

**Minutes of the Planning Committee  
16 November 2016**

**Present:**

Councillor R.A. Smith-Ainsley (Chairman)  
Councillor H.A. Thomson (Vice-Chairman)

Councillors:

I.J. Beardsmore	N.J. Gething	R.W. Sider BEM
S.M. Doran	A.C. Harman	
M.P.C. Francis	A.T. Jones	

**Apologies:** Apologies were received from Councillor R.O. Barratt, Councillor J.R. Boughtflower, Councillor R. Chandler and Councillor D. Patel

**In Attendance:**

Councillors who are not members of the Committee, but attended the meeting and spoke on an application in or affecting their ward, are set out below in relation to the relevant application.

**253/16 Minutes**

The minutes of the meeting held on 19 October 2016 were approved as a correct record.

**254/16 Disclosures of Interest**

**a) Disclosures of interest under the Members' Code of Conduct**

There were none.

**b) Declarations of interest under the Council's Planning Code**

Councillors Doran, Gething, Harman, Sider, Smith Ainsley and Thomson reported that, in relation to application 16/01593/HOU 19 Clifford Avenue, Ashford TW15 2JS, they either knew the owner of the neighbouring property who was speaking against the planning proposal, or had had conversations with him but had maintained an impartial role, had not expressed any views and had kept an open mind.

**255/16 16/01117/FUL - Land north of M3, Thames Side, Laleham**

**Description:**

This application is for the retention of a pontoon that is attached to the riverbank alongside the River Thames north of the M3 Bridge. It is constructed of rubber/plastic and has a small recess on the downstream side to allow canoes from the adjacent Canoeing Club, to be accessed from both sides to aid safety and accessibility. The site is located within the Zone 3b functional flood plain, the Green Belt and the river is designated as a Site of Nature Conservation Importance.

It is considered that the design and limited size of the pontoon is acceptable and also is considered to be appropriate development within the Green Belt. There would be no significant flooding concerns and the pontoon would not result in any adverse impacts upon the landscaping and biodiversity of the surrounding area.

**Additional Information:**

The Assistant Head of Planning (Development Management) informed the Committee of the following:

The consultation response from Surrey Wildlife Trust raised no objection.

**Public Speaking:**

There was none.

**Debate:**

During the debate the following key issues were raised:

There was nothing contentious in this proposal.

It will promote good health for young people.

**Decision:**

**Resolved** to retain the existing pontoon that is attached to the riverbank alongside the River Thames north of the M3 Bridge to service canoeing centre.

**256/16 16/01593/HOU - 19 Clifford Grove, Ashford TW15 2JS**

**Description:**

This application seeks retrospective planning permission for the erection of an outbuilding which is situated in the north-western corner of the rear garden of 19 Clifford Grove. The outbuilding measures 5.608m in width and 4.108m in depth. It has a dual pitched roof with a ridge height of 3.6m and a height of 2.3m to the eaves. The outbuilding is situated 0.15m from the boundary with 21 Clifford Grove to the northeast and 1.3m from the rear boundary with 56 Parkland Grove to the northwest. Planning permission is required as the outbuilding exceeds the height allowed for an outbuilding situated within 2m from the boundary which may be built under 'permitted development'. The outbuilding is situated a minimum of 16m from the nearest dwelling house and is considered to have an acceptable impact on the amenity of adjoining residential properties and the character of the area.

The proposal complies with Policy EN1 (Design of New Development) of the Spelthorne Borough Core Strategy and Policies DPD (2009).

**Additional Information:**

There was none.

**Public Speaking:**

In accordance with the Council's procedure for speaking at meetings, Mr. Alex Burns, on behalf of Mr and Mrs Cameron of 17 Clifford Grove, spoke against the enforcement action raising the following key points:

- The large extension to the house has already been approved and the outbuilding was not part of that application.
- The extension should be subject to the Community Infrastructure Levy (CIL).
- There were errors in the original application (not sure this point should be included).

In accordance with the Council's procedure for speaking at meetings, Councillor Tony Mitchell spoke as Ward Councillor against the unauthorised use raising the following key points:

- The outbuilding is too close to the neighbour's fence.
- It could be used as a dwelling.
- If planning permission had been sought originally, there would have been a requirement to move the outbuilding further away from the neighbour's fence.

**Debate:**

During the debate the following key issues were raised:

- The application is retrospective
- It should be moved away from the boundary
- Fire safety concerns
- Concern if proposed condition 1 is breached
- Query over dimensions
- Nice garden outbuilding
- Conflicts with policy EN1
- No reasons to refuse
- Has an impact

- Does not have an impact
- Height, scale, bulk and proximity to the boundary, would have an overbearing impact on 21 Clifford Grove
- Out of character with the surrounding area

**Decision:**

**Resolved** to overturn and refused for the following reason:

The outbuilding, by reason of its height, scale, bulk and proximity to the boundary, would have an overbearing impact on the adjacent property, number 21 Clifford Grove and would be out of character with the surrounding area, contrary to policy EN1 of the Spelthorne Core Strategy and Policies DPD, 2009.

**The Planning Committee also agreed to issue an enforcement notice requiring the removal of the outbuilding.** The time period for compliance is 3 months. The reason for issuing the enforcement notice is the same as the reason for refusal.

**257/16 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 Assistant Head of Planning and Housing Strategy.

**Resolved** that the report of the Assistant Head of Planning and Housing Strategy be received and noted.

**258/16 Urgent Items**

There were none.