



Please reply to:

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Date: 1 October 2026

Notice of meeting

Planning Committee

Date: Wednesday, 14 October 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)
L. Barker
C. Bateson
S.N. Beatty

M. Buck
T. Burrell
R. Chandler
D.C. Clarke
K.M. Grant

K. Howkins
M.J. Lee
L. E. Nichols
K.E. Rutherford
P.N. Woodward

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

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Planning Committee meeting

Start times of agenda items

It is impossible to predict the start and finish time of any particular item on the agenda. It may happen on occasion that the Chairman will use his discretion to re-arrange the running order of the agenda, depending on the level of public interest on an item or the amount of public speaking that may need to take place. This may mean that someone arranging to arrive later in order to only hear an item towards the middle or the end of the agenda, may miss that item altogether because it has been "brought forward" by the Chairman, or because the preceding items have been dealt with more speedily than anticipated. Therefore, if you are anxious to make certain that you hear any particular item being debated by the Planning Committee, it is recommended that you arrange to attend from the start of the meeting.

Background Papers

For the purposes of the Local Government (Access to Information) Act 1985, the following documents are to be regarded as standard background papers in relation to all items:

- Letters of representation from third parties
- Consultation replies from outside bodies
- Letters or statements from or on behalf of the applicant

AGENDA

Page nos.

1. Apologies and Substitutions

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

2. Minutes

5 - 10

To confirm the minutes of the meeting held on 22 July 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 26/00714/FUL - Land Accessed from Sheep Walk, Shepperton

11 - 28

Ward

Shepperton Town

Proposal

Vehicular access track to serve the flexible electricity generation facility approved under planning application ref 22/00569/FUL

Recommendation

Approve the application subject to conditions as set out in the Recommendation section (paras. 8.1, 8.2 and 8.3)

6. Amendments to Planning Committee Terms of Reference, Planning Delegations and Planning Code following the Town and Country Planning Act (Discharge of Local Planning Authority Functions) (England) Regulations 2026

29 - 38

Committee is asked to:

1. Note the upcoming statutory changes under the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 and the introduction of the National Scheme of Delegations as set out in the report; and

2. Appoint the Nominated Member and Nominated Officer.

7.	Planning Appeals Report	39 - 54
	To note details of the Planning appeals submitted and decisions received between 11 July 2026 and 30 September 2026.	
8.	Major Planning Applications	55 - 58
	To note the details of future major planning applications.	
9.	Glossary of Terms and Abbreviations	59 - 64

**Minutes of the Planning Committee
22 July 2026**

Present:

Councillor D.L. Geraci (Vice-Chair)

Councillors:

L. Barker	D.C. Clarke	L. E. Nichols
C. Bateson	K.M. Grant	K.E. Rutherford
S.N. Beatty	K. Howkins	P.N. Woodward
M. Buck	M.J. Lee	

Apologies: Councillors M. Gibson, T. Burrell and R. Chandler

23/26 Minutes

The minutes of the meeting held on 27 May 2026 were approved as a correct record subject to 3 minor amendments being made.

24/26 Disclosures of Interest Under the Member's Code of Conduct

There were none.

25/26 Declarations of interest under the Council's Planning Code

In relation to application 25/01461/FUL Councillors Barker, Bateson, Beatty, Buck, Clarke, Geraci, Grant, Lee, Nichols, Rutherford and Woodward reported that they had received correspondence in relation to application and had received a telephone call/voicemail but had maintained an impartial role, had not expressed any views and had kept an open mind.

26/26 Planning application 25/01461/FUL - The Vineries Site, Spout Lane, Stanwell Moor, TW19 6BN

Description:

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.

Additional Information:

54 letters of support had been received on this application. These letters had been collated through a community consultation company called 'Your Shout'.

The Council had received a copy of the communication from the applicant to the Committee Members and Ward Councillors summarising the benefits of the scheme.

Paragraph 7.44 in the Committee Report and Conditions 14 and 15 should refer to Policy E4 which has superseded Policies EN13 and EN11 from the Core Strategy Document.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Jim McIlroy, Chairman of Stanwell Moor Residents Association (SMRA) spoke against the proposed development raising the following key points:

1. The proposal would result in an increase in commercial traffic through a residential area
2. The proposal would result in unchecked industrialisation of the village
3. The applicant already operated from another site that had adequate potential for expansion so this site would not be needed
4. The village roads were not suitable for Heavy Goods Vehicles.
5. The proposals would represent a significant over development of the site
6. The proposal to replace permeable ground with reinforced concrete would reduce the natural drainage from the site and would contribute to an increase in surface water run-off
7. The Environment Agency submitted an objection to this application citing the following:

"The application proposes works that may be within 8 metres of a culvert, the Holme Drain main river culvert and does not comply with the requirements of planning as it does not adequately assess the impact of the development's proximity to the culvert."

8. The application was in contrary to paragraph 181 of the National Planning Policy Framework and Policy E3 of the Emerging Spelthorne Local Plan.

In accordance with the Council's procedure for speaking at meetings, Olivia Frost from Savills spoke for the proposed development raising the following key points:

1. The site already benefited from lawful B8 Storage and Distribution Use

2. The application was not requesting a change of use
3. The site was considered to be Grey Belt Lane
4. Concerns relating to flooding, drainage and highways had been addressed
5. The Environment Agency had no objections on flood risk grounds
6. The application was not expected to contribute to a material increase in traffic
7. The County Highway Authority had no objections
8. Outdated buildings would be replaced with a modern facility
9. The appearance of the site would be improved and substantial landscaping and screening for neighbouring properties would be put in place
10. Local residents had welcomed the proposed changes
11. The development incorporated sustainability measures including air source heat pumps, EV charging infrastructure, cycle parking and energy efficient design.
12. The proposals would provide improved facilities for all the employees
13. The proposals would improve an existing lawful site whilst delivering clear environmental, economic and operational benefits.

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

1. The vehicles entering and exiting the site would be large and heavy
2. There was only one road in and out of the village, so it currently retained a semi-rural village feel
3. The only route to exit the site was via Spout Lane that led to Horton Road. In the middle of the village, Horton Road had a ninety degrees bend that already contributed to this being an accident blackspot
4. Increasing traffic along Spout Lane would add to the potential risk of an accident
5. HGV driving through Stanwell Moor were already causing damage to the village
6. The applicant had not provided a 7-day traffic count
7. The site regularly flooded
8. The original application was rejected by the Environment Agency due to flooding issues
9. The surface water discharge point would still be into an open ditch along Spout Lane that ran in front of the houses in that lane
10. The application included more tarmac and concrete areas which would create more run-off water, increasing the risk of flooding

Debate:

During the debate the following key issues were raised:

1. Concerns were raised about the increase in concrete areas that could create a flooding risk
2. Additional run-off water from the site would go straight into the drainage ditch in Spout Lane
3. How would an oil spillage be prevented from entering the water table
4. The footprint for the proposed commercial building would be twice the size of the original building
5. This proposal would have an adverse effect on green belt land
6. The site was considered to be grey belt land under paragraph 154 of the NPPF and would fit into the exception, paragraph 154(g) that stated that development in the Green Belt would not be inappropriate if the application is for the partial or complete redevelopment of previously developed land
7. The proposed new building would be 5ft taller than the existing building
8. There might be bats using the derelict buildings; had a bat survey been undertaken
9. Failure of the applicant to provide a 7-day vehicle count was an issue
10. There would be an increase in the noise level from the site due to the increase in traffic entering and leaving the site that would have a detrimental impact on neighbouring residents
11. There was currently a restriction on the site that prevented lorries from entering or leaving the site before 7am and after 7pm, however there was no restriction on manoeuvring around the site
12. Consideration should be given to installing solar panels on the flat roof of the new building

The meeting adjourned at 20.07

The meeting reconvened at 20.14

The Committee requested that an additional condition be added to Condition 4 within the report to include reference to an acoustic fence being erected adjacent to the neighbouring property of Amberley and that the boundary fence should be in situ before the building was occupied. This could mitigate any increase in noise levels for the neighbouring properties.

The Committee requested that Condition 14 be amended to expand the restrictions with regard to activity on the site. In addition to entering and leaving the site, manoeuvring within the site should also be restricted to only between the hours of 7am and 7pm. The Committee also asked that the wording 'articulated lorries' be amended to 'Heavy Goods Vehicles' to encapsulate both ridged and articulated lorries.

Decision:

The application was approved subject to changes to Conditions 4 and 14, and Reasons 14 and 15:

Condition 4 –

Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local

Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. **The scheme shall include acoustic fencing adjacent to the neighbouring property of Amberley.** The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details and maintained as approved.

Condition 14 –

No deliveries, servicing, loading and unloading **or manoeuvring** from articulated lorries **Heavy Goods Vehicles** (HGVs) shall take place outside the approved hours of operation (07.00 to 19.00 Monday to Saturday and no operation on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority)

Reason 14 –

Reason: To protect residential amenity and in accordance with Policy ~~EN11~~ **E4** of the Spelthorne Local Plan.

Reason 15 –

Reason: To protect residential amenity and in accordance with Policy ~~EN11~~ **E4** of the Spelthorne Local Plane

27/26 Planning Appeals Report

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

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

28/26 Major Planning Applications

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

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

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Planning Committee

14 October 2026



Application No.	26/00714/FUL
Site Address	Land Accessed from Sheep Walk, Shepperton
Applicant	Conrad Energy Limited
Proposal	Vehicular access track to serve the flexible electricity generation facility approved under planning application ref. 22/00569/FUL (appeal ref: APP/Z3635/W/23/3321476).
Case Officer	Matthew Clapham
Ward	Shepperton Town
Called-in	This application has been 'called-in' by Councillor Howkins on the grounds of inappropriate use of Green Belt land.

Application Dates	Valid: 09.07.2026	Expiry: 03.09.2026	Target: Extension of Time until 16.10.2026
Executive Summary	The site is currently open land off Sheep Walk. There is an existing access from Sheep Walk. To the south is open land recently granted planning permission for the storage of plants and associated / ancillary materials. To the north is also open land with a history of unlawful uses on it. The site is situated within the designated Green Belt and Flood Risk Zones 2 and 3a. The site is also located within an area safeguarded for the 'River Thames Scheme - Areas and Land Under Consideration'. It is proposed to lay down hardstanding to create an access track that leads to the west to an approved small-scale flexible electricity generation facility with associated ancillary infrastructure, access and boundary treatment. The original access to this facility was to be from Chertsey Road using the existing access to Priory Stables. However, the County Highway Authority did not agree to its use due to cabling and infrastructure issues. The proposal is considered to have an acceptable impact on the Green Belt, biodiversity, the amenity of neighbouring properties and highway safety. It is also not considered to adversely affect the potential implementation of the River Thames Scheme. The proposal is recommended for approval. It should be noted that this application does not include the electricity generation facility which has its own extant approval. This application is solely for the access to it.		
Recommended Decision	Approve the application subject to conditions as set out in the Recommendation section (paras. 8.1, 8.2 and 8.3).		

MAIN REPORT

1. Development Plan

1.1 The following policies of the Spelthorne Local Plan 2024–2039/40 are of relevance:

- Policy ST1: Presumption in Favour of Sustainable Development
- Policy ST2: Planning for the Borough
- Policy PS1: Responding to the Climate Emergency
- Policy PS2: Designing Places and Spaces
- Policy E2: Biodiversity
- Policy E3: Managing Flood Risk
- Policy E4: Environmental Protection
- Policy ID2: Sustainable Transport for New Developments

1.2 The policies contained within the [National Planning Policy Framework](#) (NPPF) (August 2026) are also relevant

2. Relevant Planning History

2.1 The site has the following planning and enforcement history:

Reference	Proposal Description	Decision
18/01396/FUL	Restoration of land - Involving removal of material, crushing material and replacing with imported naturally occurring soils, topsoil and grassing.	Refused 12.02.2019
22/00569/FUL	Erection of a small-scale flexible electricity generation facility with associated ancillary infrastructure, access and boundary treatment	Refused 04.11.2022 Allowed on Appeal APP/Z3635/W/23/3321476 17.09.2024
26/00297/FUL (Officer Note:)	Change of use from agriculture to storage of plants and associated / ancillary materials This is of relevance as it is located on the site immediately to the south of the proposed road and sharing the same access	Granted 30.07.2026

3. Description of Current Proposal

- 3.1 The application relates to a piece of land of 0.96 hectares at land accessed to the west of Sheep Walk, Shepperton. This site is not owned by the applicant, who has signed Ownership Certificate B stating that 21 days' notice has been given to the owners. The site is located within the Green Belt, an area safeguarded for the River Thames Scheme - Areas and Land Under Consideration and Flood Risk Zones 2 and 3a.
- 3.2 The proposal involves the construction of an access road that provides access to a small-scale flexible electricity generation facility with associated ancillary infrastructure, access and boundary treatment. The access road is approximately 500m long and approximately 4m wide and would comprise a compacted permeable stone/gravel surface
- 3.3 The existing access road onto Sheep Walk to the site will remain. It is also proposed to have various biodiversity initiatives.

4. Consultations

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

Statutory Consultees

Consultee	Comment
County Highway Authority (CHA)	No objection subject to conditions.
Environment Agency (EA)	No objection.
Natural England	No objection.

Non-Statutory Consultees

Consultee	Comment
Environment Health – Land Contamination/Air Pollution	No objection.
Surrey Wildlife Trust (SWT)	No objection in principle – suggested further reports.
Biodiversity Officer	No objection.

5. Public Consultation

- 5.1 5 site notices were displayed.
- 5.2 A single neighbouring property was notified of the planning application. The Council has received no letters of objection. One letter was received from the Shepperton Residents Association regarding the access and that the comments of the County Highway Authority should be considered in the context of the recent application on the site to the south.

6. Planning Issues

- Green Belt

- Design, character and appearance
- Amenity of neighbouring properties
- Highways
- Flooding and the River Thames Scheme
- Other matters

7. Planning Considerations

Background

- 7.1 The proposed access is to serve the flexible electricity generation facility approved under planning application ref. 22/00569/FUL (appeal ref: APP/Z3635/W/23/3321476). This is located to the west of the access on land adjoining the Ranges. This is an extant approval and may be implemented at any time until the 17th September 2027.
- 7.2 Planning permission is sought for an alternative access route to the approved flexible electricity generation facility. The approved development site for the flexible energy generation facility does not form part of this application and may be implemented regardless of this proposal. However, the applicant has stated that the approved access track that connects the flexible generation site to Chertsey Road to the south-west can no longer be delivered due to non-planning related constraints.

Green Belt

- 7.3 The site is situated within the Green Belt. The National Planning Policy Framework (NPPF) 2026 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 7.4 Policy SP4 (Green Belt) of the Council's Local Plan states that in order to uphold the fundamental aims of the Green Belt to prevent urban sprawl and to keep land within its designation permanently open, inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.
- 7.5 The Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.6 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt,

including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 7.7 The Council's Stage 1 Green Belt Assessment (2017) identified the site and the wider area as being strongly performing and making the following contribution the Green Belt purposes:
- Purpose (a): Check unrestricted sprawl (score 0/5) The Local area is not at the edge of a large built-up area.
 - Purpose (b): Preventing neighbouring towns from merging (score 3/5) The Local area is part of the wider gap between Shepperton and Chertsey.
 - Purpose (c): Safeguarding the countryside from encroachment (score 4/5) Majority of the area is open and undeveloped.
 - Purpose (d): Preserving historic towns (score 0/5) The Local area does not abut an identified historic area.
- 7.8 The site was not part of any further consideration under the Stage 2 Green Belt Assessment (2018) nor the Stage 3 Green Belt Assessment (2022).
- 7.9 However, Policy GB7 in Chapter 13 'Protecting Green Belt Land' of the NPPF lists exceptions that may result in development not being inappropriate in the Green Belt.
- 7.10 The applicant has stated that it would fall under 1 e) which states that development in the Green Belt would not be inappropriate for the 'redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), which would not cause substantial harm to the openness of the Green Belt'.
- 7.11 Notwithstanding this, the Council considers that Exception 1 g) (Land Comprising Grey Belt) is more relevant and pertinent to this proposal. The NPPF states that for the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2.
- 7.12 Policy GB7 1 g i) further states that the exception is relevant where the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Given the limited scale of the development and the size of the site, the proposal is not considered to fundamentally undermine the overall purposes of the Green Belt.
- 7.13 As stated in paragraph 7.7 above, for purposes a) and d) the site scored 0 in the Green Belt Assessment whilst it only scored a moderate 3 in regard to purpose b). The highest scoring purpose c) is excluded from any assessment of Grey Belt land. As such, the proposal is considered to meet the requirements of this exception.

- 7.14 Policy GB7 1 g further requires that ii) There is an evidenced unmet need for the type of development proposed. This is considered to have been met in view of the Inspectors decision to grant permission for the flexible electricity generating facility primarily on the grounds that it is needed to aid the transition to low carbon energy provision. This access is required to allow the generation facility to operate and function.
- 7.15 At GB7 1 g iii), the policy also requires that the development would be in a sustainable location, with particular reference to policy TR3 of this Framework. Using the criteria set out in this policy and the 'Connectivity Tool', the site is considered to be located within a sustainable location. The final requirement for this exception is not relevant as it relates to the provision of housing.
- 7.16 Therefore, the proposed development is considered to satisfy the criteria set out in Policy GB7 of the NPPF and constitutes development which is not inappropriate within the Green Belt and is therefore acceptable in terms of its location within the Green Belt.

Character and appearance

- 7.17 Chapter 14 of the NPPF: Achieving well-designed places, sets out the Policies and principles for development proposal to respect and enhance their surroundings taking into account their context.
- 7.18 Policy PS2 (Designing Places and Spaces) states that the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity, respect and make a positive contribution to the street scene and the character of the area in which they are situated and will pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
- 7.19 The site and surrounding area is largely self-seeded landscaping and open land. There would be loss of some existing planting. The road itself would only be used on an occasional basis once the facility is in use and is already well screened by hedges, trees and shrubs along the main boundaries to the site along Sheep Walk and Chertsey Road. Therefore, it is not considered that the proposal would result in a significant impact upon the character and appearance of the area and complies with the NPPF and Policy PS2 of the Local Plan.

Amenity of neighbouring properties

- 7.20 Policy PS2 further states that 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.

- 7.21 The nearest residential properties are some distance away, with the nearest on Chertsey Road being 100m away and those to the west 600m away, to the north 750m away and to the south east 350m away. There are a number of businesses already operating to the south within the Waymeadows Business Centre on Chertsey Road.
- 7.22 Notwithstanding the small element of disturbance that will arise during the construction phase, once completed, the access will only be used occasionally for routine maintenance and access and generally with standard vehicles and vans rather than HGV's. As such, it is not considered that the access road will give rise to any noise and disturbance above and beyond that already experienced in the locality.
- 7.23 No lighting is proposed and as a single access track, no loss of light or overbearing will arise.
- 7.24 Overall, the proposed development is considered to have a satisfactory relationship to adjoining properties avoiding adverse and un-neighbourly impacts.

Parking provision and Highways

- 7.25 Paragraph 116 of the NPPF states development should be refused on highways grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network following mitigation, would be severe.
- 7.26 Policy ID2 (Sustainable Transport for New Development) in the Local Plan states that the Council will require development proposals to incorporate opportunities to facilitate sustainable and active modes of travel.
- 7.27 The development would provide a single access track to the site of the approved flexible electricity generation facility and would link up with an existing access on Sheep Walk. This access is to be used in conjunction with a recently approved development to the south of this proposed access road for the change of use of land from agriculture to storage of plants and associated / ancillary materials. It is also used by an unlawful activity on the land of motocross riding which the Planning Enforcement team are currently investigating.
- 7.28 The Surrey County Council Highway Authority (CHA) has been consulted and raised no objections. They made the following comments: *'The CHA has assessed the application for a vehicular access to Sheep Walk to serve the flexible electricity generation facility approved under planning application ref. 22/00569/FUL (appeal ref: APP/Z3635/W/23/3321476). The previous application which was approved in September 2024 for a flexible electricity generation facility had a proposed access point from Chertsey Road, south of the site. However, the current application proposes a change in the previously approved access arrangements, now being proposed as an access off Sheep Walk. The CHA is aware that the proposed site access has a history of planning applications and enforcement notices. This included the construction of two large metal posts concreted into the ground to form and support a gate*

close to the boundary with Sheep Walk as well as a wide flat surface commensurate with a prepared route for a roadway resulting in vegetation, soils and debris being piled to the side.

The CHA is aware that the existing access off Sheep Walk was illegally constructed circa 10 years ago. It is the view of the CHA that this application would require the formalising of this access.

Once the site is operational, the CHA understands that site will experience very low expected trip rates. These will consist of LGV's (Large Goods Vehicles) accessing the site for maintenance purposes once or twice a week and will not result in high levels of trips associated with the development'.

- 7.29 After the development has been completed, the roadway and the access / egress onto Sheep Walk will be used infrequently. The CHA has raised no objection to the scheme (subject to conditions) having assessed the application on safety, capacity and policy grounds. The proposal is therefore considered to comply with Policy ID2 of the Local Plan and the NPPF.

Flooding and the River Thames Scheme

- 7.30 Policy E3 (Managing Flood Risk) of the Local Plan states that applications must be supported by Flood Risk Assessments where appropriate that demonstrate the development will be safe, not increase flood risk elsewhere, and maximise opportunities to reduce flood risk from all sources. Furthermore, it seeks to safeguard the route and adjacent land of the River Thames Scheme.
- 7.31 The application site lies within Flood Zones 2 and 3a defined by the National Planning Policy Framework (NPPF) and associated Flood risk and coastal change Planning Policy Guidance (PPG) as having a medium and high probability of flooding. The application was accompanied by a Flood Risk Assessment.
- 7.32 The Environment Agency has been consulted and raised no objections stating that *'As no ground level raising is proposed and permeable materials will be used, we have no concerns about floodplain storage or obstruction of flood flows. Additionally, the flood risk assessment has applied appropriate climate change allowances, and we have no concerns regarding the development's safety over its lifetime'.*
- 7.33 In regard to the River Thames Scheme, the Environment Agency also raised no objections. They commented that *'The proposed access track subject of this application does overlap with the proposed route of the scheme and there will be an interface between the two projects. As the River Thames Scheme progresses and we have more clarity on the timescales for the scheme we will be in touch with the landowner/developer to discuss how we can deliver the scheme in this location'.*
- 7.34 The access road is a relatively minor development that for the reasons set out above, is not considered to result in any harm or increased risk from flooding and is of a nature that would not prejudice the viability of the River Thames

Scheme. Therefore, the proposal is considered acceptable and complies with Policy E3 of the Local Plan.

Biodiversity Net Gain (BNG)

- 7.35 Policy E2 (Biodiversity) states that 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.
- 7.36 The proposal is Biodiversity Net Gain applicable. The applicant has submitted a Biodiversity Statement and Plan and this is shown to provide a 23.37% biodiversity net gain in habitat areas (3.28 unit gain). It is also predicted that trading rules have been satisfied. Therefore, the proposed development as it stands provides a suitable net gain for biodiversity to align the project with the mandatory requirement for 10% biodiversity net gain and local planning guidance. This will be provided on another site and is secured by the BNG legislation.
- 7.37 Whilst the site is not located within any specific area of ecological or biodiversity designation, the Council's Biodiversity Officer was consulted and did not raise any specific objections. Furthermore, Natural England were also consulted and similarly did not raise any objections, confirming that '*Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes*'. Therefore, the proposal is considered compliant with Policy E2 of the Local Plan.

Climate Change and Sustainability

- 7.38 Policy PS1 (Responding to the Climate Emergency) states that sustainable design and construction will be integral to new development in the Borough. All planning applications must include evidence that the below will be addressed, using as a minimum the Sustainable Construction Checklist.
- 7.39 The access road would be constructed to support a flexible energy generation facility which was allowed on appeal within the Green Belt on the basis that any harm to the Green Belt was outweighed by the fact that the proposal would assist in the expansion of, and act as a back-up, to renewable energy generation and therefore, the proposed development would appropriately support renewable. Therefore, the proposal is considered acceptable in regard to Policy PS1 of the Local Plan.

Equalities Act 2010

- 7.40 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

Human Rights Act 1998

- 7.43 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.44 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.45 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.
- 7.46 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

Financial Considerations

- 7.47 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is

considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. In consideration of S155 of the Housing and Planning Act 2016, the proposal is not a CIL chargeable development and will not generate a CIL Payment. This is a material consideration in the determination of this planning application. The proposal will generate business rates but not generate a New Homes Bonus and Council Tax payments which are not material considerations in the determination of this proposal.

Conclusion

- 7.48 The proposal is a development which is not inappropriate development within the Green Belt.
- 7.49 Furthermore, there are no other concerns or issues raised by any Statutory or other Consultees regarding the proposal with no harm identified to highway safety, biodiversity or flooding nor to the character of the area or the amenity of any adjoining or neighbouring properties. The proposal would not prejudice the viability of the River Thames Scheme.
- 7.50 The applicant has highlighted national policies supporting such proposals and the fact that the proposal for the flexible electricity generation facility, which include an access track and is essential in allowing the scheme to be implemented, was allowed on appeal by the Inspectorate on the basis of the wider benefits in achieving net zero and aiding the transition to renewable energy.

Recommendation

- 8.1 The options available to the Planning Committee for decision making are:
- To approve the application as set out in this report. This option is recommended. The report analyses in some detail the reasons why the application is considered to be acceptable in planning terms.
 - To approve the application subject to additional/amended conditions and informatives. This option is not recommended, the conditions and informatives are set out below. The Planning Committee should be minded of paragraph 57 of the NPPF which states that :- *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (National Planning Policy Framework)*.
 - To refuse the application. This option is not recommended. The report assesses why officers consider the application to be acceptable.
- 8.2 The application is recommended for approval, subject to conditions and informatives below.

8.3 **APPROVE** subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: CEL-19020-BP-002-B; CEL-19020-LOP-002-B; CEL-19020-OV-001(APPENDIX PLAN) and CEL-19020-SW-001 received 09.07.2026.

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

3. No development shall commence until details of the materials to be used for the surface material for the access road are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved materials and detailing.

Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality in accordance with policy PS2 of the Spelthorne Local Plan March 2026.

4. No part of the development shall be first occupied unless and until the existing vehicular access to Sheep Walk has been modified to provide a formal bell mouth access with full height kerbs, equipped with double yellow line parking restrictions 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 1.05m high.

Reason:- In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with policy TR3 paragraph 1.c and TR6 paragraph 4 of the National Planning Policy Framework (2026), and Healthy Streets for Surrey Guidance (2023).

5. No part of the development shall be first occupied unless and until the site access road is installed with hardstanding bound material 6.0m back into the site from the highway boundary in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with policy TR3 paragraph 1.c and TR6 paragraph 4 of the National Planning Policy Framework (2026), and Healthy Streets for Surrey Guidance (2023).

6. No development shall commence until a Construction Transport Management Plan, to include details of: (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials (d) programme of works (including measures for traffic management) (e) HGV deliveries and hours of operation (f) vehicle routing (g) measures to prevent the deposit of materials on the highway (h) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused (i) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:-. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with policy TR3 paragraph 1.c and TR6 paragraph 4 of the National Planning Policy Framework (2026), and Healthy Streets for Surrey Guidance (2023).

INFORMATIVES

1. 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).
2. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.
3. 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.
4. 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.
5. 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.

6. The applicant is advised that any alterations to existing highway infrastructure should be designed so there is no adverse effect on surface water flow routes and should not increase flood risk on or off site. It is possible to check the long term flood risk on the following Government website www.gov.uk/check-long-term-flood-risk. For further information please contact the Flood Risk, Planning and Consenting Team suds@surreycc.gov.uk
7. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service. When applying for any hoarding licence you must supply details of this planning permission, a copy of the approved hoarding layout plan, and a copy of any discharge of condition approval letter (where received) from the Local Planning Authority referencing the approved hoarding plan. Failure to provide this information will result in your application being rejected. Any hoarding erected on the highway without having secured the necessary licence may lead to enforcement action.
8. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. In instances where the applicant is not the Highway Authority the applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
9. **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.

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Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1

Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing		
Relevant Group Head review		
MAT+ review (to have been circulated at least 5 working days before Stage 2)		
This item is on the Forward Plan for the relevant committee		
	Reviewed by	
Finance comments (circulate to Finance)		
Risk comments (circulate to Lee O'Neil)		
Legal comments (circulate to Legal team)	WB	16.09.26
HR comments (if applicable)		

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2

Report checklist – responsibility of report owner

ITEM	Completed by	Date rec'd
Monitoring Officer commentary – at least 5 working days before MAT	JC as DMO	29.09.26
S151 Officer commentary – at least 5 working days before MAT	T.Collier	29/09/26
Commissioner engagement	JK	29/09/26
	Delete as applicable:	No issues Comments in S. 7
Confirm final report cleared by MAT		

Planning Committee

14 October 2026

Title	<i>Amendments to Planning Committee Terms of Reference Planning Delegations and Planning Code following the Town and Country Planning Act (Discharge of Local Planning Authority Functions) (England) Regulations 2026</i>
Purpose of the report	To Note and appoint the Nominated Officer and Nominated Member and any substitutions
Report Author	<i>Wendi Batteson, Interim, Planning & Litigation Lawyer Simon Rowberry, Interim Planning Development Manager</i>
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	Committee is asked to: 1. Note the upcoming statutory changes under the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 and the introduction of the National Scheme of Delegation as set out in this report; and 2. Appoint the Nominated Member and Nominated Officer.
Reason for Recommendation	<i>To comply with the Statutory requirements set out in the Town and Country Planning Act (Discharge of Local Planning Authority Functions) (England) Regulations 2026</i>

1. Executive summary of the report (expand detail in Key Issues section below)

What is the situation	Why we want to do something
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Changes have been made to the Terms of Reference to the Planning Committee; Constitution and Scheme of Delegation in accordance with the Town and Country Planning (Discharge of Local Planning Functions) (England) Regulations coming into effect on 31 October 2026	To ensure the Planning Committee appoints the Nominated Officer and Nominated Member and any substitutes.
This is what we want to do about it	These are the next steps
Note the amendments made to the Constitution, officer delegations and Planning Code to bring it in line with the requirements of national legislation.	To appoint The Nominated Officer and Nominated Member as set out in this report.

2. Key issues

The government has passed the Town and Country Planning Act (Discharge of Local Planning Authority Functions) (England) Regulations 2026 (Regulations) to require local authorities to take a more uniform approach to planning application decision making. These Regulations come into effect on the 31st October 2026 and make significant changes to the way in which planning applications are determined. Among other changes, the Regulations remove the right of Ward Councillors to call planning applications in for determination by Planning Committee.

There are no transitional arrangements proposed and therefore the Regulations have full effect from 31 October 2026. After that date all applications will be considered in accordance with the Regulations, irrespective of when a planning application was received.

3. Background

- 3.1 The government has in bringing in the Regulations required local authorities to take a more uniformed approach to planning application decision making.
- 3.2 These Regulations, will come into effect on the 31st October 2026.
- 3.3 They set out in two Schedules those kinds of planning applications that MUST be determined by an officer and those that may, following agreement between the Nominated Officer and the Nominated Member, be placed before Planning Committee.
- 3.4 Applications that fall within Schedule 1 must be determined by the Nominated Officer and cannot be determined by members at Planning Committee. The vast majority of planning applications considered by this Council fall within Schedule 1.
- 3.5 The Schedule 1 applications cover:
 - (a) An application made under s17(1) of the Land Compensation Act 1961 (certificates of appropriate alternative development).

- (b) An application under s26H(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990(certificate of lawfulness of proposed works).
- (c) A householder application
- (d) A minor commercial application
- (e) A minor Residential application. A minor residential application means an application for development that
 - i) Includes only dwellings and development incidental to the enjoyment of dwellings;
 - ii) Comprises at least one but no more than nine dwellings; and
 - iii) Is carried out on a site having an area smaller than 0.5 hectares.
- (f) An application for permission in principle
- (g) A section 73(1) TCPA application (application to develop land without compliance with conditions previously attached) in respect of an original planning permission.
- (h) An application made under s 96A(4)TCPA (non material changes to planning permission or permission in principle).
- (i) Any associated s106 application to modify or discharge planning obligations under S106A.
- (j) An application under s191 TCPA (certificates of lawfulness of existing use or development).
- (k) An application under s192 TCPA (certificates of lawfulness of proposed use or development).
- (l) The submission of a biodiversity gain plan.
- (m) A reserved matters approval application in respect of an outline permission other than a large outline permission.
- (n) An application made under a planning condition.
- (o) A prior approval application.

3.6 Schedule 2 applications are those which may, subject to agreement between the Nominated Officer and Nominated member, be determined by Planning Committee provided they fall within what is known as the Threshold or Gateway test.

3.7 Schedule 2 applications cover the following:

- (a) An application for listed building consent made under section 10(1) of the Listed Buildings Act (making of applications for listed building consent).
- (b) An application made under section 19(1) of the Listed Buildings Act (variation or discharge of conditions of listed building consent).
- (c) An application for planning permission that the authority concerned considers is connected with an application of a kind specified in paragraph 1 or 2

- (d) An application for planning permission that is not—
 - (i) a householder application,
 - (ii) a minor commercial application, or
 - (iii) a minor residential application.
 - (d) An application made under section 73(1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 2 planning permission.
 - (e) An application made under section 73A(1) of TCPA 1990 (planning permission for development already carried out).
 - (f) A request for agreement or an application to modify or discharge a s106 obligation previously connected to a permission under this Schedule.
 - (g) A reserved matters approval application in respect of a large outline permission. A large outline permission means an outline permission involving either or both of
 - i) The provision of 500 or more dwellings
 - ii) The provision of a building or buildings where the floorspace to be created by the development is 50,000sqm or more.
 - (e) An application made under Regulation 9(1) of the TCPA (Control of Advertisements) (England) Regulations 2007.
 - (f) An application made under Regulation 16(1) of the TCPA (Tree Preservation) (England) Regulations 2012.
- 3.8 The Nominated Officer and Nominated Member and any substitutes must be nominated by the Local Planning Authority. The Guidance to the Regulations envisage these to be the Planning Development Manager and any substitutions and the Chair of Planning Committee and any substitutions.
- 3.9 The Regulations make clear the Nominated Officer and Nominated Member must be appointed by the Local Planning Authority. The Local Planning Authority is the Borough Council and exercises the functions for planning through its officers and members of the Planning Committee in accordance with the law and Planning Committee Terms of Reference under the constitution.
- 3.10 The Statutory guidance which accompanies the regulations make clear the officer delegation for planning matters should be the Planning Development Manager. Consequently, the nominated officer appointed by the Local Planning Authority should be decided by the Planning Committee and it is advised this should be the Planning Development Manager and any substitute officers could be left to that nominated officer to appoint. Or any such appointments could be determined by the Planning Committee or left entirely in the discretion of the Planning Development Manager.
- 3.11 The Planning Committee in the exercise of its functions as Local Planning Authority must make arrangements to appoint the Nominated Member and any substitutions at its next planning committee prior to 31st October 2026.

- 3.12 If the Local Planning Authority fail to nominate officers or members then by default all planning decisions fall to any officer of the authority to determine without recourse to any member or the Planning Committee.
- 3.13 The amendments required to the Constitution have been considered by the Committee System working group and Standards Committee. These amendments to enable the changes to the constitution required by Regulations are to be recommended for approval by Full Council on 22 October
- 3.14 The Flow chart attached to this report at Appendix A sets out the Regulatory process.

4. Options appraisal and proposal

- 4.1 The Preferred Option is to approve the Nominated Officer and Nominated Member and any substitutes.
- 4.2 A “do nothing” option means all future planning applications would be potentially subject to legal challenge (judicial review) according to the Statutory Guidance.

5. Risk implications

There is no legal requirement for the Local Planning Authority to appoint a Nominated Officer or Nominated Member. However, not appointing the Nominated Officer or Nominated Member would result in all applications being determined by any officer of the Local Planning Authority without any local member scrutiny.

6. Financial implications

Legal challenge to planning decisions can expose the Council to financial risk – either through awards of costs or damages or the cost of defending the Council. Having a clear unambiguous process for addressing the Regulations should reduce this risk.

7. Legal comments

7.1 From 31 October 2026 the Council has a statutory duty under the Town and Country Planning Act (Discharge of Local Planning Authority Functions) (England) Regulations 2026 to take a more uniform approach to planning application decision making.

7.2 The Council will comply with the requirements of the Regulations and it is preferred that Planning Committee appoint the Nominated Member and Nominated Officer and any substitutes.

Corporate implications

8. Commissioners' comments

- 7.1 Report is not related to improvement objectives and does not require review by Commissioners

9. S151 Officer comments

9.1 The S151 Officer confirms that relevant financial implications have been taken into account..

10. Monitoring Officer comments

All relevant legal implications have been taken into account,

11. Procurement comments

11.1 There are no procurement implications arising directly from this report.

12. Equality and Diversity

The appointment of the Nominated Member and Nominated Officer are not considered to impact on protected characteristics or other equalities issues.

13. Sustainability/Climate Change Implications

The appointment of the Nominated Member and Nominated Officer does result in some additional work in conducting Gateway or Threshold Tests with necessary reports etc but this would be similar to existing approaches and can be carried out in a sustainable fashion.

14. Other considerations

14.1 There are none.

15. Local Government Reorganisation Implications

West Surrey's Constitution will reflect the requirements of the Regulations.

16. Timetable for implementation

16.1 The Regulations come into effect on 31 October 2026, so the appointment of the Nominated Officer and Nominated Member need to be adopted before then.

17. Contact

17.1 Wendi Batteson w.batteson@spelthorne.gov.uk or Simon Rowberry s.rowberry@spelthorne.gov.uk.

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

Background papers: Town and Country Planning Act (Discharge of Local Planning Authority Functions) (England) Regulations 2026.

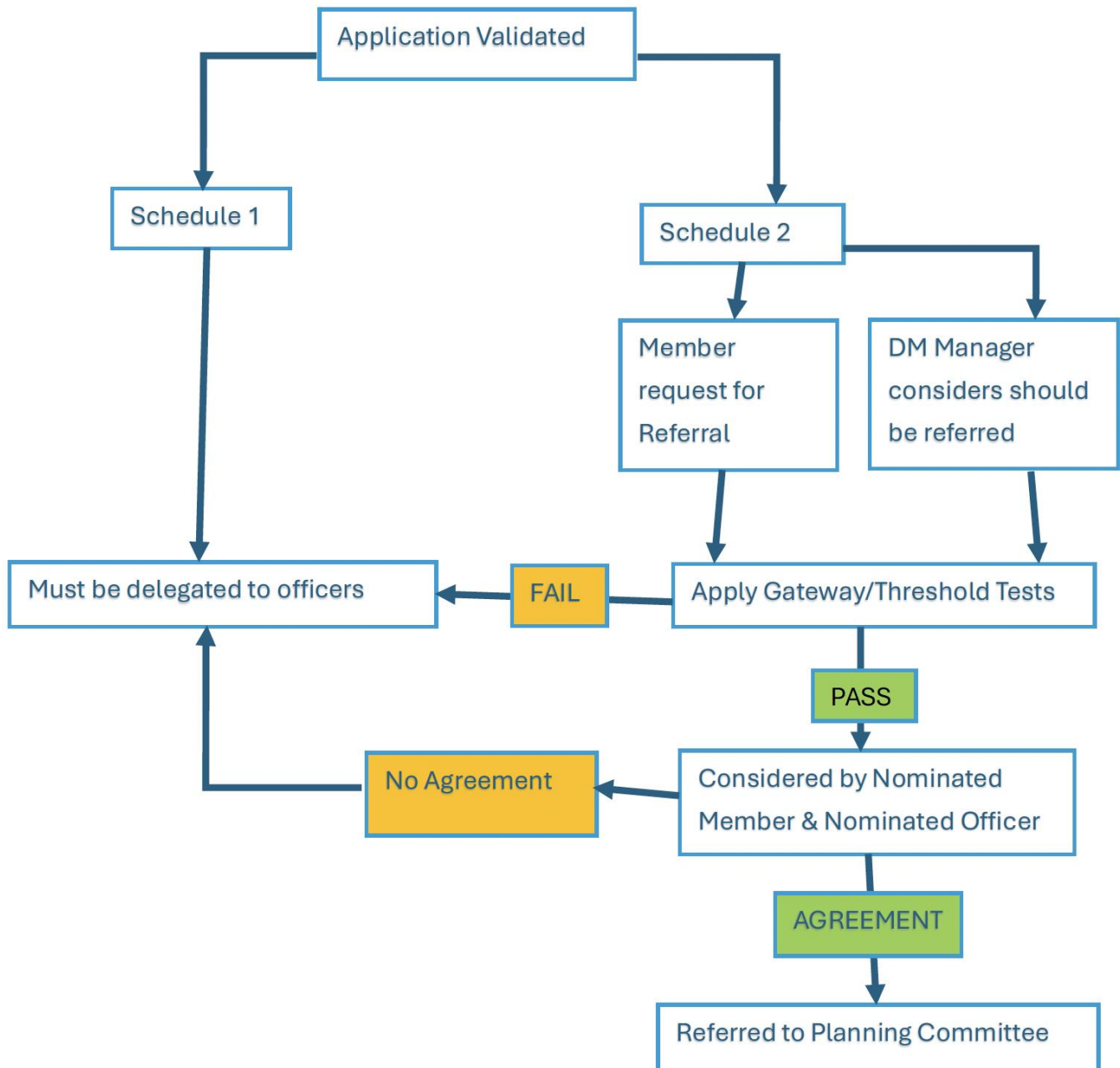
Appendices:

List as Appendix A, B etc with a short description of each.

Appendix A - Flowchart

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Appendix A - Flow chart to show the Regulatory process for the new scheme of delegation



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Planning Appeals Report – V1.0 ISSUED

Appeals Started between 11 July 2026 – 30 September 2026

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
26/00366/PAP Maynard Court Rosefield Road Staines-upon-Thames	07.08.2026	Written Representation	6013734 Prior Approval for the erection of one floors of residential flats on top of the existing detached block of flats. The proposed third floor extension would consist of 7 apartments with associated parking and refuse facilities.
25/01366/LBC Manor Farm 1 Ashford Road Laleham	27.07.2026	Written Representation	6012626 Listed Building Consent for the demolition of existing commercial buildings on site and development of new commercial buildings with access, parking and landscaping. Restoration of existing listed buildings for commercial use. Restoration and extension to existing listed farmhouse and use as single family dwelling with separate access from The Broadway.

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
26/00524/HOU 3 Vereker Drive Sunbury-on- Thames TW16 6HQ	21.07.2026	Written Representation	6012892 Erection of a part single, part two-storey rear extension. Garage conversion into habitable space with raising of roof height and single storey extension behind. Single storey front porch extension. Associated changes to fenestration.
25/00371/ENF 23D Green Lane Sunbury-on- Thames TW16 7NX	20.07.2026	Written Representation	6012652 Appeal against the serving of an Enforcement Notice without planning permission, the erection of a lean-to type structure with kitchen cupboards and worktop and fencing to create an enclosure (the location of which is shown in green and blue on the attached plan)
25/01015/OUT Land To The Rear Of 1-4 New Road Shepperton	18.08.2026	Written Representation	6013557 Outline application for the erection of 2 no. two storey buildings comprising 4 no. two bed maisonettes with associated amenity space, car-parking and access.
25/01016/OUT Land At 3-12 New Road Shepperton TW17 0QQ	18.08.2026	Written Representation	6013565 Outline application for the erection of 6 no. two bed maisonettes and 2 no. two storey dwellings with associated amenity space, car-parking and accesses.
26/00171/FUL	04.08.2026	Written Representation	6013710

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature
5 St Marys Crescent Stanwell Staines-upon-Thames			Erection of a detached two storey 1 no. bedroom dwelling house together with associated parking (facilitated by a vehicle crossover), cycle storage and bin store
26/00412/FUL 505 Staines Road West Ashford TW15 2AB	28.08.2026	Written Representation	6014534 Removal of part of landscape strip and installation of proposed new driveway and crossover. (As shown on plan no's EXL003, P003, E001, E002, E003, E004, S001, S002 rec'd 22.04.2026 and PR L003, L002, L001, P003, E001, E002, E003, E004, S001, S002, L001 rec'd 01.06.2026.)
26/00519/FUL Wild Briars Horton Road Stanwell Moor	08.09.2026	Written Representation	6014634 The creation of a new access and use of the land in association with adjacent dog training and exercise area
26/00612/HOU Cockaigne Sandhills Meadow Shepperton	23.09.2026	Fast Track Appeal	6015113 Alteration and extension to the existing rear roof

Appeal Decisions Made between 11 July 2026 – 30 September 2026

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' 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).	Appeal Dismissed	18.08.2026	TBC
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)	Appeal Withdrawn	24.07.2026	N/A

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
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	Appeal Dismissed	24.07.2026	The Inspector considered that the development would have harm to the character of the area, which would be clearly visible in the street and highly prominent. Furthermore, the proposed development would result in unacceptable living conditions for existing and future occupiers with regard to privacy. The development would not secure a well-designed place, function well or provide a high standard of amenity for existing and future users. Nor would it maintain the area's prevailing character and setting and as such it would not be an effective use of land in this regard. As such, the Inspector considered that these serious adverse effects significantly and demonstrably outweigh the modest benefits set out above when assessed against

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						the NPPF and Planning Policies. Consequently, the presumption in favour of sustainable development does not apply in this case. The appeal was dismissed. _
25/01079/FUL 35 Oakfield Road, Ashford TW15 1DN	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)	Appeal Dismissed	04.08.2026	The Inspector considered that the staff shift changes is likely to result in a regimented pattern of vehicle movements at each shift change with consequent periods of cars idling, car doors closing and the potential for headlamp lights, conversation and noise from car radios to be noticeable from neighbouring windows, particularly at ground floor. The number of arrivals and departures of staff cars entering and exiting the front yard is likely to result in a noticeable increase in activity, particularly for residents of the immediately adjoining property at No 37

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						using their adjoining living room. This would result in harmful noise and disturbance to occupiers of that adjoining property. The evidence presented does not convincingly demonstrate that the staff would be well-served by non-car modes of transport. Whilst there may be railway stations and bus stops in proximity to the site, including on Feltham Road, there is no indication that these provide regular services that would align well with the shift times indicated and provide a realistic alternative to using private cars. The Inspector considered that the proposal would provide acceptable living conditions for the intended occupiers with particular regard to bedroom sizes. In relation to the need, the Inspector considered that the proposal would re-use

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						brownfield land within an existing settlement for new homes, as supported by the NPPF. However, as the proposal would make use of an existing dwellinghouse, and in the absence of detailed evidence to demonstrate otherwise, it is reasonable to conclude that the overall effect on housing supply would be neutral. There is also no substantive evidence to indicate that the site is underutilised in its existing use. As such, these factors would not adequately justify the proposal. The harm caused from the operation proposed would conflict with the Council's Policies which would not outweigh the benefits of providing care. The appeal was subsequently dismissed. _

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
25/01245/RVC Eden Grove, 17-51 London Road, Staines-Upon-Thames	15.05.2026	Written Representation	6007619 Variations to conditions 3 (Parking Phasing Plan) and condition 20 (to reduce the 86 car parking spaces within the adjacent multi-storey car park to 27) relating to planning application 23/00273/RVC (which sought the Variation of Condition 1 (Approved Plans), imposed upon planning permission 22/00765/RVC (which sought the variation of Condition 2 imposed upon planning permission 19/00290/FUL for residential homes and flexible commercial space at ground and first floors, car parking, pedestrian and vehicle access, landscaping and associated works and the Condition imposed in	Appeal Allowed	25.09.2026	TBC

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
			19/00290/AMD4), to allow for alterations to the unit mix in Blocks C and D together with associated elevation and internal alterations and to the PV panels on Block C and D)			
25/01244/RVC Eden Grove, 17-51 London Road, Staines-Upon-Thames	15.05.2026	Written Representation	6007620 Variation to conditions 3 (Parking Phasing Plan) and condition 21 (to reduce the use of 86 car parking spaces within the adjacent multi-storey car park to 27) imposed upon planning permission 22/00766/RVC (which sought the variation of Condition 2 (approved plans) imposed upon planning permission 19/01051/FUL, and the	Appeal Allowed	25.09.2026	TBC

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
			condition imposed upon planning applicaiton 19/01051/AMD5, for the erection of two buildings and flexible commercial space at ground and first floors, with landscaping and associated works, to be delivered as an extension to the wider redevelopment of 17-51 London Road, to allow for alterations to the layout of Block F, including a reduction in flexible commercial space, and the addition of 3 residential units, resulting in a total of 176 units across Block E and F, a reduction in the height of Block E and an increase in the parapet height of Block F).			
26/00011/RVC	17.04.2026	Written Representation	6008213	Appeal Allowed	12.08.2026	TBC

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
35 Park Road, Ashford. TW15 1EX			Removal of Condition 4 (restricts the use of the extended property to Use Class C3 only) relating to planning application 25/01088/HOU			
25/01541/HOU 62 Bryony Way, Sunbury-on- Thames TW16 7RH	01.06.2026	Fast Track Appeal	6010153 Erection of 1 no. rear facing dormer, to facilitate loft conversion into habitable space.	Appeal Dismissed	17.08.2026	The Inspector concluded that the proposed rear dormer would appear overly bulky and dominant due to its full-width design and limited set in from the ridge and eaves. Given the visibility of the rear roof slope and the largely unaltered roofscape of the surrounding terrace, the dormer was found to be out of keeping with the character of both the host dwelling and the wider area. Although revisions had reduced its size and the proposal would provide additional living accommodation, these benefits were not considered

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
						sufficient to outweigh the identified design harm.
26/00060/HOU 7 Saxonbury Avenue, Sunbury-on-Thames TW16 5EY	23.06.2026	Fast Track Appeal	6010316 Erection of a two-storey side extension and single storey rear extension (following demolition of existing detached garage and shed).	Appeal Dismissed	06.08.2026	The Inspector noted that the two-storey side extension would sit flush with the host dwelling's front elevation and would not appear sufficiently subordinate and would visually compete with, and detract from the front gable, a distinctive feature from the south, due to lack of setback. Overwall, the extension would disrupt the spacious pattern and rhythm of development along this part of Saxonbury Avenue, harming the character of the area. Consequently, the appeal was dismissed. _
26/00172/FUL	11.06.2026	Written Representation	6010568	Appeal Dismissed	16.09.2026	The Inspector considered the quality of the communal space provided would be deficient for the proposed

Case Ref & Address	Date Started	Procedure	Appeal Ref & Nature	Decision	Decision Date	Inspectors' Comments
7 Caledonia Road Stanwell Staines-upon-Thames			Change of use from an HMO (Use Class C4) for up to 6 residents, to an 8-person HMO (Sui Generis) with cycle and bin storage. As shown on plan no's 001A, 002A, 003A, 004A rec'd 19.02.2026.			level of occupancy. Furthermore, the Inspector noted the properties sited around the Protected Urban Open Space, maintain an open aspect to the frontage and considered the scale of the bin and cycle storage facility would be out of keeping with the character and appearance of the area. The Inspector also noted the insufficient bike storage provision, which could lead to further demand for on street parking.

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).	Appeal Dismissed	18/08/2026	Hearing was held on 6 August 2026.

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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
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	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

	Manor Farm, Poyle Rd, Slough.			
26/00544/OUT	Stanwell Farm and Part of The Adjacent Builder's Merchants, Bedfont Road, Stanwell, Staines-upon-Thames, TW19 7LY and Long Acre Farm, Long Lane, Stanwell, Staines-upon-Thames, TW19 7AU	Outline application with access to be assessed, for the demolition of the dwellings at Stanwell Farm and Long Acre Farm (2 no. residential dwellings) and redevelopment of the site off Bedfont Road (Stanwell Farm) to provide up to 10 no. apartments with associated parking and open space, and the creation of a new access into the Site (net gain of 8 no. dwellings).	O'Connor Properties Limited	Kiran Boparai
26/00032/RVC	Development Site at Former the Old Telephone Exchange Elmsleigh Road, Staines-upon-Thames TW18 4PN	Variation of Conditions 1 (approved plans), 11 (Residential Travel Plan), 13 (EV charging details), 14 (flood mitigation), 15 (finished floor levels and flood mitigation details) and 21 (landscaping details) associated with planning permission 24/01268/RVC (Variation of Condition 2 (plan numbers) relating to planning permission 20/01199/FUL for the demolition of the former Masonic Hall and redevelopment of the site to provide 206 dwellings together with car and cycle parking, hard and soft landscaping and other associated works) to amend the layout of the ground floor area, reconfigure bicycle and car parking areas to provide a new communal amenity space, lounge and co-working facilities, install a handrail to the existing wall of the podium communal garden, and make associated updates to the approved Residential Travel	WWSO II Holdco Limited	Kelly Walker

		Plan, EV charging provision, flood mitigation details and landscaping plans.		
26/00745/OUT	Land To the East of WR Sports Club Woodthorpe Road Ashford TW15 3JX	Outline planning permission (all matters reserved except access) for the development of up to 104 dwellings (C3) (including 50% affordable), including the provision of vehicular and pedestrian access, landscaping and other associated infrastructure.	Welbeck Strategic Land IV LLP	Kiran Boparai/Vanya Popova
26/00948/FUL	Land East of Vicarage Road Vicarage Road Sunbury-on-Thames TW16 7LB	Erection of 158 residential units (Use Class C3) including affordable housing with public realm, open space, landscaping, car parking and cycle parking facilities, SuDS infrastructure including attenuation basin, associated refuse and servicing, internal access roads and cycle/pedestrian pathways, electricity substation, boundary treatments and all associated infrastructure and engineering works.	Riverdale Developments Ltd	Kiran Boparai/Matthew Churchill

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

Simon Rowbery
Interim Planning Development Manager
28/09/2026

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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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