

**Minutes of the Planning Committee
7 February 2018**

Present:

Councillor R.A. Smith-Ainsley (Chairman)

Councillors:

C.B. Barnard	S.J. Burkmar	D. Patel
R.O. Barratt	S.M. Doran	R.W. Sider BEM
I.J. Beardsmore	Q.R. Edgington	
J.R. Boughtflower	M.P.C. Francis	

Apologies: Apologies were received from Councillor H.A. Thomson, Councillor R. Chandler, Councillor N. Islam and Councillor A.T. Jones

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.

Councillor N. Gething – Application 17/01700/HOU – 27 St. Hilda’s Avenue, Ashford

20/18 Minutes

The minutes of the meeting held on 10 January 2018 were approved as a correct record.

21/18 Disclosures of Interest

a) Disclosures of interest under the Members’ Code of Conduct

Councillor R.A. Smith-Ainsley declared a conflict of interest on behalf of the Committee members for application 18/00061/DEM White House, Kingston Road, Ashford because it had been made by the Council.

b) Declarations of interest under the Council’s Planning Code

Councillor M. Francis reported that he had received correspondence in relation to application 17/01143/FUL and 17/01144/LBC - Staines Town Hall, Market Square, Staines-upon-Thames but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors R.A. Smith-Ainsley, C. Barnard and R.W. Sider BEM. reported that they had received correspondence in relation to application 17/01634/FUL – 42 High Street, Shepperton but had maintained an impartial role, had not expressed any views and had kept an open mind. Councillor Barnard also declared that he had had discussions with residents of the ward regarding the application.

Councillors R.A. Smith-Ainsley, J. Boughtflower, S. Doran, Q. Edgington, D. Patel and R.W. Sider BEM reported that they had received correspondence in relation to application 17/01700/HOU but had maintained an impartial role, had not expressed any views and had kept an open mind.

22/18 17/01143/FUL - Staines Town Hall, Market Square, Staines-upon-Thames

Description:

This Application sought approval for change of use from pub/restaurant use (Use Class A3/A4) to 13 residential units comprising 2 no. studio flats, 6 no. 1-bed flats and 5 no.2-bed flats, and associated alterations.

Additional Information:

The Planning Development Manager informed the Committee that:

1. A consultation response was received from Thames Water raising no objection (a copy had been forwarded to the applicant). They requested the following informative was attached to the decision notice:

Informative

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

2. A consultation response was received from the Crime Prevention Officer raising no objection (a copy had been sent to the applicant). He made security related comments, most of which were very detailed (e.g. laminated glazing, door locks) elements which are not normally covered

and enforced under the planning regulations. He also recommended a condition to be imposed requiring the redevelopment to achieve the Secured by Design Award. Whilst it was not considered reasonable to impose such a condition, it was proposed to add the following informative to the decision notice:

Informative

The applicant's attention is drawn to the ACPO/Home Office Secured by Design (SBD) award scheme, details of which can be viewed at www.securedbydesign.com

3. Amended plans had been received showing the design and position of the proposed railings around the top of light well on the western elevation of the building. The proposed elevation drawing also showed the new platform lift. The Council's Conservation Officer raised no objection to the proposed railings. Condition 2 (drawing numbers) of both the planning application and listed building consent were amended accordingly:

Condition 2 (17/01143/FUL & 17/01144/LBC)

The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

THS/EX/100; /101; /102; /103; /104; /105; /200; /201; /202; /300 (x 2); /401 received 15 July 2017.

THS/PL/100; ~~/401 (x 2)~~; /102; /103; /105; /200; /201; ~~/202~~; /300; /301; /302; /303; /401; /500; /501; /502; /506; /900 received 15 July 2017.

THS/PL/202 Rev. C received 06 February 2018

THS/PL/101 Rev. B received 07 February 2018

Reason:- For the avoidance of doubt and in the interest of proper planning

4. With regard to the pair of blind arched windows in the southern rear elevation, the report referred to them being "blocked" whereas in fact they are "blind". Therefore the following paragraphs in the report were amended:
 - 3.4 The proposal involved the change from pub/restaurant use (Use Class A3/A4) to 13 residential units comprising 2 no. studio, 6 no. 1-bed and 5 no. 2-bed flats. The scheme will involve the installation of new internal walls and floors to enable the interior to be converted into 13 separate units. However, many of the proposed rooms on the upper floors will have full floor to ceiling room heights so to expose the original ceiling and its associated features. The existing basement will be used as an ancillary gym. The bin store will also be located in the basement. There will be very limited alterations to the external parts of the building. The main changes involve the existing blocked windows to be re-opened. ~~This include the re-opening of the~~ The large arched ~~blocked blind~~

windows on the southern riverside elevation **are to be opened**. In addition, the existing modern pedestrian ramp on the western side of the building is to be removed and alterations are to be carried out to the existing light well to provide more light to the ancillary gym. There will be no car parking spaces proposed. All of the units will be occupied as market housing.

7.12 The proposed changes to the exterior of the listed building will be minimal (mainly the re-opening of blocked windows, **opening of the blind arched windows in the rear elevation** and removal of the modern ramp) and are considered acceptable. It is also considered that the proposal will not adversely affect the setting of the existing listed buildings of the 2 no. telephone kiosks, the old fire station, and the other listed buildings in the area.

7.18 It is noted that 2 letters of objection have been received from the owner of the vacant piece of land to the rear of the building. Issues raised relate to the proposed ~~re~~-opening of the existing ~~blocked-up~~ **blind** windows in the rear elevation, the consequent overlooking, possible impact this could have on the potential redevelopment of the adjacent land, possible boundary infringements and access over the adjacent land during construction. Whilst the comments are noted, it is not considered that there are sufficient grounds to justify refusal on these grounds. The overlooking impact needs to be assessed in relation to the existing situation and the proposal's impact on the adjacent piece of vacant land will be very limited. The issues relating to the possible infringement of the boundary and access rights to the rear of the building are not planning matters and cannot be taken into consideration with these applications.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Anne Damerell spoke against the proposed development raising the following key points:

- Would prefer a community use but accepts this will not occur
- Conversion to flats will be an improvement
- Opening up of blind windows at the rear will be an improvement.
- Concern over no level access from the front of the building which could impede access for those with disabilities
- Query over storage of bikes
- Query over storage and access to refuse bins

In accordance with the Council's procedure for speaking at meetings, Danny Simmonds spoke for the proposed development raising the following key points:

- Building has been vacant since 2014, condition is now deteriorating
- Previous uses have not been successful
- Residential development is the only means to bring this building back to active use

- Will be a substantial benefit to Staines Town Centre
- Positive contribution to the Staines Conservation Area
- Will assist in meeting the Borough's housing requirements in a sustainable location

Debate:

During the debate the following key issues were raised:

- The Old Town Hall (OTH) has deteriorated
- This proposal is the only alternative to preserve the listed building which is an integral part of Staines
- Policy EN5 permits the LPA to apply policies in a more flexible way
- Concern about lack of parking
- Query over whether the clock will work again
- Concern over the lack of disabled access
- Lack of parking is ok in this particular case
- Two flats do not meet the technical standards
- It is a pity the OTH cannot be used for community purposes
- Signage should point to disabled access at the side of the building
- The new development should have "Town Hall" in its name
- Queries over access during a flood

Decision:

The Application was **approved** as per the recommendation in the Officer's report subject to the additional conditions and informatives above and the following two informatives agreed by the Planning Committee:

1. The applicant is requested to give consideration to providing disabled access to the front of the building. This is likely to involve a listed building consent application and will involve land currently within the ownership of Spelthorne Borough Council.
2. The applicant is requested to give consideration to restoring the existing clock as part of the proposals.

23/18 17/01144/LBC - Staines Town Hall, Market Square, Staines-upon-Thames

Description:

This Application sought Listed Building Consent for internal and external alterations to facilitate the conversion of the existing building to 13 flats.

Additional Information:

There was none.

Public Speaking:

This item was debated as part of the previous item 22/18.

Debate:

This item was debated as part of the previous item 22/18.

Decision:

The Application was **approved** as per the recommendation in the Officer's report.

24/18 17/01634/FUL - 42 High Street, Shepperton

Description:

This Application sought change of use from offices/bank to a mixed use of commercial units at ground floor level and to 3 no. residential flats above on first floor with balconies, erection of new second floor with 3 no. flats with balconies, erection of part single storey, part two storey rear extension and new windows and doors including new access to front.

Additional Information:

The Planning Development Manager advised the Committee that:

Amended plans had been received showing a minor adjustment to the balcony by 5cm. Consequently, condition 3 should be amended to:

The development hereby permitted shall be carried out in accordance with the following approved plans and drawings: SITE LOCATION PLAN; 441-6; 441-7; 441-17; ; 441-1; 441-2; 441-3; 441-11; 441-19 and 441-12E received 23.10.2017 and **441-8I; 441-9I; 441-10I; 441-13F; 441-15F; 441-18D; 441-16G; received 07.02.2018.**

Reason: For the avoidance of doubt and in the interest of proper planning.

One late letter of objection had been received and signed by two residential properties raising the following points:

- Continued overlooking and loss of privacy;
- Inconsistency in planning decisions by the Council;
- Non-compliance with sections of the Design SPD and Policy EN1.

(Officer note: We are satisfied that the separation distances and relationship between the application site and the adjoining occupiers are satisfactory to avoid loss of privacy and overbearing, particularly with the screens provided to the balconies.

She also advised the Committee that the applicant had agreed to the following condition:

11): The ground floor commercial uses shall be restricted to Classes A1 and A2 purposes and for no other purposes within the Use Classes Order 1987 (or any subsequent amendments) without the approval of the Local Planning Authority.

Reason: To assess the impact of the proposed uses on the locality and preserve the vitality and viability of the Shepperton Town Centre.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Sarju Shah spoke against the proposed development raising the following key points:

- Overlooking
- Concerns with impact of proposed balconies on the dwellings at the rear
- Lack of amenity space

In accordance with the Council's procedure for speaking at meetings, Maria Grant spoke for the proposed development raising the following key points:

- Complies with the Council's SPD
- A privacy screen is proposed at the rear
- Amended scheme overcomes the previous reasons for refusal; size of development has been reduced
- Has offered a condition restricting the ground floor to Classes A1 and A2.
- 10 parking spaces are proposed including two extra for the commercial uses
- Two disabled WCs are proposed on the ground floor
- The building has been empty for some time

In accordance with the Council's procedure for speaking at meetings, Councillor Barnard spoke as Ward Councillor raising the following key points:

- He called the application in due to concerns raised by residents to the rear
- The issues concerning the principle of development, odours, design and visual impact, parking and impact on the residents to the rear in terms of size and overlooking have all been addressed in the officer's report and by conditions.
- Disabled access and fire escape cannot be considered as part of this application.

Debate:

During the debate the following key issues were raised:

- Query over possible adverts
- Query over whether the windows can be changed without planning permission
- Overlooking concerns
- Shortfall in amenity space
- Class A3 use should be prevented
- Out of character with adjacent buildings which are much lower
- Allocated parking for commercial uses required

Decision:

The Application was **approved** subject to conditions as per the recommendation in the officer report, and subject to condition 4 being amended as follows:

Prior to the occupation of the development hereby permitted the balcony screens on the rear and flank elevations at first and second storey level shall be obscure glazed in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. These balcony screens shall thereafter be permanently retained as installed.

Reason:- To safeguard the privacy of the adjoining properties, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

25/18 17/01700/HOU - 27 St Hilda's Avenue, Ashford

Description:

This application sought approval for the erection of a part single storey, part two storey rear extension. It also involved the installation of a pitch roof to the side of the property and the creation of a covered seating area.

Additional Information:

The Planning Development Manager informed the Committee that:

3 late letters of representation had been received from the neighbouring property of 25 St Hilda's Avenue. Issues raised which were not included in the officer's report:-

- a) New sunlight assessment is flawed and falsely assumes north-west facing gardens when they are actually west/west-north-west facing. (Officer note: this assessment has not been referred to by officers as referred to in para 7.12)
- b) New sun path assessment shows conservatory overshadowed on 21st March at 3PM
- c) No 25 is situated to the north & received direct sunlight between 12:30 -1PM from the end of January (Officer note: in response to b and c, the light issue is assessed in the officer's report. In addition, a sun path assessment plan has been received from the applicant showing the impact on the sunlight on the neighbouring property. It shows the proposed extension does not cause a significant loss of light. This assessment together with a 3D drawing of the 45° vertical assessment were set to the objector at no. 25)
- d) States conservatories should not be treated the same as other extensions and they do not appear on the list of habitable rooms in the SPD (Officer note: this is addressed in the officer's report under para 7.6 on page 63).

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Ian Brimage spoke against the proposed development raising the following key points:

- The 45° vertical arc should be taken from the rear of the original property, not the rear of the conservatory which has been added.
- Loss of light
- The conservatory at No. 25 did not require planning permission

In accordance with the Council's procedure for speaking at meetings, Councillor Nick Gething spoke as Ward Councillor against the proposed development raising the following key points:

- Many issues of concern were raised by Nick Gething at the 10 January 2018 Planning Committee meeting
- Loss of light
- Will have a disproportionate impact on the neighbour

Debate:

During the debate the following key issues were raised:

- The conservatory is not a habitable room
- Paragraph 7.6 of the officer's report adequately describes how the proposal has been assessed.

Decision:

The Application was **approved** as per the recommendation in the Officer's report.

26/18 18/00061/DEM - White House, Kingston Road, Ashford

Description:

This Item was an application for Prior Approval to demolish the building and remove the resultant materials from the site.

Additional Information:

The Planning Development Manager informed the Committee that a letter had been received from the Gas Network company, Cadent raising detailed points. The letter had been forwarded onto the applicant.

Public Speaking:

There were no Public Speakers for this item.

Debate:

During the debate the following key issues were raised:

- It is a shame to lose the building which is prominent and of interest
- Query over whether the existing storage be kept inside the building

Decision:

The application was **noted** as per the recommendation in the Officer's report.

27/18 Planning Development Management Performance Statistics

Description:

The Planning Development Manager highlighted the Spelthorne's performance statistics against the Government's performance measures for Local Planning Authorities in the determination of planning applications for the period for 2017 and 2018.

Resolved to note the report.

28/18 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 Planning Development Manager.

Resolved that the report of the Planning Development Manager be received and noted.

29/18 Urgent Items

There were none.