



**These are not Official Minutes – This note comes from the notes taken by John Dickens, Chair of Ashford Residents Association, who attended Sessions 1 & 2 of the Appeal that took the meeting through to the Lunchtime recess.**

**Meeting at Council Chambers, Knowle Green, STAINES, Surrey  
Planning Application Appeal**

As regards 'Change of Use' for the premises identified as the Barclays Bank, 39 Church Road, Ashford at the junction with Dudley Road, Ashford

Application made by Astro Property (UK) Ltd

Original Planning Reference: - 24/00577/FUL

Appeal Reference: - APP/23635/W/24/3348201

**Appeal Attendees**

Independently Appointed Inspector – Neil Praine  
(Appointed by the Secretary of State)

For the Council -       Matthew Clapham  
                                  Oliver Caperdale  
                                  David Evans

For the Appellant -     Roger Pidgeon (Lamont Planning Associates)  
                                  Thomas Bayliss – Expert – Acoustic Tests

Session 1 – 43 Residents / Interested Parties (incl Katherine Rutherford – Councillor)  
Session 2 – 14 Residents / Interested Parties (incl Katherine Rutherford – Councillor)

Ashford Residents Association Management Committee members in attendance –  
    John Dickens (Chair)  
    Penny Kielty (Treasurer)

**Background**

Application for Change of Use has been submitted, with minor adjustments, on 3 occasions and all 3 have been declined by the Planning Department within Spelthorne BC.

The submitter has then moved to the next phase of the process and submitted an appeal to the Secretary of State who has appointed the Independent Inspector to complete this appeal.

**Appeal Agenda**

The focus of the Appeal procedure comprised 2 specific Issues: -

- a) Vitality and Viability of Ashford Town Centre
- b) Noise

**Session 1 – Vitality and Viability of Ashford Town Centre**

This aspect forms part of directive from the National Plan Policy Framework.

The Challenge for the Appellant is to prove that the approval of the planning permission will make a positive contribution to Ashford Town Centre as regards Vitality & Viability.

Council position was that the new Local Plan recently agreed at Council level reaffirmed the notion that, where feasible, no more than 2 out of 9 retail units can be deemed non-retail. Approving this appeal would make the current situation 4 of 9.

Appellant position was that, by having 24/7 opening hours, this would add to the footfall of Ashford thus bringing prosperity to the town.

Appellant also claimed that it had official Police data that we had no crime and no Anti-Social Behaviour from a report dated 2017.

### **Resident Submissions**

#### John Dickens (Chair Ashford Residents Association)

- 1) Ashford after 9pm is completely dead. There are no other shops beyond Small Supermarkets open at this time with very little pedestrian or vehicular traffic activity – Ashford is effectively a dead town after 9pm.
- 2) The Residents Association members primary concerns are a) lack of decent shops / retail units and b) Crime & Anti-Social Behaviour.
- 3) Referenced Surrey County Council's Infrastructure programme, that identifies Ashford as a High Priority to deliver improvements to the Town Centre. The programme engaged with over 1000 people regarding their likes / dislikes and top of the Issues included "significant concerns around (fear of) crime and ASB"
- 4) Ashford has no Police Station and no PCSO.
- 5) Drug dealing, Shoplifting, Burglary, Van theft and ASB are daily events.
- 6) The police have major concerns regarding the lack of security gates at the local station which is used as an easy access & escape for the import of outsider criminals.

#### Andrew McLuskey

Seconded the above but made additional proposal that the Barclays unit could & should be considered to re-open as a Banking Hub.

#### Angela Mayne

Local Authority has made great strides to support the Residential growth within Ashford Town, with the biggest expansion being Brooklands development effectively opposite the proposed facility.

These are full of new families.

Similarly, we have residential flats above the said Retail Unit.

The site is 0.2 miles from Clarendon School & the Clarendon Family Centre / 0.4 miles from St Michaels School. So, the site is within very close proximity of Primary School Children as well as vulnerable residents who would be expected to pass the facility.

The library is directly opposite – again a high level of traffic of School children using the library.

Target Audience for the Slot machines, from external research, is the 18-35 age group.

The 24/7 proposed opening hours are a concern for the Wimpey Bar next door to the facility and the betting shops who are also within close proximity.

#### Nik Urquhart

Q – Is there a possibility that Alcohol be taken into the proposed facility? Question was not answered.

Concern is that daily shoplifting in the immediate vicinity often includes the theft of alcohol – what steps will be taken to manage the possible use of alcohol on the premises?

#### Thomas Kanek

Raised concerns around encouraging Gambling having lost many friends to such addiction.

The site is surrounded by both Primary & Secondary School pupils – concerns regarding the vulnerability of under 18s with this kind of venture in the town.

Raised concerns regarding the association / relationship between Drinking & Gambling.

The loss of shops from the High Street is not exclusive to Ashford (that has a low vacancy rate within Spelthorne) – it is a Nationwide challenge.

Concerns regarding the possibility that this Gaming Centre would attract the vulnerable through flashing lights etc.

Cannot see any vitality being generated by a Gambling venue.

Having worked with local schools for the past 9 years he has 1<sup>st</sup> hand experience of seeing children from vulnerable families drifting into crime – starts with shoplifting.

#### Caroline Shannon

Raised concerns that the company that produced the Acoustic Report is a company registered in the Virgin Islands – questioned the reliability of the report as a consequence.

Also repeated the notion that a Gambling site offers nothing for the vitality of the Town.

#### Ian Smith - Trustee at Ashford Congregational Church

Concerned about the impact on 2 groups – Young Children who would have to pass the site en-route to attending church, and then a group of vulnerable Adults who attend the church on Friday evenings. These vulnerable individuals tend to have addictive personalities.

Observed that there are 13 betting shops in existence within 3-mile radius of the proposed site – all of which are closed in the evening.

Health & Wellbeing concerns outweigh any perceived economic benefits.

#### **Other Matters – Session One**

Council challenged that it was appropriate to consider now the fact that there is a secondary process of seeking a gaming license as part of the planning process.

Technicality around whether a Bank is deemed to be Retail – countered by the Council that the unit was and remains a retail unit irrespective of the fact a Bank occupied it, and a Gaming Centre occupying the unit would reduce the number of Retail Units in that parade.

Shop frontage – Appellant confirmed that the frontage would be effectively blacked out and would have no flashing lights etc. It would be classified as a “Dead” frontage.

## **Session 2 – Noise**

Acoustic expert for the appellant presented highlights of his report.

Noise in the unit would be “Low Volume” – should not affect flat directly above.

Internal noise External impact – measured as lower than the external noise itself.

Traffic expected would be no more than 2 or 3 people per hour late at night, so individually they won't create any noise.

Council countered that the external noise is the main concern. Noise created outside by those attending the facility.

Council questioned the validity and representativeness of the sample periods chosen, these being 2 hours between 1pm – 3pm on a Tuesday afternoon, and between 1am – 3am at night time.

Expert confirmed that their survey only tested the external volume of noise from the inside and not any external noise. This was relevant given the site plan including a smoking area with roadside access. He later confirmed again that his report did not consider any traffic arrival noise, but did offer a view of what could be heard externally of any internal noise.

Council also challenged the notion that customers would attend in 1s and 2s - this view came from using the applicants existing Seven Sisters site. Again, representativeness was raised.

Acoustic expert offered a statement that he had not witnessed any behaviours that are negative regarding 1 or 2 customers arriving. (Not sure how being an Independent Acoustic Expert places him in a position to come to such a conclusion ??)

Council focused on how people were likely to arrive at the site in the evening, through the night and questioned had they measured the noise impact of that new noise. Expert said he had assumed everyone would walk to the site. Mr Pidgeon however stated that the site had parking and this was pointed out that it doesn't. The chair referred to the layby in front of the site being available for parking for 2 hours. Councillor Rutherford advised that overnight these spaces would most likely be used by residents.

## **Resident Submissions**

### Maureen Hughes

Challenged how the Seven Sisters site could be a useful comparison. Acoustic Expert reply was that he was only referencing the internal noise of the Seven Sister site.

### Nik Urquhart

Raised concerns regarding people hanging around the facility

As a local resident he confirmed there is no parking at the site.

Also repeated that the Town is dead after 9pm so external arrival noised is extremely pertinent.

Maureen Hughes

Any noise carries.

Katherine Rutherford (Councillor)

Responded to the Chair observation that there was a Car Park within 50 metres of the site albeit at the time of his attending the site (externally) the car park was chained up.

Katherine confirmed that the Car Park was to be redeveloped with a planning application shortly to be submitted.

Council asked whether the smoking area is planned for indoors within the site. Mr Pidgeon confirmed that it would include an external area that can only be opened on one side.

Council challenged that surely this location would undoubtedly create more noise.

Council then advised that the Smoking room would have to have 50% of sides which would be openable – also had concerns that the door as planned would be no more than 2 metres away from the communal access to the flats above.

Council then put to the Appellant that the Acoustic Survey has not taken account of people standing outside and conversing.

Discussion ensued around other Gaming establishments in the Borough – Council confirmed the only site in the Borough was the Gaming Slots at the end of the pedestrianized area opposite the Premier Inn hotel in Staines.

This is located the other side of the railway line from its nearest Residents. Staines also has entertainment venues who have late licensing

Angela Mayne

Staines is not a comparable site to Ashford where we have no late-night retail operations.

Smokers tend to go for a smoke together rather than alone.

Acoustic Expert replied that they had not used Staines for his report. He had just applied the 65-decibel bar required for this specific application.

Repeated that we have no policing in Ashford.

John Dickens (Chair Ashford Residents Association)

Requested clarification regarding the external noise report – again confirmed only measuring internal noise.

JD observed that given the quietness of the area post 9pm the base line would be almost zero so any external noise would be relevant.

Regarding Residents, the Chair was invited to also take into account that opposite the proposed site the offices above Muggeridge's are currently being converted into residential units – all of these will use a common entrance 10 metres from the Site, so external noise will also need to be considered for these Residents.

Katherine Rutherford (Councillor)

Regarding Staines Vs Ashford – Staines has late night activities / Ashford has no comparison.

Council raised additional concerns regarding Intermittent levels of noise.

Angela Mayne

Again, from research, the significance of the close proximity of schools is the main reason why similar applications fail. The number of schools in the vicinity exacerbates the challenge.

Maureen Hughes

Asked as to the timeline for a decision.

Chair confirmed he is obliged to produce his report by latest end of April (4 weeks from today). He did confirm that he has other cases that he is also required to report on.

Council then submitted an objection to the appeal from Lincoln Jopp – MP for Spelthorne that was read out to the assembled attendees.

Nik Urquhart

Submitted a long and well-balanced statement to the audience, detailing the current level of objection from both an online poll and a physical signature-based poll objecting to the appeal.

As a resident who resides very close to the site, he offered an eloquent and passionate view as to why this appeal must be rejected.

Katherine Rutherford (Councillor)

Read out a similar type of opposition from the Ward Councillor – Michelle Arnold

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At this point I left the meeting that was winding up Session 2 and breaking for lunch.

Post Lunch the Agenda was due to cover the following: -

- Other Matters not already covered
- Closing Comments and Planning Balance
- Planning Conditions (without prejudice)
- Application for Costs by the Appellant
- Arrangements for the site visit (Chair to make internal examination of the siter as well as surrounding areas)
- Close
- Site Visit

I offer no opinion as regards how this will conclude – the Chair will apply the facts to the law / regulations applicable and will issue his conclusion in 4 weeks

John Dickens (Chair – Ashford Residents Association)  
26<sup>th</sup> March 2025