

# BOROUGH OF SPELTHORNE

TOWN AND COUNTRY PLANNING ACT 1990 AND LOCAL GOVERNMENT ACT 1972

c/o Mr Richard West  
Cerde Planning Limited  
The Old Vicarage  
Market Street  
Castle Donnington  
DE74 2JB



For: c/o Mr Richard West

RMKW

21/01772/FUL

The BOROUGH OF SPELTHORNE as LOCAL PLANNING AUTHORITY under the provisions of Part III of the Town and Country Planning Act 1990 and Part IX of the Local Government Act 1972, DO HEREBY

## REFUSE PLANNING PERMISSION

FOR THE DEVELOPMENT SPECIFIED IN THE SCHEDULE HERETO

SCHEDULE

The development specified in the application for Planning Permission dated 19 November 2021 and shown on the plans submitted therewith, namely:

PROPOSAL:	Demolition of the former Debenhams Store and redevelopment of site to provide 226 Build-to Rent dwellings (Use Class C3) and commercial units (Use Class E) together with car and cycle parking, hard and soft landscaping, amenity space and other associated infrastructure and works as shown on drawings numbered 21115-CW-XX-ZZ-A-DR-0301 Rev P-00 Site Location Plan, 21115-0201 P-00 EX Basement and GF, 21115-0202 P-00 Ex Mezz and FF, 21115-0203 P-00 Ex second and third floor, 21115-0221-P-00 Ex elevations, 21115-CW-XX-ZZ-A-0222 P-00 Ex Street elevations, 21115-CW-XX-ZZ-A-0324 P-00 Ex elevation Elmsleigh Road, 21115-CW-XX-A-0338 Rev P-00 Typical Bay - Intermediate (Balcony), 21115-CW-XX-A-0336 Rev P-00 Typical Bay - Intermediate, 21115-CW-XX-ZZ-A-0337 Rev P-01 Typical Bay - Tower Top Floor received 10/11/2021, 21115-CW-XX-XX-A-0304 Rev P-01 Proposed Site Plan, 21115-CW-XX-ZZ-A-0321 Rev P-02 Proposed Elevation A - Thames Street, 21115-CW-XX-ZZ-A-0322 Rev P-02 Proposed Elevation B - High Street, 21115-CW-XX-ZZ-A-0323 Rev P-02 Proposed Elevation C - North Elevation, 21115-CW-XX-ZZ-A-0324 Rev P-00 Proposed Elevation D - Elmsleigh Road, 1115-CW-XX-B1-A-0305 Rev P-03 Proposed Basement Level, 21115-CW-XX-00-A-0306 Rev P-02 Proposed Ground Floor Plan, 21115-CW-XX-G1-A-0307 Rev P-02 Proposed Mezzanine Level, 21115-CW-XX-01-A-0308 Rev P-01 Proposed First Floor Plan, 21115-CW-XX-ZZ-A-0309 Rev P-01 Proposed 2-11 Floor Plan, 21115-CW-XX-ZZ-A-0310 Rev P-01 Proposed 12-13 Floor Plan, 21115-CW-XX-14-A-0311 Rev P-01 Proposed 14 Floor Plan, 21115-CW-XX-RF-A-0312 Rev P-01
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	Proposed Roof Level, 21115-CW-XX-ZZ-A-0331 Rev P-01 Proposed Section AA, 21115-CW-XX-ZZ-A-0332 Rev P-01 Proposed Section BB, 21115-CW-XX-ZZ-A-0335 Rev P-01 Typical Bay - Ground Floor, 21115-CW-XX-00-A-0316 Rev P-01 GF fire strategy, 21115-0317 Rev P-01 adjacent window mezz, 21115-0317 Rev P-01 adjacent window and LP2282-FIR-00-ZZ-DR-L-0001 Landscape masterplan received 21/02/2022.
AT:	37 - 45 High Street Staines-upon-Thames TW18 4QU

As shown on plans

The reason(s) for the decision of the Council to refuse Planning Permission for the development specified in the Schedule are set out overleaf.

Dated 6 June 2022

Signed : *E.J. Spinks*  
 Planning Development Manager  
 Duly authorised in this behalf

**PLEASE READ THE ACCOMPANYING NOTES OVERLEAF**

## Notes

- (1) If the applicant is aggrieved by the decision of the Planning Authority named overleaf to refuse permission or approval for the proposed development to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act, 1990, within six months of the date of this notice. (Appeals must be made on a form that is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him, that permission for the proposed development could not have been granted by the Planning Authority named overleaf or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (the statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act, 1990, namely Sections 70 and 72(1) of the Act) to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Planning Authority named overleaf was based on a direction given by him.
- (2) If permission to develop the land is refused or granted subject to conditions, whether by the Planning Authority named overleaf or by the secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough Council in whose area the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990, and by the Local Government Act, 1972.
- (3) In certain circumstances, a claim may be made against the Planning Authority named overleaf, for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him, The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990, and by the Local Government Act, 1972.

1. The proposal, by virtue of the design, height, scale and bulk within the setting of listed buildings and close to the Staines Conservation Area, will cause harm to the significance of designated heritage assets and non-designated heritage assets and fails to protect and enhance the Staines Conversation Area contrary to policies EN5 and EN6 of the Core Strategy and Policies, 2009 and the NPPF 2021 policy
2. The proposal, by virtue of the high density, design, height, scale and bulk within a prominent location, represents an unacceptable overdevelopment of the site which would be out of character with and would have a detrimental impact on the character and appearance of the area. It fails to have due regard to the character and history of the locality, resulting in a development which would not make a positive contribution to the public realm and the River Thames setting, contrary to policies EN1 and EN9 of the Core Strategy and Policies 2009 and the NPPF 2021 policy.
3. The proposal provides insufficient affordable housing to meet the borough's housing needs and has failed to justify to the satisfaction of the local planning authority the level proposed, contrary to policy HO3 of the Core Strategy and Policies, 2009 and the NPPF 2021 policy.