

**Minutes of the Planning Committee
12 December 2018**

Present:

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

Councillors:

C. Barnard	S.M. Doran	N. Islam
I.J. Beardsmore	T.J.M. Evans	S.C. Mooney
S.J. Burkmar	M.P.C. Francis	R.W. Sider BEM
R. Chandler	A.L. Griffiths	

Apologies: Apologies were received from Councillor Q.R. Edgington

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 V.J. Leighton - 18/01043/FUL - Maytree Stables, Ferry Lane, Shepperton, TW17 9LQ and 18/01426/RVC - Halliford Studios Limited, Manygate Lane, Shepperton, TW17 9EG

288/18 Minutes

The Minutes of the meeting held on 14 November 2018 and the reconvened session of the 19 November 2018 were approved as a correct record.

289/18 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 R.A. Smith Ainsley, H.A. Thomson, C. Barnard, S. Doran, T.J.M. Evans, M.P.C. Francis, N. Islam, S.C. Mooney and R.W. Sider BEM reported that they had received correspondence in relation to application 18/01332/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors R.A. Smith Ainsley, H.A. Thomson, C. Barnard, I.J. Beardsmore, S. Burkmar, R. Chandler, S. Doran, T.J.M. Evans, M.P.C. Francis, A.L. Griffiths, N. Islam, S.C. Mooney and R.W. Sider BEM reported that they had received correspondence in relation to application 18/01043/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillors R.A. Smith Ainsley, H.A. Thomson, C. Barnard, I.J. Beardsmore, S. Burkmar, R. Chandler, S. Doran, T.J.M. Evans, M.P.C. Francis, A.L. Griffiths, N. Islam, S.C. Mooney and R.W. Sider BEM reported that they had received correspondence in relation to application 18/01426/RVC but had maintained an impartial role, had not expressed any views and had kept an open mind.

In relation to Application 18/01043/FUL Ward Councillor V. Leighton declared that she is a resident of Hamhaugh Island, Shepperton and has private off road parking.

290/18 Planning application - 18/01332/FUL - 40 Glenfield Road, Ashford, TW15 1JL

Description:

This application sought the erection of part single storey, part two storey side extension and single storey rear extension following demolition of existing garage, outbuildings and rear extension and conversion of existing dwelling into a House of Multiple Occupation for 7 persons.

This application had been called into Committee for determination by Councillor Thomson on the grounds that the proposal did not comply with Policies EN1, CC3, HO5 and guidance contained in the SPD for the Design on New Residential Development and Householder Extensions.

Additional Information:

One additional letter has been received (including photos) making the following points in relation to the Planning Committee report:

- Impact upon the character and appearance of the area
- Un-neighbourly
- Impact on amenity
- Unacceptable on street parking and safety
- Planning permission is required for 7 persons because this may have an impact on character
- Non-compliance with policy EN1 in not making a positive contribution to the street; unsatisfactory relationship with adjoining properties and inappropriate/insufficient off street parking
- Precedent

Public Speaking:

In accordance with the Council's procedure for speaking at committee meetings, Elaine Serpant spoke against the proposed development and raised the following key points:

- Concern about HMO
- Out of character, change to character of property
- Unneighbourly
- Impact on amenity
- EN1 requires a positive contribution to the street scene
- On street parking concerns causing danger
- Precedent

In accordance with the Council's procedure for speaking at committee meetings, Ranjit Sekhon spoke for the proposed development and raised the following key points:

- EN1 – the design of this development is similar to that already approved
- CC3 parking has been reviewed by the Highways Authority
- Policy H01 not a new development, but an existing development.
- No complaints from Environmental Health or the Police
- Applicant is a registered landlord, has grade A HMO licence
- Landlord complies with all regulations
- Can operate HMO for 6 people under permitted development, this is 1 more

In accordance with the Council's procedure for speaking at committee meetings, Ward Cllr Thompson spoke and raised the following key points:

- Has received a lot of objections
- Will change the character of the building
- Planning condition could be imposed limiting the use to 7 residents
- Planning permission had already been granted for the extensions

Debate:

During the debate the following key issues were raised:

- Large representation against application
- Change to a building that changes the character
- Would be restricted to 7 therefore smaller change
- EN1(a) issue – high standard of design
- Layout – communal space is small but meets HMO standards
- 6 rooms show double beds therefore possibly 13/14 people.
- Parking – 3 cars in minimal space
- Heavily congested road, cars over pavements and across footpath
- Properties never intended as HMOs
- HO1 referred to but was called in on HO5

- Environmental Health made no comment at this stage, but could object to room sizes at the licensing stage – not a planning consideration
- Communal kitchen/diner is similarly small
- Potential problems for locality associated with the use of the property as an HMO
- Is there a difference between the existing approval and the HMO in terms of built form?
- New application with 7 separate dwellings
- What is the car parking for 7 flats?
- Parking difficult after 6pm
- Parking layout doesn't work
- Bulk has been approved, additional development too much
- Pushing boundaries on what's already there with additional pressure on local residents
- Is front door adjacent to parking?
- Parking space appears to be an inadequate size
- Looks unsafe – means of escape inadequate
- Realistically there would be more than 7 people living there - conditions can't be enforced
- This is about the impact of 1 additional occupant
- Is there adequate bin storage?
- It will have an adverse impact on surrounding residents
- Kitchen and communal area inadequate for 7 people

Decision:

The recommendation was overturned and **REFUSED** for the following reasons:

The proposed use of the site as an HMO for 7 residents would result in a development which would have an adverse impact on the character of the surrounding residential area, contrary to policy EN1(a) of the Spelthorne Borough Core Strategy and Policies DPD, 2009.

The proposed on-site parking is inadequate to serve the proposed development which would result in unacceptable on street parking in the locality, contrary to policy CC3 of the Spelthorne Borough Core Strategy and Policies DPD, 2009.

291/18 Planning application - 18/01043/FUL - Maytree Stables, Ferry Lane, Shepperton, TW17 9LQ

Description:

This application sought the change of use of existing land to a car park with a grill grass reinforcement mesh surface treatment together with installation of new fencing and entrance gate with restricted hours access for a temporary period until 31st October 2019.

Councillor Leighton called in this application, and submitted Very Special Circumstances to demonstrate that the benefits of the proposal outweigh any harm to the openness of the Green Belt.

Additional Information:

Paragraph 7.5 has been amended to reflect that there are on-street parking restrictions in the vicinity, including both double yellow lines in places and single yellow lines with a restriction of 8am to 8pm Monday to Saturday during the months between May and October.

A slide was presented to show these restrictions to the Planning Committee meeting.

Public Speaking:

In accordance with the Council's procedure for speaking at committee meetings, Chris Murdoch spoke for the proposed development and raised the following key points:

- SBC has assisted in recreational provision on the river
- Lots of facilities in the area need car parking
- Loss of 200 car parking spaces in immediate area has impacted on vitality
- Adverse impact on residential amenity
- Residents associations support the proposal
- Will provide much needed parking
- Location is a hub for river uses
- Pick up/drop off location
- Many clubs in immediate location
- Will free-up existing parking spaces

In accordance with the Council's procedure for speaking at committee meetings, Ward Cllr Mrs V Leighton spoke for the proposed development and raised the following key points:

- Meets very special circumstances for recreational facilities
- Supports relationship with river
- Parking restrictions exist all summer when there are lots of activities
- Will assist with community parking

Debate:

During the debate the following key issues were raised:

- Meets very special circumstances test in Green Belt by meeting a demand for specific river uses
- Popular destination, no public transport
- Ferry service requirements
- National events
- Disabled access point to river
- Will provide community parking
- Parking provision may be misused
- Refusal includes flooding but surface is permeable
- Loss of car parks at Lock
- River events throughout summer
- Very special circumstance –allowing parking for canoe training outweighs harm
- Not 24 hour therefore flooding concern addressed
- Public cannot park at carpark adjacent to Thames Court
- Very special circumstances parking to people wanting to use the area, canoe users, Weybridge Mariners Club.
- Permeable site
- Temporary nature of use
- Very special circumstances – promoting health and wellbeing
- Could additional disabled access be provided
- NPPF s145(b) use in connection with sports /rec
- Green Belt – but temporary proposal - therefore not a significant impact
- Loss of an event due to lack of parking
- Community orientated business
- Allowing access through private land
- One car park has already change its tenure (now private)
- GPDO use of land allows 28 days to address event requirements
- Is it a pay carpark?
- Public have requested this

Recorded Vote:

Councillor Beardsmore called for a recorded vote on the motion to refuse the application.

The voting was as follows:

For: 9	Councillors: R.A. Smith-Ainsley (Chairman), H.A. Thomson (Vice-Chairman), I.J. Beardsmore, R. Chandler, S. Doran, T. Evans, A.L. Griffiths, N. Islam, S.C. Mooney
Against: 4	Councillors: C. Barnard, S. Burkmar, M. Francis, R.W. Sider (BEM)

The motion was **carried**.

Decision:

The recommendation to refuse was agreed.

Adjournment:

On the conclusion of Application 18/01043/FUL, at approximately 21:25hrs, the Chairman called for a 10 minute adjournment, during which time the following Councillors left the meeting:-

Councillor S. Burkmar; Councillor R. Chandler; Councillor A.L. Griffiths

292/18 Planning application - 18/01426/RVC - Halliford Studios Limited, Manygate Lane, Shepperton, TW17 9EG

Description:

This application sought Variation of Condition 2 (Approved Drawings) of planning permission 17/01065/FUL for 24 dwellings, to allow the brick wall along the northern and eastern boundaries to be replaced with 1.8 metre high close boarded fence topped with 300mm trellis, and a 2.1 metre high wall.

Councillor Sider had requested this application to be reported to the Planning Committee for consideration on the grounds that the replacement fence does not achieve a satisfactory relationship to adjoining properties and will be detrimental to the street scene in Gordon Road.

Additional Information:

Two late letters of objection have been received. Issues raised include:

- The fence has already started to fall into disrepair.
- Some trellis has fallen off.
- One post is now leaning over.

An e mail was sent to the Members of the Planning Committee from a local resident. The email shows comparison photographs of the former wall and the new fence.

Public Speaking:

In accordance with the Council's procedure for speaking at committee meetings, Geoffrey Piper spoke against the proposed development and raised the following key points:

- Character and visual impact – fence not in keeping with area
- Loss of brick wall
- Design and durability – height and durability wooden panels rot and get vandalised
- Loss of privacy - Gordon Rd side higher
- Noise and security – housing development would be noisy. Brick wall more secure

In accordance with the Council's procedure for speaking at committee meetings, Mark Hendy spoke for the proposed development and raised the following key points:

- Intended to retain boundary wall but walls structurally and visually unsound
- Danger of collapse due to condition of buildings
- Fencing more appropriate to housing development
- Fence is not out of character, acceptable design

In accordance with the Council's procedure for speaking at committee meetings, Ward Councillor Mrs V Leighton spoke against the proposed development and raised the following key points:

- Don't accept justification to demolish wall
- Doing bare minimum
- Not considerate contractors
- Wooden fence and gravel board not appropriate
- No need to remove the wall
- Fence should be replaced with a wall

Debate:

During the debate the following key issues were raised:

- Should put back what has been taken down
- Walls do move
- Substantial wall characteristic of 1950s and does not compare to a trellis fence
- Residents were concerned at the initial state and were given assurances, residents were ignored
- Wall was a feature of Gordon Road cul-de- sac
- Wall should have been inspected by developers
- Enforcement action should be taken to remove unsightly fence which adversely affects the street scene and surrounding area

Decision:

The recommendation to approve was OVERTURNED and planning permission was **REFUSED** for the following reason:

The proposed fence would, by reason of its design and location, represent a poor quality development which fails to respect and make a positive contribution to the street scene and would be out of character with the surrounding area, contrary to policy EN1 (a) of the Spelthorne Borough Core Strategy and Policies DPD, 2009.

During consideration of Application - 18/01426/RVC it was moved by Councillor Beardsmore, and seconded by Councillor Thomson, that having sat continuously for nearly three hours, Standing Order 5.1 be suspended to allow the meeting to continue to the conclusion of the current item of business.

293/18 Committee meeting date change

The Committee Members agreed the proposed change from the scheduled date of Wednesday 1 May 2019 to Tuesday 23 April 2019 at 6.45pm.

294/18 Urgent Items

There were none.