

# BOROUGH OF SPELTHORNE

TOWN AND COUNTRY PLANNING ACT 1990 AND LOCAL GOVERNMENT ACT 1972

Mr Tony Brindley  
c/o Mr Timothy Butterworth  
Langbridge Studio  
Elm Lane  
Calbourne  
Newport PO30 4JS



For: Mr Tony Brindley

VAPO

20/00643/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 30 June 2020 and shown on the plans submitted therewith, namely:

PROPOSAL:	Retrospective application for the retention of a replacement 4 bedroom detached dwelling to allow the undertaken alterations to footprint, roof design and fenestration of the dwelling, and also alterations to the flood voids, additional walls and steps which vary from the approved planning permission ref. 17/01464/FUL. Retention of a boathouse and other alterations.
AT:	Riverbank The Creek Sunbury On Thames TW16 6BY

As shown on plans

LO1 received on 10.06.2020

P01 received on 10.06.2020

P02 received on 10.06.2020

P03 received on 10.06.2020

P04 received on 10.06.2020

P05 received on 10.06.2020

P06 received on 10.06.2020

P07 received on 10.06.2020

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 14 August 2020

Signed : *EJ 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.

Reason:-.The applicant has failed to demonstrate that the proposal would have an acceptable impact on flooding. In particular, insufficient information has been submitted within the Flood Risk Assessment (FRA) to assess the impact on floodplain storage and flood flows, including mitigation measurements. The submitted FRA does not comply with the requirements for site-specific flood risk assessments neither takes the impacts of climate change into account, as set out in paragraph 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The proposal is therefore contrary to Policy LO1 of the Spelthorne Development Plan Core Strategy and Policies DPD February 2009, the Supplementary Planning Document on Flooding 2012 and the NPPF.