

Planning Committee

20 August 2025



Application No.	25/00788/FUL
Site Address	Radford Gate, 3 Station Road, Sunbury-on-Thames, TW16 6SB
Applicant	Mr Alfred Osawe - Knowle Green Estates Ltd
Proposal	Provision of access to roof via painted, galvanised steel external staircases and provision of safety railings to flat roofs as required
Case Officer	Kiran Boparai
Ward	Sunbury East
Called-in	N/A - This application is being referred to the Planning Committee for a decision, as the applicant is Knowle Green Estates Ltd, which is a subsidiary of Spelthorne Borough Council.

Application Dates	Valid: 17.06.2025	Expiry: 12.08.2025	Target: Extension of time agreed to 22.08.2025
Executive Summary	<p>The subject property is a detached residential building consisting of 33 flats. The application seeks provision of access to the roof via painted, galvanised steel external staircases and provision of safety railings to the flat roofs.</p> <p>The proposed new access to the roof consisting of staircases and safety railings are not considered to have a harmful impact upon the character and appearance of the area or the amenity of the neighbouring properties. The proposed works are required in the interest of providing a more convenient and safer way to access the roof.</p> <p>The proposal is considered to be acceptable and is therefore recommended for approval.</p>		
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 policy in the Council's [Core Strategy and Policies DPD \(CS&P DPD\) 2009](#) are considered relevant to this proposal:
 - EN1 (Design of New Development)
- 1.2 The policies contained within the [National Planning Policy Framework \(NPPF\) \(2024\)](#) are also relevant
- 1.3 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.4 An Examination into the emerging Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved to request that the Planning Inspector pause the Examination for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the emerging Local Plan. This was agreed.
- 1.5 On 12 December 2024, the Planning Inspectorate confirmed that the Local Plan examination would resume on the 27 January 2025. This has now taken place and the Examination closed on 18 February 2025. Adoption of the Local Plan by Council could be by September 2025 subject to the plan being found sound by the Inspector and public consultation undertaken on the Main Modifications (<https://spelthornelocalplan.info/evidence-base/>).
- 1.6 The following policy of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
 - PS2: Designing places and spaces
- 1.7 The (NPPF) policy states at para 49 that: Local planning authorities may give weight to relevant policies in emerging plans according to:
 - a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 1.8 Section 38(6) the Planning and Compulsory Purchase Act 2004 (https://www.legislation.gov.uk/ukpga/2004/5/pdfs/ukpga_20040005_en.pdf) requires applications to be determined in accordance with the development

plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.

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

2. Relevant Planning History

- 2.1 The site has the following planning history:

14/01347/FUL	Application for full planning permission for conversion of the existing building (Sunlink One) for 23 residential units and the demolition of the staircase block of the existing building and the erection of a part 2 storey/part 3 storey extension with accommodation in the roof space to provide 10 residential units (6 x 1-bed and 4 x 2-bed flats), together with landscaped courtyard garden, additional landscaping, external alterations to Sunlink One to match proposed extension, and the provision of 30 car parking spaces and 33 cycle parking spaces	Grant Conditional 24.11.2014
13/01852/PDO	Prior Approval Notification for the Change of Use from Offices (Use Class B1a) to Residential (Use Class C3) Comprising 23 flats	Grant Prior Approval 14.02.2014
PLAN E/FUL/83/542	Erection of a part 3/part 4-storey office block of 18,722 sq. ft. (1,740 sq. m) with parking for 58 cars	Refused 19.10.1983 Allowed on Appeal 10.07.1984

3. Description of Current Proposal

- 3.1 The application relates to Radford Gate on Station Road in Sunbury-on-Thames. The subject property is a detached residential building consisting of 33 flats (a mixture of 1 and 2 bedroom units). To the north of the site is the office building of 4-7 Station Road, while to the south is the car park of Sunbury Railway Station. Further to the south is the station itself and the railway line. To the east is the embankment and highway of Staines Road East. To the west on the other side of Station Road are commercial use buildings. The immediate area is generally commercial in character. However, there are many residential properties in the wider area including those on the south side of the railway at Downside. The site is situated in a 1 in 1000 year flood zone.

- 3.2 The proposal involves the provision of access to the roof of the building via external staircases and provision of safety railings to the flat roofs.
- 3.3 Currently, the roof is accessed via a loft hatch. To access the roof of the lowered element, directly south of the building, there is an existing vertical ladder with a surrounding safety cage. It is to be noted that this lowered part of the roof has no safety railings which is proposed as part of this application. To access the lowered roofs further to the east of the main roof, a person would be required to step down and then step down further as there are no existing provisions neither are there railings on these lowered elements of the roof.

4. Consultations

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

Statutory Consultees

Consultee	Comment
Network Rail	No objection. Network Rail requests the applicant engages with them prior to works commencing <i>(Officer's note: please see informative in Section 8).</i>

5. Public Consultation

- 5.1 A total of 51 neighbouring properties were notified on the planning application and the Council has not received any letters in relation to the proposal.

6. Planning Issues

- Design and appearance
- Amenity of neighbouring properties

7. Planning Considerations

Design and appearance

- 7.1 Section 12 of the NPPF: Achieving well-designed places, refers to design and in particular that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.
- 7.2 Policy EN1 of the Core Strategy and Policies Development Plan Document states that the Council will require a high standard of design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

- 7.3 The existing property is a detached residential building consisting of 33 flats. It is proposed to provide a new provision of access to the roof via new steel staircases and the provision of safety railings to the flat roof as required.
- 7.4 The roof of the building varies in height. The central main roof measures approximately 7.3 metres and the lowered roof, directly to the south of this, measures 5.2 metres. Further to the east of the main building the height of the roof drops down to 6.8 metres and then lowers again at approximately 4.8 metres.
- 7.5 As the roof design consists of varying heights and crown roofs with a steep angle at approximately 61 degrees, a new access, staircases and railings are being proposed to provide a more convenient and safer access to the entire roof of the building.
- 7.6 Currently, the roof is accessed via a loft hatch, which is situated in the communal corridor outside the front door of Flat No. 20 on the third floor. Once the loft hatch is manually pulled down, there is a sliding ladder which also needs to be pulled down, this then leads to an area in the loft with a dormer window which needs to be climbed through in order to access the main roof of the building.
- 7.7 The proposal would result in a new landing being created on the third floor near the existing main staircases and the installation of a new access door in the mansard roof which would lead to the new staircases for roof access, and a further 2 new staircases between the differing roof heights further to the east of the building. New edge protection safety railings would be proposed on the lowered roofs which would be 1.1 metres in height. The staircases and safety protection would be galvanised steel, painted metallic silver.
- 7.8 It is to be noted that the existing loft hatch would remain as is, as a 'back-up' if required.
- 7.9 Given the height of the building, the proposed new staircases would not be particularly visible at eye level from the street, they would be small in scale when viewed in context with the overall size of the existing building. The new railings would provide visual consistency around the roof to match the existing railings. Overall, there is not considered to be a harmful impact on the character and appearance of the area as a result of the proposal.
- 7.10 The proposal is therefore considered to comply with the requirements of Policy EN1 and the NPPF.

Amenity of neighbouring properties

- 7.11 Policy EN1 further states that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.12 There are no neighbouring residential properties that immediately adjoin the application site and given that the works would be at roof level, this is not considered to cause an adverse impact on the surrounding properties.

- 7.13 It is noted that a new staircase would be in close proximity to the bedroom window of Flat No. 21, and the staircase to the east of the site would be in close proximity to the living/kitchen area of Flat No. 33. As these staircases would not be of a solid structure and can let light through, they are not considered to result in an adverse loss of light or harmful loss of amenity to these units. Moreover, the stairs would be used very occasionally for maintenance purposes only and the Council has not received any letters of objection to the works.
- 7.14 Accordingly, the impact on neighbouring properties is considered acceptable and complies with Policy EN1.

Equalities Act 2010

- 7.15 This planning application has been considered in the light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.16 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.
- 7.17 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.
- 7.18 The NPPF defines people with disabilities as individuals that have a physical or mental impairment, which has a substantial and long-term adverse effects on their ability to carry out normal day-to-day activities. This can include but is not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs. It is considered that it would be possible for individuals with disabilities to access the development.

Human Rights Act

- 7.19 This planning application has been considered against the provisions of the Human Rights Act 1998.
- 7.20 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.
- 7.21 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.

- 7.22 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

- 7.23 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.

- 7.24 The works are minor and do not have a material financial benefit.

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 the informative 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: LOCATION PLAN, 25348 [S] 02, 25348 [PL] 301, 25348 [S] 01 REV A, 25348 [PL] 302, RECEIVED 17.06.2025.

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

INFORMATIVES:

1. Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow the ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.

To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>). This website also provides more information about our Asset Protection team and the services they offer.

Where applicable, the applicant must also follow the Asset Protection informatives. The informatives are issued to all development within close proximity to the railway (compliance with the informatives does not remove the need to engage with our ASPRO team).