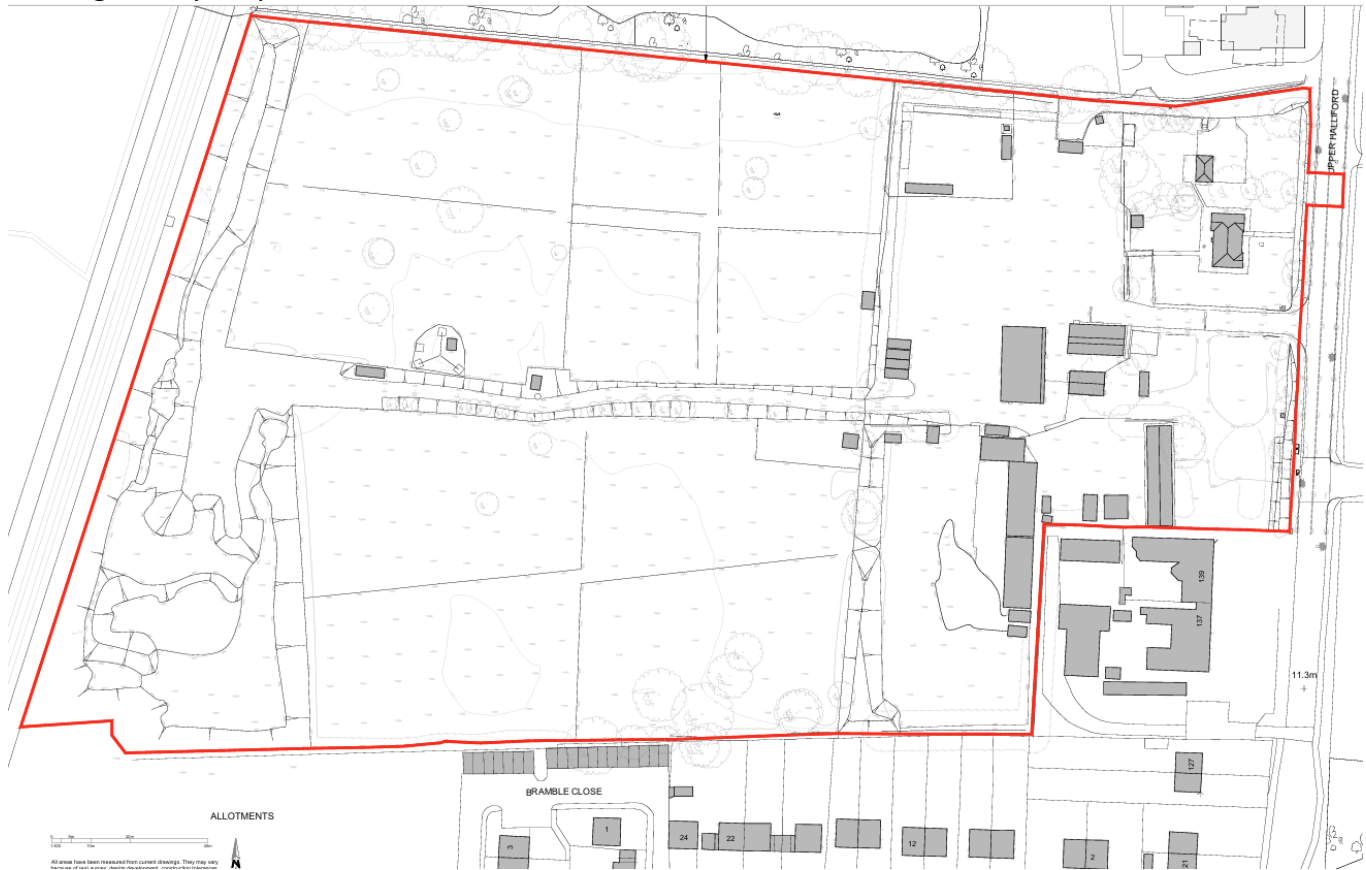
24/01452/OUT: Bugle Nurseries, Upper Halliford Road, Shepperton. TW17 8SN
Scale: 1:1,800

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Existing site layout plan



Proposed development zone height parameter plan



Proposed site access/Egress Parameter plan



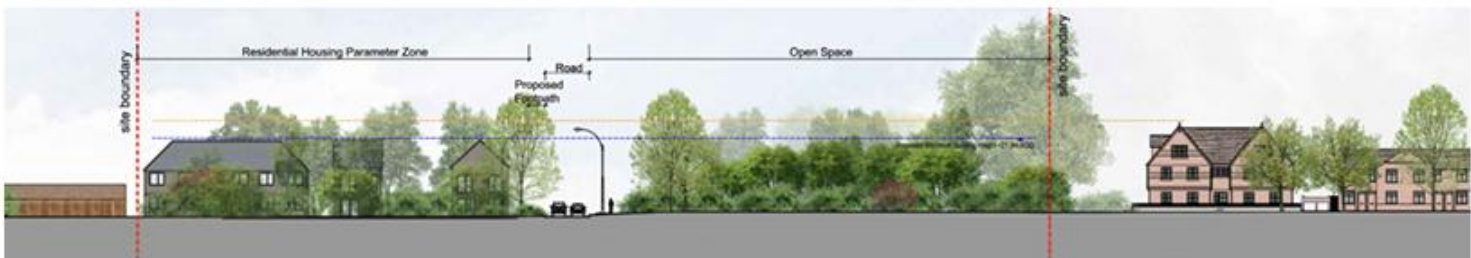
Proposed land use parameter plan



Indicative proposed elevations
Indicative elevation within the site

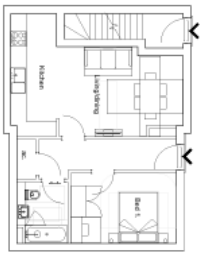
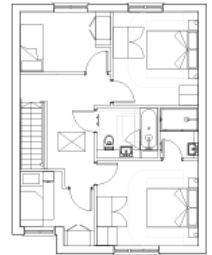
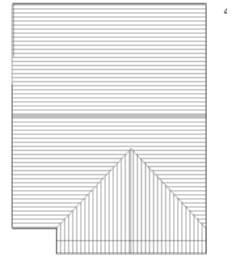
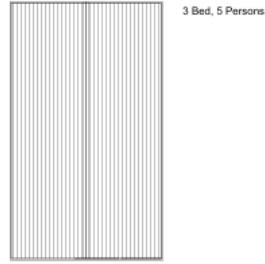
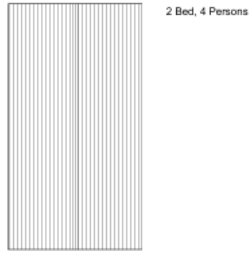


Indicative Street scene elevation



2 Proposed Section BB
1:500

Indicative proposed floor plans



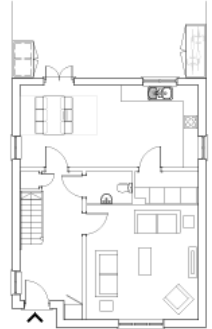
1 Indicative 1 Bed Maisonette Layout
1:100



2 Indicative 2 Bed House Layout
1:100



3 Indicative 3 Bed House Layout
1:100



4 Indicative 4 Bed House Layout
1:100

Planning Committee

29 April 2026



Application No.	24/01452/OUT		
Site Address	Bugle Nurseries Upper Halliford Road, Shepperton, TW17 8SN		
Applicant	Mr Good on behalf of Angle Property (RLP Shepperton) LLP		
Proposal	Outline application with approval sought for partial approval of access (highway access and primary estate road), with details of access (secondary estate roads), scale, layout, 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.		
Officer	Paul Tomson/ Kelly Walker		
Ward	Halliford and Sunbury West		
Call in details	N/A		
Application Dates	Valid: 06.12.2024	Expiry: 07.03.2025	Target: Extension of Time agreed 01/05/2026
Executive Summary	<p>This application is for Outline consent for the redevelopment of the site for a residential development comprising up to 80 dwellings, provision of open space, and other associated works. The housing would consist of 18 no. 1 bed flats, 17 no. 2 bed units (6 flats and 11 houses), 34 no. 3 bed houses and 11 no. 4 bed houses, of which 50% will be affordable. The site is an Allocation in the newly adopted Spelthorne Local Plan. The part of the site subject to development for housing has been removed from the Green Belt. Given the Outline nature of the application, only part 'access' is under consideration. Parameter plans have been submitted showing these details. Although access is a reserved matter, the applicant has submitted details showing part of the access, onto the site itself, and the main roadway into the site to be under consideration at this Outline stage. Whereas the other internal access roads within the site will be assessed at the Reserved Matters stage.</p> <p>Matters reserved for a further planning application are access (part), scale, layout, appearance and landscaping. However, indicative plans have been submitted to show how the site could potentially be laid out and designed.</p> <p>The Council has received a number of planning applications for residential development on the site over the last few years Most of these</p>		

	<p>were refused on Green Belt grounds. Since then, the southern half of the site has been removed from the Green Belt in the new Local Plan.</p> <p>The current proposal is considered to be acceptable in principle given it has been identified as an Allocation for housing in the Local Plan. It will contribute to the Council's five year housing land supply and provide much needed housing, including affordable housing. The scheme will have an appropriate mix of units. It is considered to be acceptable on flooding grounds and ecology and will accord with the Biodiversity Net Gain (BNG) requirement. Highway matters, contaminated land, air quality and archaeology issues are considered to be acceptable. Furthermore, the layout of the proposed open space in the northern and western part of the site is also considered acceptable.</p> <p>The scale which restricts the height of the development to 8.7m, which is 2 storey, is acceptable. The access into the site and the main access road, which are under consideration at this stage, are also considered acceptable.</p> <p>The indicative plans, which show how the site could potentially be developed shows that the scheme could be acceptable in relation to design and appearance, impact on the amenity of neighbouring properties, amenity of future occupants and landscaping. However, the final design would be subject to a further application at the Reserved Matters stage.</p> <p>As such, this Outline scheme is considered acceptable in relation to part 'access', subject to a completed Section 106 legal agreement to secure open space provision, affordable housing and a monetary contribution toward Police infrastructure in the area.</p>
<p>Recommended Decision</p>	<p>The application is recommended for approval subject to the conditions and Section 106 agreement set out in Section 9 below.</p>

1. Local Plan

1.1 The following policies in the Council's Local Plan (March 2026) are considered relevant to this proposal: -

- ST1: Presumption in Favour of Sustainable Development
- ST2: Planning for the Borough
- PS1: Responding to the Climate Emergency
- PS2: Designing Places and Spaces
- PS3: Heritage, Conservation and Landscape
- SP4: Green Belt
- H1: Homes for All
- H2: Affordable Housing
- E1: Green and Blue Infrastructure
- E2: Biodiversity
- E3: Managing Flood Risk
- E4 Environmental Protection
- E5: Open Space and Recreation
- ID1: Infrastructure and Delivery
- ID2: Sustainable Transport for New Developments

1.2 The National Planning Policy Framework (NPPF) December 2024 is also relevant.

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

- Spelthorne Design Code

2. Relevant Planning History

Reference	Description	Date/decision
C/80/702	Residential development at a density of 19.35 units per acres (47.82 units per hectare).	Refused 14.01.1981 Appeal Dismissed 16.12.1981

01/00816/FUL	Demolition of existing bungalow and erection of detached bungalow	Approved 15.12.2001
11/00101/CLD	Certificate of lawfulness for the retention of site buildings and hardstanding, together with the commercial uses of the land and buildings comprising a mix of parking and storage of motor vehicles, vehicle bodies and containers, industrial/workshop purposes with ancillary storage, general storage purposes, offices with ancillary storage, and use of hardstanding for access and parking.	Refused 01.10.2013
12/01060/SCC	Surrey County Council consultation for a certificate of lawfulness to use 0.91 hectares of land at Bugle Nurseries for importation, deposit and sorting of waste materials comprising soil, hardcore, concrete and timber together with the export of such processed materials.	No objection 18.09.2012
15/01528/FUL	Alterations to existing access onto Upper Halliford Road.	Refused 21.01.2016 Appeal Dismissed 06.01.2017
16/00320/FUL	Proposed six month temporary planning application extension for the retention of a 30m high mast with associated equipment	Approved 20.04.2016
16/01982/FUL	Temporary permission for the retention of a 30m high mast with associated equipment	Approved 09.02.2017
18/00591/OUT	Outline application with all matters reserved other than 'Access' for the demolition of existing buildings and structures and the redevelopment of the site for a residential led development including comprising up to 57 residential homes and a 72 bed care home plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes	Refused 30/07/2018
18/01561/OUT	Outline application with all matters reserved other than 'Access' for the demolition of the existing buildings and structures and the redevelopment of the site for a residential led development comprising up to 51 residential homes, a 72-bed care home and the provision of open space, plus associated works for	Withdrawn 05/02/2019

	landscaping, parking areas, pedestrian, cycle and vehicular routes	
19/01022/OUT	Outline application with all matters reserved other than 'Access' for the demolition of the existing buildings and structures and the redevelopment of the site for a residential led development comprising up to 43 residential homes, a 62-bed care home and the provision of open space, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes	Refused 13/11/2019 Appeal Dismissed 15/07/2021
20/00123/OUT	Outline planning application with all matters reserved other than 'Access' for the retention of existing dwelling and demolition of all other existing buildings and structures and the redevelopment of the site for up to 31 dwellings along with the provision of public open space and other associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.	Refused 13.11.2020 Appeal Allowed 15/07/2021
22/01615/OUT	Outline application with approval sought for scale, access and siting, with details of layout, appearance and landscaping reserved, for the demolition of existing buildings and structures, removal of waste transfer facility and the redevelopment of the site for up to 80 residential units and the provision of open space and a play area, plus associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes	Appeal against Non- determination Appeal Dismissed 18 December 2023

3.0 **Background**

- 3.1 With regard to planning application C/80/702, this proposal involved the creation of a new residential development on the whole of the Bugle Nurseries site, comprising 243 dwellings. The application was refused due to the impact on Green Belt, loss of agricultural land and a lack of evidence on housing need at the time.
- 3.2 With regard to planning application 15/01528/FUL for alterations to the existing access road onto Upper Halliford Road, this was refused on the grounds that the development would constitute inappropriate development in the Green Belt for which no very special circumstances had been demonstrated. The subsequent appeal was dismissed for this reason.

- 3.3 With regard to planning applications 19/01022/OUT and 20/00123/OUT these were both refused on Green Belt grounds
- 3.4 Both of these were appealed against. Application ref 19/01022/OUT, (Appeal A) for 43 residential homes and a 62-bed care home was dismissed. However, the smaller scheme ref 20/00123/OUT for 31 dwellings (Appeal B) was allowed. The Inspector considered that this smaller scheme would not constitute inappropriate development within the Green Belt and that it would fit into the exceptions test (Paragraph 145(g) of the NPPF which refers to limited infilling or the partial or complete redevelopment of previously developed land. The Inspector noted that *'The proposed development would contribute 31 dwellings towards the existing housing stock within the Borough, where there is no 5-year land supply. The proposal would also deliver a policy compliant level of affordable housing provision, along with other benefits in terms of the use of previously developed land and short-term economic benefits from the construction phase and longer-term economic impacts from the reliance of new residents on local facilities.'*
- 3.5 The allowed scheme was only for 31 units and the development was located only on the Previously Developed Land (PDL).
- 3.6 With regard to the most recent decision at the site, application 22/01615/OUT, for Outline consent 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, this was appealed against Non-Determination and was dismissed on Green Belt grounds and the lack of a flooding sequential test, in December 2023.
- 3.7 This current planning application for residential development, is the sixth planning application to be submitted over the last few years. The planning history above shows that three of these were appealed against following refusal, and the smaller scheme was allowed by the Planning Inspector. Also, as noted above, a scheme very similar to the current application was also dismissed at appeal on Green Belt and flooding grounds in December 2023. That scheme was an Outline proposal, as is the current application. However, 'scale, layout' and 'access were considered.

4.0 Description of current proposal

- 4.1 The application site comprises an area of land of 4.84 ha and is located to the west of Upper Halliford Road. The site comprises open fields with paddocks, a residential bungalow and its garden, old nursery structures and other buildings and hardstanding in commercial use, including parking and access roads. The application includes the land to the west up to the railway line. There is a large bund on the western boundary with the railway. The applicant has provided details to provide an open area accessible to the public. The submitted plans also show a pedestrian crossing on Upper Halliford Road.
- 4.2 Currently, the site consists of shrubs and trees lining Upper Halliford Road and the remains of old nursery buildings/poly-tunnels to the front of the site. There is an Oak tree in the north-eastern corner of the site which has a Tree Preservation Order on it and will not be affected by the proposed

development. There is an access road located centrally from Upper Halliford Road into the site and also one adjacent to northern boundary. There is a detached bungalow on its own large plot surrounded by a garden and outbuildings. Centrally within the application site are areas of hardstanding and a number of buildings (accessed via the road) which have been used as various commercial uses over recent years, with parking of many commercial vehicles. Further to the north is open grass land with paddocks and a number of trees both individual and in groups.

- 4.3 The site has been designated as Allocation HS1/009 in the newly adopted Spelthorne Local Plan for approximately 79 units with a mix of dwellinghouses and apartments on Part A (land towards the south and east) and provision of a publicly accessible open space on the remainder of the site (Part B). Part A of the site where the proposal housing is to be located, is no longer located within the Green Belt

Surrounding area

- 4.4 To the south on Upper Halliford Road are developments which are domestic in scale, with two storey semi-detached houses located along Halliford Close and No. 137 and 139 being bungalows. Immediately to the south east of the site are residential properties positioned at right angles within Halliford Close, whose rear gardens adjoin the application site. Further to the west, the garages of properties at Bramble Close and allotments adjoin the application site to the south. Directly to the north of the site is a public footpath and the site of the former Bugle Public House which has been rebuilt as a block of eight apartments. Further to the north are other dwellings fronting Upper Halliford Road, with open grass land behind and a large fishing lake to the north west of the site. Most of the existing dwellings are relatively small in scale, are mostly two storey and have gaps in the street scene between the built form providing views of the open land behind.
- 4.5 To the north-east, on the other side of Upper Halliford Road is Halliford Park, which comprises open grass land and mature trees. It also has a play area, and a car park.
- 4.6 There are many trees within the site, mostly close to the boundaries. The Council has previously issued a Tree Preservation Order on an Oak tree located in the north-eastern corner of the site.

Proposal

- 4.7 This Outline planning application is very similar to the most recent appeal scheme. However, the Local Plan has now been adopted and as such, the developable part of the site has been removed from the Green Belt and is designated as a housing Allocation. It is worth noting however that the southern part of the site proposed for redevelopment, does not strictly follow the line shown on the Allocation. There is a small portion to the west of the site that goes into the Green Belt land, but also a small portion to the north which will continue to be open and not developed which will be removed from the Green Belt. As such, it is considered that this is very much a like for like basis and has no implications for the Allocation itself. It broadly accords with the requirements of the Allocation.

- 4.8 The proposal is for the demolition of the existing buildings and structures and the redevelopment of the site for a residential development comprising up to 80 dwellings, provision of open space, and other associated works. Matters to be assessed at this stage have been amended since submission. This is now only 'access' (part), with scale,' layout, 'appearance' and 'landscaping' reserved and not being assessed at this stage (although there is a maximum height of 8.7m under assessment). Although the proposed description has been changed to this effect, the application has not been re advertised as it is not considered that It would prejudice neighbouring properties. It should be noted that although 'access' is a Reserved Matter, the applicant has submitted details showing part of the access, (that of the access and egress into the site and the main roadway within the site only) which is to be under consideration at this Outline stage. Whereas the other internal access roads within the site will be assessed at the Reserved Matters stage.

The following matters are for approval at outline stage:

- *Access (part – main access road only)*

The following matters would be determined as a reserved matter:

- *Access (part)*
- *Scale*
- *Layout*
- *Appearance*
- *Landscaping*

- 4.9 Three parameter plans showing the site access/egress, land use and development zone heights, have been submitted for assessment. In addition, indicative plans have been submitted showing details of the layout, design of the buildings, as well as the proposed parking provision and landscaping. These indicative plans are illustrative only and indicate one way in which the site could be developed.

- 4.10 The Town and Country Planning (Development Management Procedure) Order 2015 provides definition of "scale" "access", "layout", "appearance" and "landscaping" in relation to reserved matters associated with outline planning applications: -:

Access - '...the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network...'

Scale – '...except in the term 'identified scale', means the height, width and length of each building proposed within the development in relation to its surroundings...'

Layout- '...the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development...'

Appearance – '...the aspects of a building or place within the development which determine the visual impression the building or place makes, including

the external built form of the development, its architecture, materials, decoration, lighting, colour and texture...'

Landscaping – ‘... the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features..’

- 4.11 As noted above, parameter plans have been submitted to agree certain detail, with indicative plans used to inform the layout, design and landscaping (which are not currently under assessment). The submitted parameter plans, under assessment, show limited detail including the scale parameter plan which provides a maximum height of 8.7m, which is two storeys. The proposal includes 80 dwellings, providing 18 no. 1 bed flats, 17 no. 2 bed units (6 flats and 11 houses), 34 no. 3 bed houses and 11 no. 4 bed houses. There is also shown to be a small play area to the north of the proposed dwellings, in the open space, which will be accessible by residents of the proposed scheme and members of the public.
- 4.12 The indicative plans show that a total of 158 parking spaces will be provided. Parking layout is illustrative and to be provided mainly to the front and side of the buildings. The proposal also includes areas of landscaping, refuse and cycling parking facilities. Some of the existing trees on site appear to be removed/affected by the proposal.
- 4.13 The application also includes the land to the west up to the railway line and land to the north up to the public footpath. The proposal includes the removal of the existing bungalow fronting Upper Halliford Road along with indicative details of landscaping to provide an open area accessible to the public, keeping a link to existing Green Belt land to the west and east.
- 4.14 The proposed site layout is provided as an Appendix.

Residential

- 4.15 A total of 80 dwellings are shown to be provided, comprising 18 no. 1 bed flats, 17 no. 2 bed units (6 flats and 11 houses) 34 no. 3 bed houses and 11 no. 4 bed houses. The applicant is also proposing that 40 units will be affordable (30 affordable rent and 10 shared ownership). See table below: -

Unit Type	Market Housing (40 units)	Affordable Housing - affordable rent (30 units)	Affordable Housing - shared ownership (10 units)	Total
1 bed	7	10	1	18
2 bed	4	9	4	17

3 bed	21	9	4	34
4 bed	8	2	1	11
Total	40	30	10	80

5 Consultations

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

Consultee	Comment
County Highway Authority	No objection. Recommends conditions
Environment Agency	No comments
Group Head-Neighbourhood Services	No objection to Outline application but will need to be consulted at Reserved Matters stage.
Surrey County Council (Minerals and Waste)	No objection. Recommends conditions
Sustainability Officer	Raised concerns as the proposal currently no details have been submitted to show how the 10% renewable energy requirement will be met. (Officer note: as the application is an Outline this can be agreed at Reserved Matters stage)
Lead Local Flood Authority (Surrey County Council)	No objection subject to conditions.
County Archaeologist	No objection. Recommends a condition
Crime Prevention Officer	No comments received. However, no objection to the previous application
Countryside Access Officer (Surrey County Council)	No comments received. However, no objection to the previous application.
Natural England	No comments received. Also, no comments were received with the previous application.
Surrey Wildlife Trust	No objection subject to conditions

Network Rail	Objects based on the intensification of the use of the railway crossing as a result of the proposal. This was the same as with the previous appeal application however this was not a reason for refusal or a reason to dismiss the appeal.
Thames Water	No objection
Tree Officer	No objection
Surrey Police	No objection. Requests a monetary contribution of £52,682.72 towards police infrastructure in the area.
Surrey Fire and Rescue Service	No objection as meets Building Regulation requirements
National Grid	No comments received. Also, no comments were received with the previous application
Environmental Health (Contaminated land)	No objection subject to conditions
Environmental Health (Air Quality)	No objection subject to conditions

6. Public Consultation

- 6.1 A total of 78 properties were notified of the planning application. Furthermore, a statutory site notice was displayed, and the application was advertised in the local press. Letters of representation were received from 4 properties (including one from Shepperton Residents Association and one from SCAN, objecting to the application). One of these letters was in support of the application and 3 were objecting to the application.
- 6.2 Reasons for support include: -
- Will remove industrial eyesore and dumping
 - Provide badly needed local housing
 - Retains most of the existing green space with landscape enhancement
 - Currently no access to the green space.
 - Overall a good scheme that deserves support.
- 6.3 Reasons for objecting include: -
- Substantially larger than previously approved scheme
 - Strongly performing Green Belt preventing urban sprawl
 - More pressure on infrastructure such as doctors' surgeries
 - Flooding
 - Overdevelopment
 - Parking and traffic congestion access and egress
 - Lack of infrastructure
 - Too many houses support 54 but not 80
 - Density out of character

- No reference to needs of disabled people
- Substation should not be in open area, near park but in built up area.

7. Planning Issues

- Principle of the development
- Housing land supply
- Housing density
- Design and appearance
- Neighbouring residential amenity
- Amenity space provision
- Proposed dwelling sizes
- Highway issues
- Parking provision
- Affordable housing
- Flooding
- Climate change/Renewable energy
- Ecology
- Open space
- Dwelling mix
- Archaeology
- Impact on trees
- Contaminated land
- Air quality
- Crime and design

8. Planning Considerations

Background

- 8.1 The Spelthorne Local Plan has now been adopted. The spatial strategy is centred on efficient use of brownfield land in the urban area and a small amount of Green Belt release to meet specific needs of the community. The Bugle Nurseries site has been designated as an Allocation (HS1/009) for approximately 79 units along with the provision of a publicly accessible open space.
- 8,2 As noted previously, an application for a similar scheme was dismissed at appeal on Green Belt grounds. However, now that the Local Plan has been adopted, the Allocation has now removed the relevant part of the site from the Green Belt. Therefore, the development site is no longer in the Green Belt

Principle of the development

- 8.3 Policy ST1: Presumption in Favour of Sustainable Development notes that when determining development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It further notes that *'...planning applications that accord with the policies in this Local Plan...will be approved without delay, unless material considerations indicate otherwise.*

- 8.4 Policy H1: Homes for All, Housing Need states that ‘...*The Council will make provision for at least an additional 61826 homes per annum in Spelthorne Borough over the plan period.*’
- 8.5 The NPPF paragraph 117 emphasises the need for the effective use of land in meeting the need for homes, whilst safeguarding the environment. In addition, the site is an Allocation in the new Local Plan where the part to be developed has been removed from the Green Belt. The site is not at a high risk from flooding. Therefore, the principle of development for housing on the site is acceptable.

Housing land supply

- 8.6 The NPPF sets out the objective of significantly boosting the supply of housing, and Local Planning Authority (LPA) is required to provide a minimum of five year’s housing land supply (5YHLS). The Council adopted the Spelthorne Local Plan 2024–2039/40 on 17 March 2026, and the 5YHLS must now be measured against the housing requirement set out in the adopted Local Plan, in accordance with NPPF paragraph 78 and the Planning Practice Guidance (PPG, ID: 68 002 20241212).
- 8.7 The Council has assessed deliverable supply in accordance with the NPPF definition. The Council is therefore able to demonstrate a deliverable five-year housing land supply against the adopted Local Plan requirement. However, it should be noted that the ‘titled balance’ with the presumption in favour of sustainable development nevertheless continues to apply due to the Housing Delivery Test (HDT) consequence, with the historic lack of delivery of housing in the borough.

Housing density

- 8.8 As noted above the principle of a high density development on urban land is the focus of the NPPF in order to make efficient use of land of previously developed and brownfield land, providing sustainable developments. The Council’s Local Plan does not specify density ranges. However, the Allocation itself sets out a possible housing number that could potentially be provided on the site. In this case, the indicative provision is 79 units including dwelling houses and apartments.
- 8.9 Notwithstanding this, the proposal involves the creation of up to 80 residential properties and the proposed housing density is approximately 38 dwellings per hectare (dph) on the developed part of the site. It is noted that the previously permitted scheme for the creation of 31 residential properties had a proposed housing density of approximately 30 dwellings per hectare (dph) on the developed part of the site, which was all on the PDL. As such, the proposed density is considered to be acceptable.

Design and appearance (Scale)

- 8.10 Policy PS2 of the New Local Plan refers to ‘Designing places and spaces’ and states that: -
- 1) *‘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;*
- *respect and make a positive contribution to the street scene and the character of the area in which they are situated; and*
- *pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land'.*

- 8.11 The existing commercial buildings on site vary in size and design but all are single storey, with a large area of hardstanding also in existence. The bungalow is also single storey in nature and is currently surrounded on all sides by a large garden.
- 8.12 To the south on Upper Halliford Road are other dwellings, with two storey semi-detached houses located along Halliford Close and No. 137 and 139 being bungalows. To the north is the former Bugle Public House site, which has been redeveloped to provide flats over 3 storeys, with the second floor set within the roof space. Other dwellings along Upper Halliford Road to the north are generally two storey in appearance. Opposite is open land and the public park and many trees. Currently the application site appears relatively green and open and has planting on the road frontage which shields the uses behind and provides a pleasant street scene.
- 8.14 As such, the area consists of residential development, generally two storey in height, and open land with many trees, shrubs and natural features, appearing relatively green. The building lines to the north are closer to the highway than those to the south of the site, which are set back substantially further from Upper Halliford Road. Most of these buildings are traditional in design, with tiled pitched roofs many with gable features fronting Upper Halliford Road.
- 8.15 Although the scale of the proposed buildings is not under consideration, the submitted height parameter plan notes a maximum Building Height of 8.7m, which is two storey. Appearance is not under consideration. The Council's Design Code sets out design requirements in order to ensure new development is in keeping with the character of the area. As noted above, the area is characterised by two storey development and given the proposed maximum height is two storey in nature, this will be in keeping and accords with Policy PS2 and the Design Code.
- 8.16 The position and size of the area for the proposed housing development is different to the previous appeal scheme which was allowed (for the 31 units). As noted previously, the current scheme is based on the Allocation site area and also proposes an open area to the north and west following the demolition of the existing bungalow on the site. Therefore, the development will be located to the south of the access road, as shown on the proposed land use parameter plan which is under consideration. The proposed dwellings are likely to be set back from the main street frontage of Upper Halliford Road, as shown on the indicative plans. This land is currently open and free from development.
- 8.17 As noted above, the existing small low level bungalow and garden will be removed to make way for an open piece of land, linking the Green Belt to the

west and east. This would serve as a break in the built development fronting Upper Halliford Road. The proposed development would extend back into the site past the existing houses on Bramble Close and the garage block. As such it would in effect line up with the existing development to the south of the application site. This is also required by the Allocation, as the rest of the site remains in the Green Belt. Therefore, from a design and visual amenity point of view, the proposed built form has been positioned adjacent to the existing development to the south. As such, it is considered that the proposal could be acceptable from a design point of view and could be considered to be in keeping with the character of the area. The scale, appearance, and layout are indicative at this stage. The proposed indicative layout plan, which shows one way in which the site could be developed, proposes detached, semi and terraced dwellings and apartments, fronting the indicative roadways with their gardens generally located behind and is considered to be acceptable.

- 8.18 Landscaping is also reserved at this stage, but an indicative plan has been provided. The landscaping will help to complement the proposed built form and play area. It will help to provide visual relief to the built form and soften the areas of hardstanding and parking. The scheme provides a usable play area including landscaping which is visible from public areas and will add to its visual amenity. Much of the indicative parking has been provided in front of and to the side of the dwellings, adjacent to the roadway, The land to the west and to the northern side of the site is proposed to be landscaped for use by the public and is shown to be open with landscape features and paths, which will provide valuable visual benefits and a usable asset for the local community. This land continues to be located within the Green Belt.
- 8.19 As such, the proposal is considered to be capable of being acceptable in terms of scale, design and appearance, and layout, within the parameter of a two storey building height of up to 8.7m, and likely to be able to conform to the Design Code and Policy PS2.

Impact on neighbouring residential properties

- 8.20 Policy PS2 on the impact on neighbours states that
'2) Proposals for new development should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding adverse and un-neighbourly impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.'
- 8.21 The submitted plans under assessment are only for (part) access, with the scale, layout, landscaping, appearance and part access being the Reserved Matters. The only detail currently under assessment which falls within scale, is that of the 8.7m maximum height. However, there are only indicative plans of the layout. As such, the maximum height of 8.7m under assessment, indicates two storey dwellings. However, the proximity of the proposed dwellings to the boundaries with existing properties is only indicative and not under assessment with this application. Notwithstanding this, it is considered that a proposal that has an acceptable relationship with the existing residential properties to ensure they are not significantly adversely affected by the proposal, is likely to be able to be designed and submitted at the Reserved Matters stage. The submitted plans, which are indicative show a possible way in which the proposed site layout could work The Council's

Design Code sets out policies requirements in order to ensure this is the case.

- 8.22 It is acknowledged that most developments will have some impact on neighbours. However, the aim should be to ensure that the amenity of adjoining occupiers is not significantly harmed. The Design Code sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for two storey development of 10.5m for back to boundary distance, and 21m for back to back development. There is also a minimum distance for back to flank elevations of 13.5m.
- 8.23 The parameter plans show that the proposed houses will be 2 storey in nature. The parameter plans confirm that the Maximum Building Height will be 8.7m. The indicative plans show the proposed units to the south would adjoin the rear boundary with existing properties on Halliford Close and also with a car park further to the west. These existing dwellings have relatively long rear gardens. The indicative plans show the proposed dwellings to be set back from the common boundary by at least the minimum 10.5m separation distance as set out in the Design Code. In addition, they are shown to exceed the separation distance from back to back of some 21m. This would therefore meet the minimum two storey separation distance. As noted, the appearance is not known at this time, and the scale detail is limited. Although the proposed scale, appearance and layout is not under consideration, the maximum proposed height (at 8.7m) is under assessment. As such the submitted indicative plans, which show one way the site could be developed, show that the proposal could meet the requirements and consequently would have an acceptable relationship with the existing dwellings.
- 8.24 The existing dwellings located on Upper Halliford Road at Nos.137 and 139 are set in from the boundaries with the application site and have large outbuildings to the rear. There are currently no fixed layout plans under assessment. However, as noted above, the indicative plans show new dwellings to be set in from these boundaries with gardens and car parking, with some landscape buffers adjoining. These proposed indicative plans show a layout which will have an acceptable relationship with the existing properties on Upper Halliford Road. The proposed indicative plans show the dwellings to be set well back from the northern boundary with the existing flats at the former Bugle public house, as this forms part of the open space.
- 8.25 The proposal is considered to be capable of having an acceptable relationship with and therefore an acceptable impact on the amenity of existing neighbouring residential properties, Further detail would be assessed at the Reserved Matters stage when this detail will be submitted. Therefore, the proposal is considered to conform to the Design Code and Policy PS2

Amenity Space

- 8.26 The Council's Design Code at Appendix C provides general guidance on minimum garden sizes (Table 2 and paragraph 3.30). In the case of flats, it requires 35 sq. m per unit for the first 5 units and 10 sq. m for the next 5 units and 5 sq. m per each unit thereafter. Each of the proposed block of flats has

an indicative garden area which will ensure that there is an acceptable level of amenity space for the occupants, conforming to Policy SP2

- 8.27 On the indicative plans the proposed houses have their own private gardens, and the Design Code requires this to be a minimum of 70 sq. m for each of the 4 or 3 bed houses, or 60 sq. m for the 2 bed houses. The indicative proposal does meet this requirement and, in addition, all residents will have access to the open space to the rear of the site. Flats/maisonettes require a minimum amenity space provision of 35 sq. m per unit and the indicative layout plans show that this can be provided at this stage. As such, amenity space provision for future occupants could be acceptable and would be assessed at the Reserved Matters stage (where layout will be assessed).

Proposed dwelling sizes

- 8.28 The Government national minimum dwelling size standards in their “*Technical Housing Standards – nationally described space standard*” document dated March 2015 sets out minimum floor space standards. This is also noted in the Council’s Design Code 2026.
- 8.29 All of the illustrative proposed dwelling sizes comply with the minimum standards stipulated in the national technical housing standards. Therefore, it is considered their standard of amenity overall to be acceptable.

Highway and parking provision

- 8.30 Policy ID2 on Sustainable Transport for New Developments Development Proposals states that: -

1) The Council will require development proposals to incorporate opportunities to facilitate sustainable and active modes of travel.

- 8.31 In addition the NPPF refers to considering development proposals at para 115 and 116 noting that

‘115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and d) any significant impacts from the development on the transport network

(in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.’

- 8.32 The County Highway Authority (CHA) was consulted and has raised no objection to the proposal. In terms of trip generation, the existing use of the site does generate a small number of vehicular movements. Surveys of the site access have demonstrated that there were 6 two-way vehicle movements across the site access in its busiest hour of the survey period (08:00-09:00). It is considered that there is some potential for the site to attract slightly more vehicular movements without requiring any further planning permissions, but it is not likely to be significant. The Transport Assessment provided includes an analysis of the likely trip generation of the proposed development using the TRICS database. The provided data shows that the peak hour departures would be approximately 30 vehicles between 08:00-09:00, and peak arrivals would be 31 between 17:00-18:00. It is unlikely that this scale of trip generation would cause any capacity issues at any of the junctions on Upper Halliford Road. Traffic modelling at the site access junction with Upper Halliford Road was undertaken. This modelling demonstrated that the junction would operate within capacity, without significant queuing. The modelling demonstrated that the impact on the flow of Upper Halliford Road would be very minor.
- 8.33 In relation to the access arrangement, the Transport Assessment states that the application proposes to modify the existing access to Upper Halliford Road in the centre of the site, which would be widened and provided with footways on either side. A drawing has been provided which demonstrates that visibility of 120m in either direction is achievable, and this is acceptable.
- 8.34 The CHA has noted that early discussions identified the local demand for a new crossing facility across Upper Halliford Road, in the vicinity of the development site. Upper Halliford Road is a busy road with a speed limit of 40mph. There is an existing controlled crossing approximately 650m south of the site access. To the north of the access, there is no formal pedestrian crossing provision. The proposed crossing would therefore provide a necessary pedestrian facility to enable pedestrian access to the bus stop and public park opposite the site. The proposed crossing will be provided with signal controls. As discussed in their pre-application meeting with the applicant, the CHA is not insistent that this type of crossing be provided and considers that pedestrian refuge islands could be sufficient. It is understood, however, that the applicant does wish to provide the signalised crossing, and this would provide a safer and more convenient facility to pedestrians. Feedback has been sought from the CHA colleagues in Road Safety, and the Police. They have raised no objections to the proposed crossing but have recommended that high friction surfacing be provided either side of it. These works would need a separate highways agreement with SCC.
- 8.35 Subject to the recommended conditions, the highway and access arrangements are considered to be acceptable and accord with Policy ID2 and the NPPF
- 8.36 In regard to parking provision, Policy ID2 requires: -
- ' (b) provision of vehicle parking standards, as set out in the Council's latest Parking SPD, and the provision of electric vehicle charging points which are set out in the latest Surrey County Council guidance;'*

- 8.37 The proposed parking provision for the residential properties is 158 spaces. Previously the Council's Parking Standards set out in the Supplementary Planning Guidance required 152 spaces for the proposed dwellings and flats, as this level of parking was considered to be acceptable in the previous application.
- 8.38 The submitted Transport Assessment has applied Spelthorne Borough Council's parking standards to identify acceptable parking provision levels for each use on site. Overall, 158 spaces have been provided for the residential development, 149 of these allocated to particular units. 3 spaces are available in the southwest corner of the site as unallocated parking, whilst 6 additional unallocated parking bays will be provided next to the play area / green space allowing access to it. SCC's 'Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development November 2021' notes a maximum parking provision of 1 space per 1 and 2 bed unit and 2 spaces for 3 and 4 bed houses in a suburban location such as this. The proposal would require a maximum of 125 spaces. The guidance does note that, '*Where space permits, it may be appropriate to consider increased provision*'. Therefore, the proposed parking provision is in accordance with the guidance.
- 8.39 The CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision noting that generally it is considered that the spaces are reasonably located with respect to the dwellings which they will serve.
- 8.40 Therefore the proposed parking provision is acceptable. It is considered that the scheme is acceptable in terms of policy ID2 and the NPPF on highway and parking issues.

Affordable housing

- 8.41 Policy H2 of the Local Plan requires at least 30% affordable housing units on all schemes of 10 units (net) or more. Greenfield sites will be expected to deliver at least 50% affordable housing. Policy H2 states that:-

2) '*Planning permission will be granted provided that satisfactory arrangements have been made to secure affordable housing as determined by the following principles:*

(a) The sizes, types and tenure of homes provided will be determined on the basis of local needs as identified in having regard to the Strategic Housing Market Assessment.

(d) Proposals for housing need to meet the need as identified in the most up to date housing needs assessment with particular regard to size, type and tenure of dwellings. The tenure and number of bedrooms of the affordable homes provided on each qualifying site must contribute towards meeting the mix of affordable housing needs identified in the Strategic Housing Market Assessment. This currently includes a tenure split of 75% affordable/social or subsequent affordable housing needs evidence (as previous) commissions or produced by the council

(f) Where provided within a market housing scheme, affordable housing will be well integrated with and appropriately designed to complement the market housing. Equal access to facilities and amenities (such as open spaces and play facilities) will be required for all groups of the community living within the development.'

8.42 The applicant is proposing to provide 40 affordable housing units, (comprising 11 no. 1 bed units, 13 no. 2 bed units, 13 no. 3 bed houses and 3 no. 4 bed houses). The 40 units represent an affordable housing provision of 50% and is therefore acceptable and accords with the requirements of Policy H2 and the allocation.

8.43 Policy H2 above, states that the provision within any one scheme may include social rented and intermediate units, subject to the proportion of social rented of at least 75% of the total affordable housing component. The proposal is to provide 30 as affordable rent and 10 as intermediate. Therefore, (30 out of the 40 units) 75% of the affordable units will be affordable rent, and the provision is considered acceptable. The affordable housing will be secured by way of a Section 106 agreement.

Flooding

8.44 The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded on flooding grounds. The applicant has submitted a Flood Risk Assessment (FRA) & Surface Water Drainage Strategy, as is required by Policy E3 of the Local Plan on Managing Flood Risk.

8.45 In terms of flood risk, the site is located outside of the high flood risk area and as displayed in the submitted FRA. It is therefore considered that there is no risk to the future occupants of the site from flooding.

8.46 The applicant has submitted a sequential test as paragraph 161 of the Framework explains that to avoid flood risk to people and property a sequential risk based approach to the location of development should be taken to flood risk from all sources. This was a reason for the previous appeal being dismissed as the Inspector noted that a sequential test had not been carried out, despite the EA flood maps having identified small areas of the site to be at a medium to high risk of surface water flooding. However, since the submission of this application the Government has relaxed the requirement for a sequential test in relation to surface water flooding. Furthermore, the sequential test is not required for Allocation sites in the Local Plan.

8.47 With regard to surface water drainage, the applicant is proposing to implement infiltration drainage devices to discharge surface water to the underlying soil in the form of permeable paving to provide improved surface water drainage than currently on parts of the site.

8.48 The Lead Local Flood Authority at Surrey County Council has been consulted on the proposed sustainable drainage scheme and raises no objection to the scheme, subject to conditions. The Environment Agency have been consulted but have made no comment on the current application. The application

complies with the requirements of Policy E3 of the Local Plan and is acceptable from a flooding point of view.

Climate Change and Renewable Energy

- 8.49 Policy PS1: Responding to the climate emergency states that all development must respond to the climate emergency by:

‘(a) Directing development towards locations that minimise the need to travel and maximise the ability to make trips by sustainable modes of transport including cycling, walking and public transport.

(b) Delivering an efficient use of land especially on the most accessible sites.

(c) Providing more walkable and cyclable neighbourhoods (Twenty Minute Neighbourhoods) that reduce demand for the use of private vehicles’.

- 8.50 Given the fact that this application is an Outline application, with the detailed matters such a appearance and layout reserved for later assessment, an energy statement has not been submitted with this application. However further details will be required to be submitted at a later date (i.e. at the Reserved Matters stage) which can be required by condition (as accepted with the previous proposals) and this is not a reason to refuse the scheme.

Ecology/Biodiversity Net Gain (BNG)

- 8.51 Policy EN2 of the Local Plan states that the Council will support development proposals which restore, maintain and enhance habitat connectivity and will seek opportunities for habitat creation particularly within Biodiversity Opportunity Areas. Development proposals will be expected to contribute to biodiversity through clearly demonstrating improvements when submitting a planning application as part of securing biodiversity net-gain.

Policy EN2 on Biodiversity Net Gain states that

‘5) The Council will seek net gains in biodiversity, through creation or expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species. All development will be expected to provide at least 10% net gain. Major development should calculate this through the most up-to date version of the Biodiversity Metric (or its equivalent). For development of nine 44 All development as set out in Environment Act 2021 84 Pre-submission Spelthorne Local Plan, 2022 – 2037: Environment dwellings or less, the latest small sites metric (or its equivalent) should be used to calculate net gain’.

- 8.52 As of 12th February 2024, Biodiversity Net Gain (BNG) became mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) for major applications. It aims to leave the natural environment in a measurably better state than beforehand. All developments required to adhere to the legislation must produce at least a 10% net gain, calculated by the Statutory Metric published by DEFRA.
- 8.53 The applicant has submitted a BNG report and metric. This includes a BNG assessment using the Statutory Biodiversity Metric, which calculates the biodiversity value of a site before and after development to establish the change in biodiversity attributable to a particular development project. The

submitted report concludes that there is a calculated net gain of +2.60 habitat units, equivalent to +10.90%; associated with the current development proposals. There is a calculated net gain of +0.44 hedgerow units, equivalent to +26.32%, associated with the current development proposals. This has been reviewed and accepted by Surrey Wildlife Trust (SWT) and therefore the proposal complies with the requirements to achieve net gain and accords with Policy E2.

- 8.54 The site includes a number of buildings and trees, which are capable of being used as a habitat for protected species (i.e. bats). A Preliminary Ecological Appraisal (PEA), Bat Roost potential Survey and a Bat Survey have been carried out, which recommends a number of measures to mitigate any adverse impacts. This can be covered by the imposition of a condition. Therefore, the proposal is acceptable in relation to Policy E2.
- 8.55 The site is located a considerable distance from any Site of Special Scientific Interest/Special Protection Area (SSSI/SPA). The nearest SSSI/SPA is the Knight and Bessborough Reservoirs which is at least 2.4km and is located across the river in Elmbridge. Taking into account the scale of the proposed development and the distance from the nearest SSSI/SPA, it is not considered necessary for a Habitats Regulations Assessment screening exercise to be carried out. Natural England was consulted. Although no response has been received, no objection was raised with the previous applications. Surrey Wildlife Trust had requested more detail, which has been provided and now raise no objection, subject to the imposition of a condition requiring the mitigation measures in the submitted reports to be followed. The applicant has submitted a landscape masterplan and it is considered that subject to conditions requiring its implementation together with other wildlife enhancement measures, the proposal will lead to an increase in wildlife on the site. Landscaping is a Reserved Matter which would be assessed in more detail at that stage. The proposal is considered to be acceptable in relation to Policy E2.

Open space

- 8.56 Policy E5 on Open Space and Recreation require proposals for new residential development to make on-site provision for open space, having regard to the standards as set out in the most up-to-date Open Space Assessment. Policy E5 on proposed open space states that: -
The Council will negotiate on site-by-site basis the typology of any open space provision.

(a) Proposals delivering on-site provision will ensure appropriate long-term stewardship arrangements are in place to secure the quality of the open space in perpetuity.

The site is in an area which does not require additional open space provision as there is no shortfall. In particular, there is an existing publicly accessible area of open space and a play park on the opposite side of the road at Halliford Park. However, the Allocation requires that the part of the site which continues to be in the Green Belt, to be accessible to the public. The proposal includes a children's play area and, in addition, a large area of open space of 2.55 ha for the public to access. Therefore, it is considered that the proposed

open space is acceptable and accords with the Allocation and Policy E5. Therefore, its provision is considered acceptable, and it and its ongoing maintenance will be secured by way of a Section 106 agreement.

Dwelling mix

8.57 Policy H1 in regard to Housing Mix and Standards requires new residential development to deliver a wide choice of homes to meet a range of accommodation needs. It goes on to note that new development should provide a mix of housing tenures, types and sizes appropriate to the size, characteristics and location: -.

‘3) Development proposals will be expected to contribute to meeting identified housing needs by having regard to the housing type and size mix as set out in the Strategic Housing Market Assessment or any similar evidence for market and affordable units.’

8.58 The Council’s Strategic Housing Market Assessment (SHMA) was last updated in October 2019. It recognises the role which delivery of larger family homes can play in releasing supply of smaller properties for other households and that a balance of dwellings is suggested that takes account of both the demand for homes and the changing demographic profile.

‘The identified housing mix should inform strategic planning and housing policies. In applying recommended housing mix to individual development sites, regard should be had to the nature of the development site and character of the area, and to up-to-date evidence of need as well as the existing mix and turnover of properties at the local level.’

8.59 The proposal includes 18 no. 1 bed, 17 no. 2 bed, 34 no, 3 bed and 11 no. 4 bed units. If the affordable units were taken out of the equation, the proposal would provide 7 no. 1 bed, 4 no. 2 bed, 21 no, 3 bed and 8 no. 4 bed units. The mix of units is shown in the table below, along with the percentages of the number of each of the types of housing, whether market, affordable rent and shared ownership.

Unit Type	Market Housing (40 units)		Affordable Housing - affordable rent (30 units)		Affordable Housing - shared ownership (10 units)		Total
1 bed	7	18%	10	33%	1	10%	18
2 bed	4	10%	9	30%	4	40%	17
3 bed	21	52%	9	30%	4	40%	34
4 bed	8	20%	2	7%	1	10%	11
Total	40		30		10		80

8.60 It should be noted that in the most recent appeal scheme for 80 dwellings included a very similar scheme to the current proposal, (ref 3325635). The Inspector considered that the most up to date evidence in the Council's most recent SHMA indicated that there was a growing need for larger family accommodation, including homes with three or more bedrooms. He went on to note that Policy H1 sets out a more flexible approach and requires the delivery of a wide choice of homes to meet a range of accommodation needs. Proposals will be expected to contribute to meeting identified housing needs by having regard to the housing types, sizes and mixes, as set out in the SHMA.

8.61 The Inspector at paragraph 75 stated it is important to note that the policy only requires that regard be given to the SHMA rather than adherence to the suggested mix, concluding for that scheme that:-

'...when taken as a whole the proposed mix of homes would have regard to the SHMA and deliver a wide choice. As a result there would be no conflict with the emerging policy H1. This is an important material consideration.... I therefore conclude by finding that the appeal scheme would provide an adequate mix of homes.'

8.62 The current proposal has a similar mix including for affordable rent and meets the suggested mix in the SHMA. In regard to shared ownership the mix is slightly short in respect of 1 bedroomed units on account of a greater proportion of 3 bedroomed homes and is only a small departure of 5%. There is a greater departure for the suggested mix with regard to market housing with a larger proportion of 1 bed units, 18 % instead of 0-5% suggested. This is as a result of a lower proportion of 2 bed units at 10% when the suggested mix is 20-25%. However, if both were taken together, the 1 and 2 bedroom units would provide a total of 28% and the combined suggested mix is between 20 and 30%, to which it complies. This would still result in a similar percentage of smaller units (1 and 2 bed combined), as the SHMA suggests. Therefore, it is considered that the proposal will provide an adequate mix, with a choice of homes to meet a range of accommodation needs in accordance with Policy H1 and the NPPF and is acceptable in this regard.

Archaeology

8.63 Whilst the site is not located within an Area of High Archaeological Potential the applicant has submitted an Archaeological Desk-Based Assessment as required by Policy PS3.

8.64 The County Archaeologist was consulted on the application and following the submission of a report, recommends a condition, therefore the impact of the development on archaeology is considered acceptable and the proposal accords with Policy PS3 and the NPPF.

Impact on Trees/Landscaping

8.65 The applicant has carried out a tree survey at the site which shows that a total of 12 trees and 28 tree groups are present. The indicative layout plans show the development is set back from Upper Halliford Road, and will ensure an

acceptable relationship with the preserved Oak Tree on the north eastern corner of the site which is still located within the Green Belt land.

- 8.66 An Arboricultural Survey and an indicative landscape masterplan have been submitted. The landscape plan shows some tree planting along the proposed roadways, some of the existing trees along the site boundaries will be retained to provide screening and complement the proposed buildings. Further planting in the form of focal trees, hedges and shrubs will also be provided.
- 8.67 The indicative plans show that the play area and private amenity spaces will also be landscaped. Hedgerows and tree planting will be used around hardstanding and car park areas to help break up hardstanding and add visual interest. Most of the car parking is provided along the road frontage in front and to the side of the dwellings, which is broken up by areas of landscaping to help to soften its appearance. The area to the rear and north of the site will be landscaped to provide footpaths and landscaping, along with the removal of the recycling facility and existing bungalow, which will provide an attractive outlook to the proposed development and also other local people using the land.
- 8.68 The proposed planting and landscaping will help to enhance the proposed development, in accordance with Policy E1 which seeks to protect and conserve the landscape and is considered to be acceptable.
- 8.69 The indicative landscape masterplan proposes changes to the existing land formations created by the old disused waste recycling facility in particular it states proposed new bund formation created from cleaned and consolidated existing soil, to create recreational and visual interest, which acting as a visual and acoustic barrier from the railway line. Whilst details of the design of the bund formation have not been provided for assessment at this stage, it is considered that a condition can be imposed to require full details to be submitted for approval. In addition, the landscaping details will be submitted and considered at the Reserved Matters Stage.

Contaminated Land

- 8.70 The applicant has submitted a *Preliminary Risk Assessment & Geo-Environmental Ground Investigation and Assessment* report to ascertain the level of contamination of the existing ground conditions and proposed remediation measures. This is particularly important as the proposal introduces new residential development onto the site which has existing commercial uses and reflects the Council's standard precautionary approach to contamination risk. The Council's Pollution Control Officer has raised no objection subject to conditions being imposed requiring a further investigation to be carried out to refine risks and remediation measures. As such, subject to these conditions, the proposal is considered acceptable and accord with Policy E4.

Air quality

- 8.71 The applicant has submitted an Air Quality Assessment (AQA), as is required by Policy E4: Environmental Protection Air Quality, which notes that the Council will seek to protect and improve the Borough's air quality and work

towards meeting the World Health Organisation Air Quality Guidelines by ensuring all development proposals prevent further deterioration of existing poor air quality and are “air quality neutral” as far as reasonably practicable. It states that: -

‘4) Planning permission will not be granted for proposals where adverse effects on air quality for existing receptors and/or future occupiers are of a significant scale, either individually or in combination with other proposals and/or the effects cannot be appropriately and effectively mitigated.’

- 8.72 The AQA assesses the impact of construction impacts of the proposed development and recommends that a Construction Method Statement be submitted.
- 8.73 The Council’s Pollution Control section was consulted on the application and raises no objection on air quality, subject to conditions. Therefore, the proposal accords with the NPPF and Policy E4 in this regard.

Refuse Storage and Collection

- 8.74 There is little detail on the layout of the site, and internal roads. Only the access and egress and main roadway are under assessment at this time. However, more details will be provided at the Reserved Matters stage to show refuse collection vehicles can enter and exit the site in a forward gear. Refuse storage areas will need to be provided for the flats. The County Highway Authority has raised no objection on this particular issue. The Council’s Group Head Neighbourhood Services has raised concerns about the lack of detail at this stage. However, as noted above more details will be submitted, consulted on and agreed at the Reserved Matters stage.

Crime and Design

- 8.75 With regard to the Crime Prevention Officer’s previous comments, (in the previous schemes) it is considered appropriate to impose an informative rather than a condition at this stage given the proposal is for Outline consent and details of the layout of the dwellings has not been provided at this stage. It will be reviewed at the Reserved Matters application stage when more detail has been provided to address this issue.

Other matters

- 8.76 Surrey County Councils Minerals and Waste Team were consulted and raised no objection subject to Spelthorne Borough Council being satisfied that the proposal would not prejudice the operations or future development of the Charlton Lane Community Recycling Centre (CRC), Waste Transfer Station (WTS) and Materials Recycling Facility (MRF), – the Eco Park, which is located approximately 0.25km west. Paragraph 200 of the NPPF notes that planning decisions should ensure that new development can be integrated effectively with existing businesses, which should not have unreasonable restrictions placed on them because of development permitted after they were established. However, the proposed houses will be located towards the eastern side of the application site and as such is set away from the western boundary which also has a railway line located along it between the proposed houses and the land on which the Eco Park is located. It should also be noted that this site is an Allocation in the newly adopted Local plan which sets aside

this part of the site for housing. As such, the Council is satisfied that the design of the development gives sufficient consideration to amenity impacts that may arise from local waste management site and is acceptable for housing development.

- 8.77 The allocation requires the provision or contribution to any infrastructure as set out in the Infrastructure Delivery Plan (IDP) and/or identified at the application stage which is necessary to make the site acceptable in planning terms. Policy ID1, refers to infrastructure and delivery and states that: -

'The Council will work with infrastructure providers, developers and other key stakeholders to support the delivery of the infrastructure necessary to enable the development set out in the Local Plan. To achieve this, the delivery of development may need to be phased to reflect the delivery of infrastructure'

- 8.78 Surrey Police were consulted as part of the application process and have requested a monetary contribution of £52,682.72 which they have calculated as the cost of policing new growth as a result of this major planning application. The applicant has agreed to pay this contribution, which will be subject to S106 agreement. This is considered to directly relate to the development in scale and kind and is necessary to make the development acceptable in planning terms.

- 8.78 As noted above, Network Rail raised an objection to the proposal based on the intensification of the use of the railway crossing to the west of the site, as a result of the proposal. This was the same response as with the previous planning application at the site, which went to appeal. However, the Council does not consider this to be a reason for refusal (and did not previously). This was also not a reason for which the Inspector dismissed the previous appeal. As such the application is not considered to significantly increase the use of the railway crossing and this is not considered to be a reason for refusal.

- 8.79 The application site is currently occupied by a variety of commercial operations. Because the uses have evolved over time, they are not subject to planning controls that would normally be applied to such uses. None of the properties are therefore restricted in terms of use, hours of operation, access arrangements or other environmental controls.

Equalities Act 2010

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

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

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

- 8.81 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.

It is considered that this proposal may affect individuals with protected characteristics specifically the impact of the development on disabled people. However, given the application is at outline stage and design is not under consideration.

Human Rights Act 1998

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

- 8.83 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.

- 8.84 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.

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

Financial Considerations

- 8.86 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal is a CIL chargeable development (although not applicable at the Outline planning stage) and will generate a CIL Payment based on a rate of £60 per sq. metre of net additional gross floor space. This is a material consideration in the determination of this planning application. The proposal will also generate a

New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Legal Agreement

- 8.87 The applicant is proposing to provide, maintain and manage the on-site public open space as part of this proposal. In addition the scheme proposes 50% of the units as affordable homes. The applicant has also agreed to pay a financial contribution of £52,682.72 towards police infrastructure in the area. These elements will make the proposal policy compliant and are required by the Allocation. These elements will be secured by an appropriate Section 106 legal agreement

Conclusion

- 8.88 The current proposal is considered to be acceptable in principle given it has been identified as an Allocation for housing in the Local Plan. It will contribute to the Council's five year housing land supply and provide much needed housing and affordable housing. The scheme will have an appropriate mix of types of units, including social rented and shared ownership affordable units. It is considered to be acceptable on flooding grounds, ecology and will accord with the BNG requirement. Highway matters, contaminated land, air quality and archaeology issues are considered to be acceptable. The scale which restricts the height of the development to 8.7m, which is two storey is acceptable as is the access into the site and the main access roadway which are under consideration at this stage.
- 8.89 The indicative plans, which show one way that the site could be developed show the scheme could be acceptable in relation to design and appearance, impact on the amenity of neighbouring properties, amenity of future occupants, landscaping and climate change. As noted above, this detail is not currently under assessment and would be subject to a further application at the Reserved Matters stage.
- 8.90 As such, this Outline scheme is considered to be acceptable, subject to a completed Section 106 legal agreement to secure open space provision, affordable housing and a monetary contribution toward Policing.

9. Recommendation

- 9.1 The options available to the Planning Committee for decision making are:
- To approve the application as set out in this report, subject to the prior completion of a Section 106 agreement, conditions and informatives. This option is recommended. The report analyses in some detail the reasons why the application is considered to be acceptable in planning terms.
 - To approve the application (subject to a Section 106 agreement) subject to additional /amended conditions and informatives. This option is not recommended. The conditions and informatives are set out below. The Planning Committee should be mindful of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to*

planning and to the development to be permitted, enforceable, precise and reasonable in all other respects ([National Planning Policy Framework](#)).

- To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable and there are [no material planning reasons](#) to refuse the proposal.

9.2 The application is recommended for approval, subject to the prior completion of a Section 106 agreement, conditions and informatives below.

APPROVE subject to the following:

9.3 (A) Subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 40 affordable housing units (Rent: 10 no. 1-bed, 9 no. 2-bed, 9 no. 3-bed, 2 no. 4-bed; Intermediate: 1 no. 1-bed, 4 no. 2-bed, 4 no. 3-bed, 1 no. 4-bed) on-site built in accordance with current Homes England development standards, the details of which shall be agreed with the Council's Planning Development Manager.
 - The split of the type of affordable housing shall be at least 30 for affordable rent and 10 dwellings for intermediate.
 - Within 6 months of commencement of development the Registered Provider (RP) shall enter into a Nominations Agreement in respect of the affordable housing (in order that the social housing meets local needs).
 - Build and complete the affordable units and hand over to the Registered Provider for occupation before more than 50% of the open market units are sold or substantially completed, whichever is the sooner.
2. To pay the Borough Council a financial contribution of £52,682.72 towards police infrastructure in the area.
3. To secure, implement, maintain and manage the on-site public open space.

In the event that the Section 106 Agreement is not completed

9.4 In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Planning Development Manager in consultation with the Chair of the Planning Committee the following: -

9.5 REFUSE the planning application for the following reasons:

- 1) The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy H2 of the

Spelthorne Local Plan 2024 – 2039/40 (March 2026) and Section 5 of the NPPF 2024.

- 2) The proposal fails to provide a financial contribution towards police infrastructure in the area and is therefore contrary to Policy ID1 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).
- 3) The proposal fails to secure the provision of on-site public open space, contrary to Policy E5 and Site Allocation Policy HS1/009 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).

9.6 (B) In the event that the Section 106 agreement is completed to the satisfaction of the Local Planning Authority; GRANT subject to the following conditions:-

1. That in the case of those matters in respect of which details have not been given in the application and which concern the: -
 - (a) the Access, Scale, Appearance, Layout and Landscaping; hereinafter called "the reserved matters", and which are hereby reserved for subsequent approval by the Local Planning Authority, application for such approval shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 - (b) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: - This condition is required by Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before any work on the development hereby permitted is first commenced detailed drawings shall be submitted to and approved by the Local Planning Authority to show: -
 - (i) Access
 - (ii) Scale
 - (iii) Appearance
 - (iv) Layout
 - (v) Landscaping

Reason: - This is an outline application permitted in accordance with the provision of Article 5(1) of the Town and County Planning (Development Management Procedure) Order, 2015.

To ensure the proposed development does not prejudice the appearance of the locality.

3. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

F2001 Rev. P1; F2100 Rev. P1; F2101 Rev. P1; F2300 Rev. P1; F2500 Rev. P1 received 06 December 2024.

D2001 Rev. P1 – Proposed Land Use Parameter Plan received 06 December 2024; D2002 Rev. P03 – Proposed Development Zone Height Parameter Plan received 23 January 2026; D2003 Rev. P02 – Proposed Site Access/Egress Parameter Plan received 23 January 2026.

MBSK221014- 08 Rev. P1 received 06 December 2024

Reason: - For the avoidance of doubt and in the interest of proper planning.

4. No development shall take place until:-

(a) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

Reason: - To protect the amenities of future residents and the environment from the effects of potentially harmful substances, in accordance with Policy E4 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).

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

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

6. No development shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing

technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason: - To ensure that the development is sustainable and complies with Policy PS1 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).

7. The development hereby approved shall not be commenced unless and until the proposed vehicular access to Upper Halliford Road has been provided with visibility zones in accordance with Drawing Number MBSK221014-08 P1 and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

8. During and after the construction of the development hereby approved, there shall be no means of vehicular access from the site to Upper Halliford Road over the existing access at the northern boundary of the site.

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

9. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- (a) Provision of a puffin pedestrian crossing facility on Upper Halliford Road close to the site access including dropped kerbs, tactile paving and zig zag lines;
- (b) Provision of a safe and step-free route for pedestrians to travel from the proposed development onto the western footway of A244 Upper Halliford Road.

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

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

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

11. No development shall commence until a Construction Transport/Environmental Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) measures to prevent the deposit of materials on the highway
- (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused.
- (h) on-site turning for construction vehicles
- (i) dust suppression measures

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

Reason: - The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and in order to protect local air quality.

12. The development hereby approved shall not be occupied unless and until each of the proposed dwelling(s) are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: - In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2024

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

Reason: - In order that the development makes suitable provision for sustainable travel, in accordance with the sustainable objectives of Chapter 9 "Promoting sustainable transport" of the National Planning Policy Framework 2024.

14. Prior to the first occupation of the buildings, a Travel Plan setting out sustainable transport measures and a timetable for implementation shall be submitted to, and approved in writing by the Local Planning Authority. The sustainable transport measures shall be implemented in accordance with the agreed Travel Plan and timetable.

Reason: In order that the development facilitates sustainable travel measures in accordance with the objectives of Section 9 (Promoting Sustainable Transport) of the NPPF.

15. The development hereby permitted shall not commence until details of the final design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The final solution should follow the principles set out in the approved drainage strategy. The design must satisfy the SuDS Hierarchy and be compliant with the national Non Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels. Where infiltration is proposed confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
 - b) Hydraulic calculations to demonstrate the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off.
 - c) Construction drawings for all drainage elements including cross sections and detailed drainage layout plan.
 - d) An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.
 - e) Details of drainage management responsibilities and maintenance regimes for all drainage elements.
 - f) Details of how surface water will be managed during construction including measures to protect on site and downstream systems prior to the final drainage system being operational.

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

16. Prior to the first occupation of the development, a verification report must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as

per the agreed scheme (or detail any minor variations), confirming any defects have been rectified. Provide the details of any management company. Provide an 'As-Built' drainage layout and state the national grid reference of key drainage elements.

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

17. The precautionary measures to safeguard bats during demolition shall be carried out strictly in accordance with the recommended Avoidance and Mitigation measures in the Urban Edge Environmental Consulting Protected Species Report June 2025.

Reason: - In the interest of safeguarding bats on the site.

18. Prior to the construction of the buildings, an ecological and habitat enhancement scheme to be implemented on the site shall be submitted to and approved in writing by the Local Planning Authority. The ecological and habitat enhancement measures shall be implemented in accordance with the approved scheme and thereafter maintained.

Reason: - To encourage wildlife on the site.

19. Prior to the occupation of the buildings hereby permitted details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed external lighting shall be implemented prior to the occupation of the buildings and shall at all times accord with the approved details.

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

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

Reason: The site lies in an area of archaeological potential for all periods. The potential impacts of the development can be mitigated through a programme of archaeological work.

21. Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied and thereafter maintained as approved.

Reason: - To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality.

22. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no extensions including no additions or alterations to the roofs, or outbuildings, shall be erected within the curtilage of the houses without the prior planning permission of the Local Planning Authority.

Reason: - To safeguard the amenity of neighbouring properties.

23. The development shall have a maximum height of 8.7 metres above adjacent ground level, and the maximum eaves height shall be no more than 6 metres above adjacent ground level.

Reason: - In the interest of the character of the area and the impact on the amenity of neighbouring properties.

24. Notwithstanding the approved Proposed Site Access/Egress Parameter Plan, details of the proposed pedestrian access points and routes into and within the site shall be submitted to and approved in writing by the Local Planning Authority before the new dwellings are occupied. The agreed pedestrian access points and routes shall be fully implemented prior to the occupation of the dwellings.

Reason: To ensure that satisfactory access and footpaths are provided on the site.

25. No development including groundworks and demolition shall take place until, a Biodiversity Net Gain Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall follow the Government's Biodiversity Net Gain Template and include details in line with the Biodiversity Net Gain Assessment dated June 2025 by Urban Edge Environmental Consulting, and incorporate the proposed and retained planting broadly in line with the UKHab Post-development Plan in Appendix II. The approved details shall be implemented prior to occupation of the development and be permanently maintained thereafter.

Reason: -.To comply with the requirements of the Environment Act 2021 and the Levelling Up and Regeneration Act 2023

26. Prior to the occupation of the new dwellings, the existing bungalow at 171 Upper Halliford Road and its outbuildings and boundary treatment, together with the existing commercial buildings on the site, shall be fully demolished and the land laid out as public open space in accordance with the approved plans.

Reason: - To ensure that the existing buildings are removed from the site and the public open space provided in accordance with Site Allocation HS1/009 of the Spelthorne Local Plan 2024 – 2039/40 (March 2026).

27. No development shall commence until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall demonstrate that waste generated by the construction and excavation is limited to the minimum quantity necessary and opportunities for

re-use and recycling of any waste generated are maximised. The agreed SWMP shall be implemented as approved.

Reason: - To minimise the amount of waste material to be removed from the site.

28. Demolition or construction works shall take place only between the hours of 07:30 – 18:00 Monday to Friday and 08:00 – 13:00 Saturdays and shall not take place at any time on Sundays or on Bank Holidays.

Reason: - In the interest of safeguarding the amenity of neighbouring residential properties.

29. Prior to the occupation of the development, details of facilities for the storage of refuse and recycling materials shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented before the buildings are occupied and shall thereafter be retained.

Reason: - In the interest of the visual amenities of the area.

30. Prior to the construction of any building or structure within the development hereby approved a written method statement outlining the appropriate decommissioning of all monitoring wells shall be submitted to the Local Planning Authority. Works to decommission boreholes shall be carried out in accordance with the details approved with no deviation from the statement without the express written agreement of the Local Planning Authority.

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

31. Prior to the occupation of the dwellings, details of the design and appearance of the children's playground shall be submitted to and approved in writing by the Local Planning Authority. The agreed children's playground shall be implemented prior to the occupation of the dwellings and shall thereafter be retained.

Reason:- To ensure that the children's playground is provided on the site.

32. Prior to the construction of the buildings, details of the new bund formations shall be submitted to and approved in writing by the Local Planning Authority. The new bund formations shall be fully implemented prior to the occupation of the dwellings.

Reason:- To ensure that the new bund formations are carried out in the interest of the visual amenities of the area.

Informatives

1. BIODIVERSITY NET GAIN - PRE-COMMENCEMENT REQUIREMENT The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in

England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be Spelthorne Borough Council. There are statutory exemptions which mean that the biodiversity gain condition does not always apply, and these are set out in The Biodiversity Gain Requirements Exemptions Regulations 2024. This permission will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

2. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater.
3. In view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in situ, field evaluation through trial trenching would represent an appropriate initial phase of work to determine the archaeological potential and levels of previous truncation and the need for any further phases of work.
4. Ultra-Low NO_x Gas fired boilers to be provided for space heating and hot water should have dry NO_x emissions not exceeding 40 mg/kWh (at 0% O₂). Where any installations do not meet this emissions standard, they should not be operated without the fitting of suitable NO_x abatement equipment or technology as determined by a specialist to ensure comparable emissions.
5. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road.
9. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149). 6) Statutory utility works The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
10. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
11. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
12. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
13. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of

Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

14. Surrey County Council's Electric Vehicle charging requirements for the development proposed, exceeds those as defined within Building Regulations. The County Highway consider it is necessary for the condition to be imposed on any consent granted, in accordance with the requirements of the NPPF (2023) at paragraph 116 (e) and Surrey County Council's LTP4 policy on improving emissions intensity and energy efficiency of vehicles and operational efficiency of roads through technology improvements. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
15. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises / in non-domestic buildings the premises should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-1 of the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.
16. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
 - b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
 - c) Deliveries should only be received within the hours detailed in (a) above;

- d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;
- e) There should be no burning on site;
- f) Only minimal security lighting should be used outside the hours stated above; and
- g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

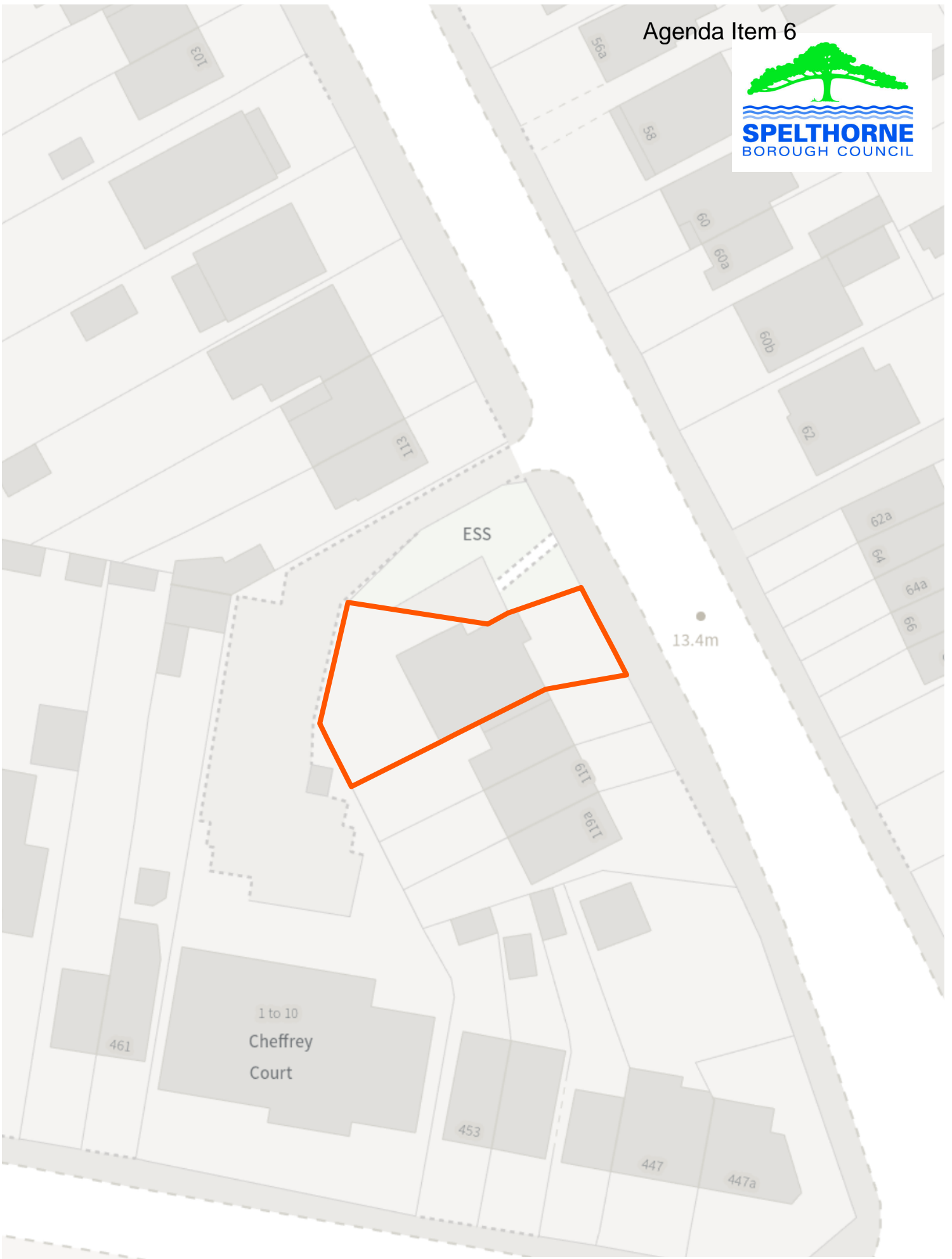
Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit.

17. The applicant is advised that the essential requirements for an acceptable communication plan forming part of a Method of Construction Statement are viewed as:

- a. how those likely to be affected by the site's activities are identified and how they will be informed about the project, site activities and programme;
- b. how neighbours will be notified prior to any noisy/disruptive work or of any significant changes to site activity that may affect them;
- c. the arrangements that will be in place to ensure a reasonable telephone response during working hours;
- d. the name and contact details of the site manager who will be able to deal with complaints; and

how those who are interested in or affected will be routinely advised regarding the progress of the work.

18. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com



26/00017/FUL: 115 School Road, Ashford. TW15 2AL

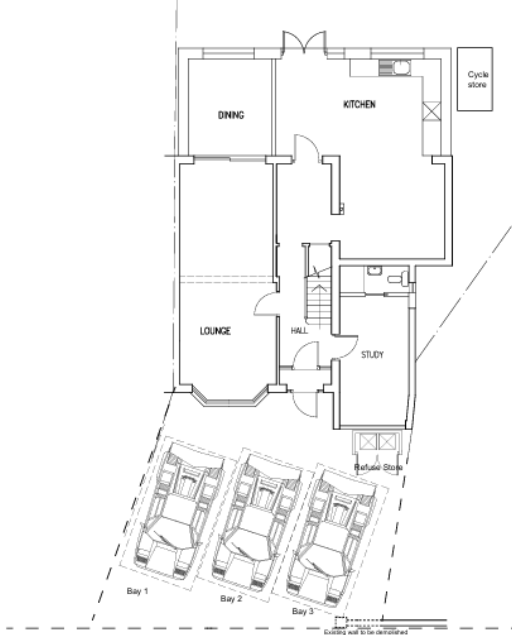
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Block Plan



Proposed Site Plan 2



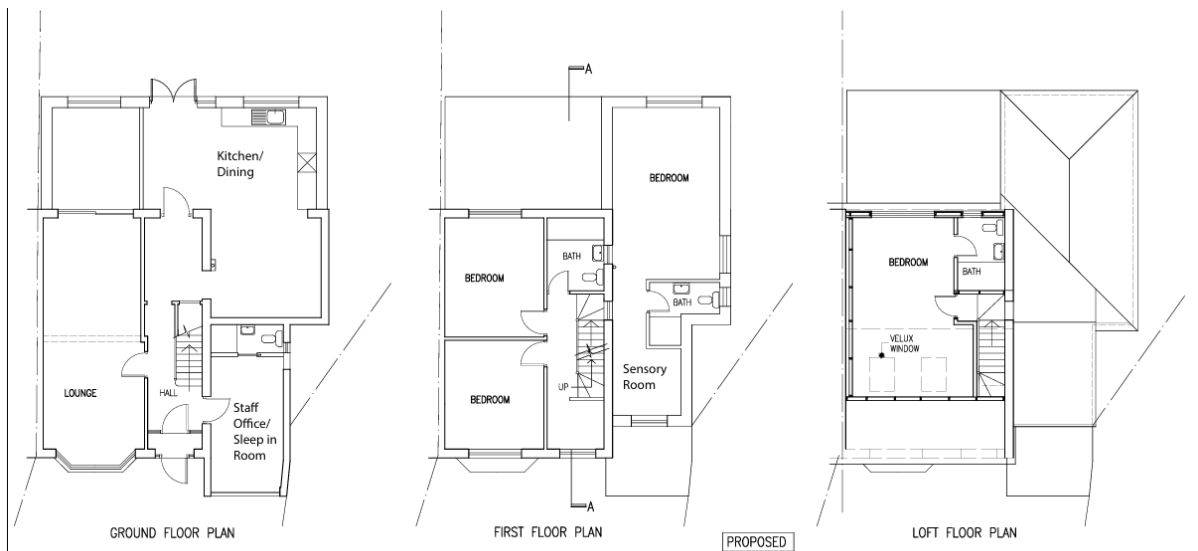
AH ARCHITECTURE		Drawing name: Proposed Driveway Plan	
Chartered Architects 15 Abbey Park Surrey Middlesex UK SG2		Job no: AH 735	Drawing to: 07
Tel: 020 8750 4176 Email: info@ah-architecture.co.uk		Scale: 1/100 @ A3	Date: 26/02/2026
Project name: 115 School Road Ashford TW15 2AL		Revision: A	Drawn by: AH

Existing Floor Plans



Project EXISTING LOFT AT 115 SCHOOL ROAD ASHFORD TW15 2AL		Drawing PLANS	
Scale 1/100@A3	Date JAN.2024	Drawing No. H/649/02-L	

Proposed Floor Plan



Project PROPOSED LOFT CONVERSION AT 115 SCHOOL ROAD ASHFORD TW15 2AL		Drawing PLANS	
Scale 1/100@A3	Date AUG. 2023	Drawing No. H/649/02-L	

Planning Committee

29 April 2026



Application No.	26/00017/FUL
Site Address	115 School Road Ashford TW15 2AL
Applicant	The Prospering Place Manager
Proposal	Change of use from a dwelling (Use Class C3) to a children's care home (Use Class C2).
Case Officer	Vanya Popova
Ward	Ashford East
Called-in	<p>This application has been called in by Councillor Sexton for the following reasons:</p> <ul style="list-style-type: none"> • Out of character • Adverse impact on the amenities of the immediate neighbouring properties • Insufficient outdoor or recreation space in the vicinity • Highway safety concerns • Inadequate parking • Insufficient or unsafe vehicular access for staff, visitors, emergency services, or school transport.

Application Dates	Valid: 06.02.2026	Expiry: 03.04.2026	Target: Extension of time agreed to 01.05.2026
Executive Summary	<p>The subject property is an extended four bedroomed, two-storey end of terrace dwelling. This application seeks the change of use from a dwellinghouse (Use Clas C3) to a children's care home (Use Class C2) for up to four residents.</p> <p>The proposed use would not have an adverse impact on the character and appearance of the area, nor the residential amenity of adjoining properties. Furthermore, it is considered to provide an adequate level of amenity for future occupiers.</p> <p>In terms of highway safety and the proposed parking provision, the County Highway Authority raises no objection, subject to conditions and informatives.</p> <p>The proposal is therefore considered to be acceptable and is recommended for approval.</p>		
Recommendation	Approve the application subject to conditions.		

MAIN REPORT

1. Spelthorne Local Plan

1.1 The following policies in the Spelthorne Local Plan 2024- 2039/40 are considered relevant to this proposal:

- ST1: Presumption in Favour of Sustainable Development.
- ST2: Planning for the Borough.
- PS2: Designing places and spaces.
- H1: Homes for All.
- ID2: Sustainable Transport for New Developments.

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

- Spelthorne Design Code

1.3 The policies contained within the National Planning Policy Framework (NPPF) (December 2024) are also relevant.

2. Relevant Planning History

2.1 The site has the following planning history:

24/00783/HOU	Proposed loft conversion including the installation of a rear facing dormer with 2 no. rooflights within the front roof slope to provide second floor of habitable accommodation (retrospective).	Grant Unconditional 19.08.2024
23/01369/FUL	Change of use from a dwelling (C3) to a children's care home (C2).	Withdrawn 11.01.2024 *due to unauthorised house works prior the submission of this application
23/01102/CPD	Certificate of Lawfulness for the proposed loft conversion facilitated by a rear facing dormer plus insertion of 2 no. rooflights on front roof slope.	Refused 20.10.2023 * the proposal did not meet the requirements of Schedule 2, Part 1, Class B of the Town and Country Planning (General

		Permitted Development Order 2015.
23/00598/HOU	Erection of a first floor side extension and part two storey part single storey rear extension. Proposed garage conversion into a habitable space with the replacement of existing garage door with a new window opening and hipped roof over the existing part single storey front/side element.	Grant Conditional 06.07.2023

3. Description of Current Proposal

- 3.1 The application site relates to a two storey end of terrace property, which is situated on the western side of School Road in Ashford. The northern boundary of the site adjoins an electricity sub-station, with an access road serving a block of flats (Cheffrey Court) located immediately beyond this. The vehicle access and parking area associated with the flattened development lies directly adjacent to the application site's rear boundary, whereas the residential building itself is positioned further to the south-west of the application site. The southern flank boundary adjoins the residential mid terraced property of No. 117 School Road. The subject property has been substantially extended with a part two storey, part single storey, side/rear extension and rear facing dormer.
- 3.2 The area surrounding the site is predominantly residential in character, comprising a mixture of dwelling types, including two-storey houses, chalet-style properties and bungalows. The character of the locality has evolved over time as a result of changes to individual properties, many of which have been extended or altered, and it therefore cannot be regarded as a uniform street scene. As School Road is a classified highway, many properties along it have extensive hardstanding across their frontages to provide off-street parking. The front garden of the application site is similarly laid entirely with hardstanding. There is also an enclosed rear garden.
- 3.3 This application seeks permission for the change of use from a dwelling (Use Class C3) to a children's care home (Use Class C2). The applicant has submitted a Planning Statement which confirms that the building is proposed to be occupied by four children between the ages of 7 and 18 years. The submission also confirms that during the day and evening, a maximum of two members of staff will be on duty, consisting of one waking staff member and one sleeping staff member at night, but two staff members during the day, rotating on a shift basis. The applicant states that the home will be staffed by a team of eight employees, comprising six full time and two part time staff members. The provider will be looking after children that might have mental health needs and learning disabilities. In addition, as a provider of care, they would need to meet the requirements of all registered bodies such as the

Office for Standards in Education, Children’s Services and Skills (Ofsted) & Care Quality Commission (CQC) to operate a care facility. They would need to be registered with Ofsted.

3.4 The submitted information also indicates that there are no changes to the parking arrangements currently in place (three off street parking spaces). The only external alteration proposed is the removal of the existing low-profile front boundary wall. However, planning permission is not required for this change. In addition, the only internal change indicated is the use of study room as a staff office/sleep in room. No further internal alterations are indicated, with the proposal consisting solely of a change of use.

4. Consultations

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

Statutory Consultees

Consultee	Comment
County Highway Authority	No objections on highway grounds, subject to conditions and informatives.

Non-Statutory Consultees

Consultee	Comment
Surrey Police	No objection - Refers to Secured by Design standards.
Surrey Parenting Commissioning	No objection - The proposed new home would support Surrey County Council’s Sufficiency Strategy 2025-2028.
Environment Health - Contamination	No comments, recommends informatives.
Environmental Health Officer (Noise)	No comments received up to date.

5. Public Consultation

5.1 A total number of 13 neighbouring properties were notified of the planning application. At the time of writing 5 letters of representation have been received objecting to the proposal.

Reasons for objecting include:-

- Needs to be designed to comply with Building Regulations Part M4(2): accessible and adaptable dwellings.
- Out of character.
- Limited on-street parking in the vicinity/Insufficient off-street parking.
- Parking pressure.
- Increased traffic.

- Highway safety concerns.
- Noise and disturbance.
- Anti-social behaviour.
- No infrastructure to support a higher intensity use.

5.2 In addition, a letter of representation has been submitted by the applicant, which raises the following points:

- The property will be set up as a family-style home as per Ofsted requirement.
- One car will be used to transport children to school and other activities.
- 24 hours a day supervision.
- Operate as a single household.
- Sustainable location.
- adequate off-street parking on site.
- the proposal will follow Secured by Design standards, in line with advice from Surrey Police.
- Ofsted regulations in place.
- The Prospering Place works closely with the Surrey County Council.
- The proposal supports support Surrey County Council's Sufficiency Strategy 2025 to 2028.

6. Planning Issues

- Principle
- Residential amenity.
- Parking & highways.
- Other matters

7. Planning Considerations

Principle

- 7.1 Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The [Town and Country Planning \(Use Classes\) Order 1987](#) (as amended) identifies under Part C that Class C3 is for use as a dwellinghouse (whether or not as a sole or main residence) (a) by a single person or by people living together as a family, or (b) by not more than 6 residents living together as a single household (including a household where care is provided for residents). A change from C3 (a) to C3 (b) would not normally be classed as development requiring planning permission under Section 55 (f) of the Act as amended.
- 7.2 Use Class C2 includes the provision of residential accommodation and care for people in need of care and treatment (other than a use within a Class C3

dwellinghouse). In some circumstances where the total number of residents does not exceed 6, Case Law and appeal decisions suggest that a Children's Home or a home for people in need of care, can be regarded as falling within the C3(b) Use Class and the fundamental question in determining this is whether the residents of the property form a single household and receive care.

- 7.3 The case law *North Devon District Council v FSS & Southern Childcare Ltd [2003] EWHC 157 (Admin)*; *[2003] JPL 1191* held that the concept of what constitutes a household means more than simply the number of people, as it was necessary to assess whether the unit could be regarded as a household. It is also understood from the applicant's statement that the carers (who will be at property 24hours a day) would not reside at the property permanently and instead would rotate on a shift basis. Having regard to the number of occupiers of the property, together with the conclusions of the *North Devon v SOS* case, it is considered that the proposed use of the building would fall within the C2 Use Class (Residential Institutions).
- 7.4 The submitted information states that there will be up to four children aged between 7 and 18 years living in the property. The submitted information indicates that these individuals will receive care on site in a domestic, household setting, whereas the care staff would not fully reside at the property (rota basis). The issue to be assessed is whether the change of use from a dwellinghouse (C3) to a children's care home (C2) is acceptable in planning terms.
- 7.5 Local and national planning policy is extremely limited in its guidance in respect of Children's Homes. The operation and regulation is not a planning matter and the Council must instead consider the principle of the C2 use of the site. However, the applicant has stated that the provider will be looking after children age between 7 and 18 years that may have a background as a care leaver or those with mental health needs and learning disabilities.
- 7.6 Policy H1 (Homes for all) at paragraph 9, states the provision of well-designed specialist forms of accommodation, including sheltered housing, care homes and other appropriate form of accommodation for the elderly and those with particular needs, will be permitted provided that the development: a) meets demonstrable established local community need; and b) is in a sustainable location, with access to appropriate services and facilities where these are not provided on site. This includes public transport, shops, local services community facilities and social networks. Furthermore, the Policy also refers to the fact that the Council will work with specialist providers and bodies, such as Surrey County Council, to identify and secure provision of suitable sites for specialist housing.
- 7.7 The applicant states that the proposal aims to provide specialised residential care, therapy, and education for up to four children. It is noted that children may require out-of-home care for a variety of reasons, including family breakdown, abuse, neglect, or behavioural difficulties. The submitted information emphasises that there is a recognised need for children's care homes within Spelthorne, to enable children from the local area to be placed

close to home and maintain important connections with their families, schools, and wider communities.

- 7.8 It is also worth noting that Surrey County Council's Corporate Parenting Commissioning Team has also acknowledged the ongoing challenge of having to place a large proportion of children in residential care homes outside the county boundary, due to insufficient provision within Surrey. All local authorities have a statutory duty to provide care and accommodation for children looked after in the local area (the 'sufficiency duty'). It was acknowledged that this site in Ashford is located in a suitable geographical region to support Surrey County Council sufficiency, with transport links and education settings nearby. The Surrey County Council further notes that they are working with external providers developing children's homes in the county, alongside developing additional in-house provision for children who are looked after. The application proposes a community facility and is considered to be in accordance with Policy H1 in this regard and the proposed use is acceptable in principle.

The Character of the area

- 7.9 There is already hardstanding covering the entire frontage for the parking. The current proposal would not result in any further additional internal or external changes to the building. As such the proposal would not change the appearance of the building and is considered that the design and appearance would not cause harm to the character of the area or street scene. The property is located along a residential road and adjoins other residential properties along School Road.
- 7.10 The proposal is therefore considered to have an acceptable impact upon the character of the area and would be in accordance with policy PS2 and the NPPF on design grounds.

Amenity of future occupants

- 7.11 It is reasonable to expect that future occupants should have access to good standard of communal accommodation in which to prepare food, dine and mix with fellow residents. The NPPF requires spaces that promote health and well-being, with a high standard of amenity for future users (Para 135). Social interaction is important for mental health and well-being inclusive communities (Paragraph 96).
- 7.12 Each bedroom is of sufficient size with a good size window for outlook and light. The proposed plans show a functional space for the future occupants including a kitchen, lounge/dinner and access to the rear garden as well as the use of a study area. The understanding is that the occupiers would eat together and share prepared meals or make their own meals and they would share all the facilities of the home. During the day, it is expected that children would engage in various activities including attending a school in the area.
- 7.13 The submitted information indicates that there would always be at least two members of staff who will be rotating on a shift basis providing integrated personal support for the occupiers' development and acting as co-parents by supporting with their life, social and behaviour skills and assist them in re-

engaging with education. This will be on a 24 hour basis. The frequency of shift changes and other visits is not considered to alter the character of the use and the way its occupants interact with one another as a single household.

- 7.14 Although the LPA does not have any minimum requirements for garden sizes for care homes, the Design Code minimum size of a garden for a three or more bedroom semi-detached or detached dwellings home is 70 sq. metres. The proposal will provide a rear garden area of some 167 sq. metres and therefore this is considered to be acceptable. It is accessed from the communal kitchen indoor space.
- 7.15 Each bedroom would be of a sufficient size to accommodate one bedspace with a floor area that meets the Government's nationally described Technical Housing Standards (March 2015) for new dwellings. It is recommended that a planning condition is imposed in order to limit the number of residents to four. The shared kitchen and lounge/dinner would be located on the ground floor of the property, which is considered to be sufficient in size for the number of occupants. Residents would also have access to a shared rear garden and have cycle and refuse storage facilities.
- 7.16 Therefore, it is considered that the number of occupants would be able to be comfortably accommodated in the subject property. The quality of the communal space provided within the development is considered to be sufficient and would provide an acceptable living environment for its future residents.

Amenity of neighbouring properties

- 7.17 Policy PS2 states that proposals for new developments should demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding adverse and un-neighbourly impacts in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.18 The proposal does not include any extensions. The existing building will be converted for the proposed use, and will continue to be residential in nature. Therefore, it is not considered that the proposal would lead to harmful overlooking or loss of privacy, as the relationship will remain the same as existing.
- 7.19 Policy E4 sets out the Council's general approach to minimise the impact of noise and refers to reducing noise levels from noise generating activities and locating noise sensitive development away from sources of high noise.
- 7.20 The house and its curtilage will retain the character of neighbouring houses. Whilst there could be a potential increase in activity (in terms of people entering and leaving the property) associated with the proposed use, it is not considered that this would be significantly different to those experienced in a 4 bedroomed family dwelling. It is not considered that the use of the property as C2 care home for up to 4 persons would cause unacceptable noise or general disturbance and would lead to material harm to the living conditions of neighbouring and adjoining properties.

- 7.17 Consequently, the proposal is not considered to have a significant impact on the amenity of neighbouring residential properties that would justify refusal on these grounds. The proposal would be in accordance with policies PS2 and E4 as well as the NPPF.

Highway and Parking Provision

- 7.18 Paragraph 115 of the NPPF states that ‘Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’
- 7.19 Third party representations have raised concerns about highway safety. The County Highway Authority (CHA), in its role as highway authority, has undertaken an assessment in terms of highway safety, parking and operational impact of the proposed development. The CHA is of a view that the proposed change of use will not significantly cause a highway safety issue and believes that provided the recommend conditions of the application are achieved, there is no justifiable reason that this proposal should be refused on highway safety grounds. It would not be acceptable to refuse this application based on the widespread common practice of parking on the footway in the vicinity of the site, which cannot be solely linked to this particular development.
- 7.20 The County Highway Officer considers that the proposed change of use will not result in a significant increase in vehicle movements. The Use Class of children’s care home (C2) will be characterised by trips from staff, visitors and deliveries and while this is more varied than the current use as a dwelling (C3), it will not result in a significant increase of trips that create highway safety concerns. The site’s close proximity to cycle infrastructure and local, bus stops also supports active travel options for visitors and staff. The site’s access will not experience any intensification, as the on-site parking capacity will stay the same. The CHA considers three off-street parking spaces is adequate for this size of development. The development proposes to extend the vehicle crossover to provide more manoeuvring space, as well as better visibility for exiting vehicles.
- 7.21 The development will also provide cycle parking facilities for staff or visitors to help promote sustainable modes of transport. These facilities are considered to be acceptable and to the standard set out in Surrey County Council’s Guidance for active travel.
- 7.22 It is therefore considered that the proposed parking provision would not conflict with Policy ID2 of the Spelthorne Local Plan 2024- 2039/40 and is acceptable.

Other matters

- 7.23 In regard to neighbouring safety concerns, Surrey Police refer to encouraging the applicant to apply for the Secure by Design Award in regard to crime prevention measurement. The supporting statement indicates that there will be some security measures in place such as the installation of CCTV, monitored by the staff on duty, high boundary treatment at the side and rear

of site, undertaking Safe Area Assessment of Risk and others. It is recommended for these to be added as an informative to the decision notice.

- 7.24 It is relevant to note that the application is not subject to the National Biodiversity Net Gain requirements as it involves a change of use.

Financial Considerations

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

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:

The elimination of discrimination, harassment and victimisation; The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it; The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights Act 1998

- 7.27 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.28 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.
- 7.29 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 and Recommendation

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

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

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

8. Recommendation

8.1 APPROVE subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans H/649/02-L Existing and AKOM-LP1 Received on 08.01.2026, 01 Received on 06.02.2026, 07 Revision A and H/649/02-L Proposed Received on 09.04.2026.

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

3. The occupation of the young adult's care home hereby permitted shall be limited to a maximum of 4 residents at any time.

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

4. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (drawing No. 07) for vehicles to be parked. Thereafter the parking area shall be retained and maintained for their designated purpose.

Reason: -. To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required, in accordance with NPPF.

5. The development hereby approved shall not be occupied unless and until a fully operational fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) has been installed in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

6. No part of the development shall be first occupied unless and until the proposed modified vehicular access to No. 115 School Road has been constructed and provided with a means within the private land of preventing private water from entering the highway, visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason: -. To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to ensure that the facilities provided are reserved for the benefit of the development for which they are specifically required, in accordance with NPPF.

7. Prior to the occupation of the development hereby approved the facilities for the secure parking of bicycles within the development site shall be provided in accordance with the approved plans. Thereafter the said approved facilities shall be retained and maintained to the satisfaction of the Local Planning Authority.

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

Informatives

1. In accordance with Approved Document S of the Building Regulations, you will be required to install electric vehicle charging facilities.
2. The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com.

3. The property will not receive any more bins than the standard household allocation of 1 x 240 rubbish and 1 x 240 recycling, emptied on a fortnightly basis.

Any additional capacity or collections required for the tenants to manage their waste would be the responsibility of the landlord to seek/arrange on a commercial basis.

4. The applicant's attention is drawn to the Equalities Act 2010, which requires the property to be accessible to disabled people.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

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Planning Appeals Report – V1.0 ISSUED

Appeals Started between 12 February 2026 – 15 April 2026

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
25/00206/FUL Franklin House Station Approach Shepperton	24.02.2026	Written Representation	APP/Z3635/W/25/3371936 Two-storey front extension and additional floor
23/00358/ENF_A 138 Feltham Road Ashford TW15 1AD	05.03.2026	Written Representation	APP/Z3635/C/26/3377491 Appeal against the serving of an Enforcement Notice without planning permission and within the last 4 years, the material change of use of an outbuilding to a self-contained 2 bedroomed unit of accommodation (Hatched in green on the attached plan)

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
23/00358/ENF_B 138 Feltham Road Ashford TW15 1AD	26.02.2026	Written Representation	APP/Z3635/C/26/3377492 Appeal against the serving of an Enforcement Notice the unlawful operational development of fencing and gates (outlined in blue) to create a separate planning unit (hatched in green) without the benefit of planning permission
25/01251/CPD 25 Edward Way Ashford TW15 3AY	03.03.2026	Written Representation	APP/Z3635/X/26/3377677 Certificate for Lawful Development for proposed development of change of use from a 6 Person HMO (Class C4) to a 7 Person HMO (Sui-Generis)
25/00758/CPD Fordbridge Park Fordbridge Road Sunbury-on-Thames	12.03.2026	Written Representation	APP/Z3635/X/26/3378010 Certificate of Lawfulness for the proposed use of the land as a caravan site for up to thirty nine caravans (an additional two caravans on the existing site). As shown on the site location plan received 09.06.2025.
25/01110/FUL 7 Marlborough Road Ashford TW15 3PZ	11.03.2026	Written Representation	6005974 Erection of a single storey side extension and conversion of the existing side/rear extension to create a self-contained flat with a sub-division of the existing plot with associated landscaping, refuse and cycle storage
25/01079/FUL	25.03.2026	Written Representation	6006583 Change of use from a Residential Dwelling (Use Class C3) to a children and young adult's care home (Use Class C2)

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
35 Oakfield Road Ashford TW15 1DN			

Appeal Decisions Made between 12 February 2026 – 15 April 2026

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
21/00557/DC2 15 Roxford Close Shepperton TW17 8RS	06.01.2025	Written Representation	APP/Z3635/W/24/3348133 Details pursuant to condition 3, (soft & hard landscaping) condition 4, (means of enclosure) condition 5, (renewable energy) condition 6, (vehicular access) and condition 8 (electric charging) reserved from planning permission 21/00557/FUL. (ONLY CONDITION 8 HAS BEEN SATISFIED AND CAN BE DISCHARGED AT THIS STAGE)	Appeal Allowed	13.04.2026	Discharge of conditions (3 Landscaping and 4 boundary treatment for a new dwelling) The Inspector said ' <i>...my consideration centres on whether the details submitted to discharge the conditions are sufficient to meet their specific requirements.</i> ' the main issue is the effect of the proposed scheme of soft and hard landscaping and the scheme of means of enclosure. Condition 3 The immediate streetscene is characterised by houses in large plots which are set back from the road. Some of the houses have front garden areas that are largely grassed, with trees and planting, with smaller areas of hard surfacing that are enclosed by low brick walls and hedging. Others, as seen at Nos 17 and 19, have frontages that are predominantly hard surfaced with less soft landscaping. As these houses do not have a

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						<p>continuous front boundary, they have a more open character.</p> <p>Whilst no front boundary treatment is proposed, which does differ from other houses nearby, the appeal site is situated in a context where some houses already display similar arrangements, with large areas of hard surfacing and relatively open frontages. Therefore, despite the design principles in the SPD and SPG, the frontage would be appropriate given this established character. Although cars would be parked near the flower beds, the modest areas of planting would still be evident in near-range views, as would the tree, which would help to soften the overall extent of hard surfacing to reduce its visual prominence.</p> <p>Condition 4</p> <p>The condition requires details of the position, design, materials and type of boundary treatment. The submitted information shows that wooden gates matching the style of previous ones, would be positioned on either side of the house, while the existing chain-link and wooden fencing to the side boundary and fence along the rear boundary would remain. The</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						<p>specific details required by this condition have therefore been provided.</p> <p>He concludes that the proposed scheme would not cause harm to the character and appearance of the approved development and area. Accordingly, the details comply with Policy PS2.</p>
<p>25/00797/FUL</p> <p>31 Junction Road Ashford TW15 1NJ</p>	28.10.2025	Written Representation	<p>APP/Z3635/W/25/3374847</p> <p>Rear hip to gable extension, with 2 no. flank dormers, and 2 no. rooflights, to facilitate loft conversion into habitable space. Erection of a single storey rear extension. Changes to fenestration and extension of dropped kerb with new hardstanding on front driveway. All to facilitate the conversion of a C3 dwellinghouse into an 8 person HMO (Sui-Generis) with associated parking and amenities.</p>	Appeal Dismissed	11.03.2026	<p>The proposal comprises built extensions alongside the change of use of the existing C3 dwellinghouse to an 8-person HMO. The Inspector recognised that the scheme would result in harm to the character and appearance of the area; however, this was afforded neutral weight in the planning balance due to fall-back position established through permitted development rights. The appeal was dismissed on the basis of the substandard living conditions that would be experienced by future occupiers. The Inspector's concerns centred on the quality of the proposed bedrooms, the limited provision of usable external amenity space, and the inadequacy of the communal facilities.</p> <p>Notwithstanding that much of the physical built form could be implemented under</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						permitted development, the internal layout and intensity of occupation were found to be unacceptable. In particular, several bedrooms would experience poor levels of light, outlook, and privacy, while the communal kitchen and garden areas would be insufficient in both size and functionality to adequately serve eight occupants.
25/00865/FUL 25 Edward Way Ashford TW15 3AY	12.11.2025	Written Representation	APP/Z3635/W/25/3374915 Internal alterations to facilitate change of use from dwelling house (Use Class C3) to house of multiple occupancy (HMO - use class Sui Generis) for 7 occupants (As shown on plans: EX - L003; EX - P001; EX - P002; EX - P004; EX - E001; EX - E002; EX - E003; EX - E004; EX - S001; EX - S002 received 02.07.2025 and PR- L003; rev A; PR- L002 rev A; PR- P001 rev A; PR- P002 rev A; PR- P004 rev A; PR- E001 rev A; PR- E002 rev A; PR- E003 rev A; PR- E004 rev A; PR- S001 rev A; PR-	Appeal Dismissed	23.02.2026	TBC

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
			S002 rev A received 19.08.2025)			
25/00291/FUL Terminal House Station Approach Shepperton	04.11.2025	Written Representation	APP/Z3635/W/25/3375056 Two-storey side extension to the commercial building As shown on drawing no's: E00; E01; E02; E03; E04; P00; P01 and P02 received 12 June 2025	Appeal Dismissed	09.04.2026	The Inspector considered that the proposed extension would add a number of first floor windows which would directly overlook the outdoor amenity space of 13 Station Road and would reduce the open outlook currently experienced by this property. Similarly, the extension would look directly onto the rear outdoor amenity space of 6 Old Charlton Road, diminishing the privacy experienced by the occupiers. The Inspector concluded that the proposed extension would be harmful to the living conditions of the occupiers of 13 Station Road and 6 Old Charlton Road and would not comply with the provisions set out in policy PS2 of Spelthorne Local Plan 2024-2039/40 on (adopted on 17 March 2026). An application for an award of costs against the Council was dismissed.
25/00268/FUL	03.11.2025	Written Representation	APP/Z3635/W/25/3375194 Demolition of existing building and	Appeal Dismissed	25.02.2026	The main issue was identified to be the impact upon the character of the area.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
Enterprise House 203 London Road Staines-upon-Thames			redevelopment of site to create a building arranged over ground, first, second, part third and part fourth floors for Class E(g)(i)(office) and Class B8 (self-storage) uses, provision of car and cycle parking, landscaping, plant and associated works.			<p>Even though the top floor of the building would be set back, because of its height, substantial width and depth, the Inspector considered the replacement building to be substantial in mass and scale and would loom over the nearby buildings.</p> <p>The building would also project notably further forward than the adjoining building and would be much taller and bulkier to the road frontage, appearing obtrusive in views along London Road.</p> <p>The proposal was therefore found to be contrary to the objectives of policy EN1 and the appeal dismissed.</p>
25/01028/FUL 4 Burgoyne Road Sunbury-on-Thames TW16 7PW	04.11.2025	Written Representation	APP/Z3635/W/25/3375319 Change of use from C4 (6-person HMO) to sui generis to allow for 8-person HMO facilitated by internal alterations, refuse and cycle storage, and retention of two car parking spaces	Appeal Dismissed	18.02.2026	TBC

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
25/01091/FUL 60 Avondale Road Ashford TW15 3HT	12.11.2025	Written Representation	APP/Z3635/W/25/3375431 First floor rear extension to facilitate a change of use from a 6-person HMO (use class C4) to a 7-person HMO (use class sui generis)	Appeal Dismissed	19.02.2026	TBC
25/00295/FUL Stanwell Auto Services Limited Former Fordbridge Service Station Kingston Road	20.11.2025	Written Representation	APP/Z3635/W/25/3375737 Construction of building for the storage of cars with ancillary workshop in association with car sales	Appeal Dismissed	17.03.2026	<p>The main issues were whether the site would be Grey Belt, whether the proposal would be inappropriate development in the Green Belt, the effect on openness, and whether there were any 'very special circumstances' to justify the development.</p> <p>It was noted the site boundary has been extended and the proposed building would not be within the original site.</p> <p>The Inspector considered that a sequential test would be required to assess flooding impacts. However, as a sequential test was not submitted there were considered to be strong flooding reasons to restrict the development, and as a result the site was not considered Grey Belt.</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						<p>The proposal was also found to represent inappropriate development in the Green Belt and was also considered to cause harm to the openness of the Green Belt.</p> <p>The benefits of the scheme did not outweigh the harm, and the proposal was therefore contrary to Green Belt Policy and the appeal dismissed.</p>
<p>25/01064/FUL</p> <p>67 High Street Staines-upon-Thames TW18 4PU</p>	11.12.2025	Written Representation	<p>6002244</p> <p>Change of Use of ground floor from vacant Bank to a proposed Bingo Hall</p>	Appeal Allowed	12.02.2026	<p>The main issues were the impact of the development on the vitality and viability of the Town Centre, and the living conditions of neighbouring occupiers with particular regard to noise and disturbance.</p> <p>It was noted policy TC2 was more restrictive than the NPPF. It was also noted that Bingo Halls are defined as Town Centre uses in the NPPF.</p> <p>As the building is currently vacant the scheme was not considered to undermine the purposes of emerging policy EC2.</p> <p>The façade of the building was not considered to lend itself to a traditional retail use and bringing a vacant building into use</p>

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						<p>was considered to add to vitality and viability of the town centre.</p> <p>The Inspector raised no noise concerns and considered there was no evidence to demonstrate anti-social behaviour. When assessed against the NPPF as a whole the Inspector considered the scheme to be acceptable and allowed the appeal</p>
<p>26/00011/RVC</p> <p>35 Park Road Ashford TW15 1EX</p>			<p>Removal of Condition 4 (restricts the use of the extended property to Use Class C3 only) relating to planning application 25/01088/HOU</p>	No Further Action	14.04.2026	TBC

Current/Future Hearings/Inquiries

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

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Major Applications

This report is for information only.

The list below comprises current major applications which may be brought before Planning Committee for determination. These applications have either been submitted 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

25/01226/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
25/01461/FUL	The Vineries Site Spout Lane Stanwell Moor TW19 6BN	Demolition of existing buildings and erection of an office, welfare and maintenance building, replacement of existing hardstanding, with retention of existing storage yard (Use Class B8). Associated car and cycle parking, refuse storage and landscaping.	Savills	Kiran Boparai

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
15/04/2026

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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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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